



MINUTES

of the

GENERAL MEETING

CHAIRMAN: Cr R Dyne (Mayor)

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

**On Wednesday 14 September 2011
At 9.00 am**

Gympie Regional Council **GENERAL**

*Mayor RJ Dyne (Chairman),
Crs AJ Perrett, GL Engeman, RA Gâté, LJ Friske,
DR Neilson, IT Petersen, J Watt and JA Walker*

APPOINTMENTS etc.

CONTENTS:

SECTION 1: OPEN WITH PRAYER.....	4
LEAVE OF ABSENCE.....	4
SECTION 2: APOLOGIES.....	4
SECTION 3: CONFIRMATION OF MINUTES OF PREVIOUS GENERAL MEETING	5
SECTION 4: PETITIONS	5
4/1 PETITION – PROPOSED MULTI SPORTS PARK, BELLA CREEK ROAD, BELLA CREEK, IMBIL DA 2010-1870.....	5
SECTION 5: ADOPTION OF CORPORATE GOVERNANCE & FINANCE COMMITTEE RECOMMENDATIONS.....	6
RECOMMENDATION F15/08/11 OF THE RECOMMENDATIONS OF THE CORPORATE GOVERNANCE & FINANCE COMMITTEE MEETING HELD ON THE 24 AUGUST 2011.	7
SECTION 6: REPORT BY THE CORPORATE GOVERNANCE & FINANCE COMMITTEE CHAIRMAN.....	7
SECTION 7: ADOPTION OF WORKS & SERVICES COMMITTEE RECOMMENDATIONS.....	8
RECOMMENDATION W30/09/11 OF THE RECOMMENDATIONS OF THE WORKS & SERVICES COMMITTEE MEETING HELD ON THE 6 SEPTEMBER 2011.	9
SECTION 8: REPORT BY THE WORKS & SERVICES COMMITTEE CHAIRMAN.....	9
SECTION 9: ADOPTION OF PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATIONS.....	11
RECOMMENDATION P14/09/11 OF THE RECOMMENDATIONS OF THE PLANNING & DEVELOPMENT COMMITTEE MEETING HELD ON THE 7 SEPTEMBER 2011.....	11
RECOMMENDATION P23/09/11 OF THE RECOMMENDATIONS OF THE PLANNING & DEVELOPMENT COMMITTEE MEETING HELD ON THE 7 SEPTEMBER 2011.....	12
SECTION 10: REPORT BY THE PLANNING & DEVELOPMENT COMMITTEE CHAIRMAN .	12
SUSPENSION OF STANDING ORDERS.....	15
SECTION 11: OTHER MATTERS	15
11/2 CONTRACT FOR THE PROVISION OF MANAGEMENT SERVICES – GOOMERI PUBLIC SWIMMING POOL, MOORE STREET GOOMERI	15
11/3 CIVICA NATIONAL USER CONFERENCE	20
11/4 MARY VALLEY HERITAGE RAILWAY MUSEUM ASSOCIATION INC.– RULE CHANGES	22
LATE ITEMS	23

LATE ITEM 1	LOCAL LAWS REVIEW	23
SECTION 12:	MEETING DATES	34
SECTION 13:	GENERAL BUSINESS	35
	MRCCC REPORT	35
	LEAVE OF ABSENCE.....	35
SECTION 14:	IN COMMITTEE.....	36
11/1	SUPPLY AND DELIVERY OF ROAD-BASE TO GYMPIE WOOLLOOGA ROAD PROJECT - 2010/11 T001	37
SECTION 15:	ATTACHMENTS.....	38

The meeting commenced at 9:02 am.

PRESENT: Mayor Cr R.J. Dyne (Chairman), Cr A.J. Perrett, Cr G.L. Engeman, Cr L.J. Friske, Cr R.A. Gâté, Cr D.R. Neilson and Cr J. Watt.

Also in attendance were Chief Executive Officer (Mr B.J. Smith), and Minutes Clerk (Mrs S Lowe).

DECLARATIONS OF INTEREST BY COUNCILLORS

F15/08/11 - Cr A.J. Perrett - Conflict of Interest

F15/08/11 - Cr R.J. Dyne & Cr G.L. Engeman - Conflict of Interest

W30/09/11 - Cr R.J. Dyne, Cr D.R. Neilson, Cr A.J. Perrett, Cr G.L. Engeman - Conflict of Interest

P14/09/11 - Cr J. Watt - Material Personal Interest

G21/09/11, G22/09/11, G23/09/11, G24/09/11, G25/09/11, G26/09/11, G27/09/11, G28/09/11 – All Councillors – Perceived Conflict of Interest

SECTION 1: OPEN WITH PRAYER

Major Peter Maynard from the Salvation Army - Gympie offered a Prayer for the advancement of the Region and the true welfare of its people.

One Minute's silence was observed for family and friends of deceased residents of the Region.

LEAVE OF ABSENCE

SECTION 2: APOLOGIES

G01/09/11 Moved: Cr J. Watt

Seconded: Cr A.J. Perrett

That the apologies from Cr J.A. Walker and Cr I.T. Petersen be accepted.

Carried

SECTION 3: CONFIRMATION OF MINUTES OF PREVIOUS GENERAL MEETING

G02/09/11 Moved: Cr R.A. Gâté

Seconded: Cr L.J. Friske

That the Minutes of the Gympie Regional Council General Meeting held on 24 August 2011 be taken as read and confirmed.

Carried

SECTION 4: PETITIONS

4/1	Petition – Proposed Multi Sports Park, Bella Creek Road, Bella Creek, Imbil DA 2010-1870
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Re: **G03/09/11** Petition – Proposed Multi Sports Park, Bella Creek Road, Bella Creek, Imbil DA 2010-1870
From: Residents and Visitors of the Region which includes 532 signatories
File: 2010-1870 Doc ID: 1521510 1521929 1521954
Date: 5 September 2011
Reference:

“Reason(s) for petition: Approval of the proposed use would result in:

- Greatly increased traffic on all access roads to the site, from the east and west and including Imbil Township, causing increased risk of accident and injury to all road users including pedestrians and horse riders.*
- Serious loss of amenity for residents and visitors to the Mary Valley; the loss of ability to enjoy a peaceful, quiet, safe, environment in our homes and in the recreational use of the environs.*
- Safety and security fears for residents and valley visitors from the siting of a licensed venue in a remote area.*
- Increased risks of bushfire, weed invasion, erosion and deteriorating water quality in the Mary River Catchment.*

The proposed use is not in keeping with surrounding land uses and is not aligned with the outcomes sought by the Shire of Cooloola Planning Scheme.”

G03/09/11 Moved: Cr G.L. Engeman Seconded: Cr L.J. Friske

That the Petition be received and referred to the Planning & Development Committee Meeting for consideration.

Carried

SECTION 5: ADOPTION OF CORPORATE GOVERNANCE & FINANCE COMMITTEE RECOMMENDATIONS

G04/09/11 Moved: Cr D.R. Neilson Seconded: Cr G.L. Engeman

That the Recommendations of the Corporate Governance & Finance Committee Meeting held on 24 August 2011 as presented, be received with the exception of Recommendation F15/08/11 to be withdrawn and dealt with later in this meeting.

Carried

G05/09/11 Moved: Cr D.R. Neilson Seconded: Cr G.L. Engeman

That the Recommendations of the Corporate Governance & Finance Committee Meeting held on 24 August 2011 as amended, be adopted.

Carried

CONFLICT OF INTEREST

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

Cr A.J. Perrett declared a Conflict of Interest in Recommendation F15/08/11 due to being a member on the Board and relevant to Item 10/1 - Invoice 58982.

Cr A.J. Perrett left the meeting at 9.09 am.

CONFLICT OF INTEREST

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

Cr R. Dyne and Cr G.L Engeman declared a perceived Conflict of Interest in Recommendation F15/08/11 due to being members of the Club and relevant to Item 10/1 - Invoice 58818 with no financial benefit to the club coming from Councils decision on this matter. Both Councillors remained in the meeting while the matter was discussed and voted on.

Recommendation F15/08/11 of the Recommendations of the Corporate Governance & Finance Committee Meeting held on the 24 August 2011.

G06/09/11 Moved: Cr D.R. Neilson Seconded: Cr G.L. Engeman

That Recommendation F15/08/11 of the Recommendations of the Corporate Governance & Finance Committee Meeting held on 24 August 2011 be received and adopted.

Carried 6/0

Cr A.J. Perrett returned to the meeting at 9.11 am.

SECTION 6: REPORT BY THE CORPORATE GOVERNANCE & FINANCE COMMITTEE CHAIRMAN

Cr Donna Neilson presented the following Report:-

Council will offer a lease over part of the land at 81 Main Street, Kandanga to the Department of Community Safety. The 10 year lease will provide formal tenure to the Kandanga Rural Fire Brigade, which has occupied a building at the rear of the block for many years. The Kandanga Memorial Hall is situated on the front of the block and access will be maintained to both buildings.

The Director of Financial Services presented the Summarised Budget Report as at 31 July 2011. The report showed that the revenue and expenditure of all directorates were within budget estimates.

The meeting received a letter of appreciation from the Goomeri Pumpkin Festival Inc for financial assistance towards running the event on 29 May 2011.

The sum of \$50,000 was spent on staff training in July. Traffic Management Level 2 training is compulsory for all staff who manage traffic control signage on work sites. The final sessions of the Erosion

and Sediment Control course provided all technical, design and outside supervisory staff with invaluable knowledge on these issues. A number of staff also undertook work-related professional development.

Tenders were called for the pre-qualification of suppliers for plant hire of various machinery types on an as required basis. A total of 83 offers have been received and the committee recommended that Council approves the arrangement with all compliant suppliers.

A letter of thanks was received from Australian Red Cross Blood Service for the continued support through voluntary donations of blood by Gympie Regional Council staff. The letter has been referred on to the relevant staff with Councillors' appreciation.

The committee recommended that the Information Privacy Policy, as required under the Information Privacy Act 2009, be adopted. The policy will apply to contractors undertaking work on behalf of Council as well as staff.

Ratepayers are reminded that the discount period for payment of rates expires on Thursday 22 September 2011 and residents wishing to take advantage of this discount should make payment by 4pm that day.

G07/09/11 Moved: Cr D.R. Neilson Seconded: Cr G.L. Engeman

That the Report be received.

Carried

SECTION 7: ADOPTION OF WORKS & SERVICES COMMITTEE RECOMMENDATIONS

G08/09/11 Moved: Cr L.J. Friske Seconded: Cr R.A. Gâté

That the Recommendations of the Works & Services Committee Meeting held on 6 September 2011 as presented, be received with the exception of Recommendation W30/09/11 to be withdrawn and dealt with later in this meeting.

Carried

G09/09/11 Moved: Cr L.J. Friske Seconded: Cr A.J. Perrett

That the Recommendations of the Works & Services Committee Meeting held on 6 September 2011 as amended, be adopted.

Carried

CONFLICT OF INTEREST

In accordance with Section 173 of the Local Government Act 2009:-

Crs Dyne, Neilson, Perrett, and Engeman declared a perceived Conflict of Interest in Minute W30/09/11 due to being Patrons of the Mary Valley Show Society.

As a majority of Councillors declared a Conflict of Interest or perceived Conflict of Interest in the matter of Mary Valley Show Society, all Councillors remained in the meeting while the matter was discussed and voted on.

<p>Recommendation W30/09/11 of the Recommendations of the Works & Services Committee Meeting held on the 6 September 2011.</p>

G10/09/11 Moved: Cr L.J. Friske Seconded: Cr R.A. Gâté

That Recommendation W30/09/11 of the Recommendations of the Works & Services Committee Meeting held on 6 September 2011 be received and adopted.

Carried 7/0

<p>SECTION 8: REPORT BY THE WORKS & SERVICES COMMITTEE CHAIRMAN</p>

Cr Larry Friske presented the following Report:

At the Works & Services Committee Meeting this month Council considered a number of issues.

- The Department of Transport and Main Roads has recently advised that following an inspection of the Calgoa Creek Bridge on the Brooweena-Woolooga Road the need for

rehabilitation work has been identified and the Department will be imposing a bridge load limit of 20 tonnes on this bridge. Council has expressed concern about the imposition of load restrictions on local bridges due to the impact on the cartage of agricultural products to markets.

- Council has agreed to participate in the Road Worker Safety Hotline Program currently being utilised by Department of Transport and Main Roads employees and now being expanded to include local government employees, as our employees' safety is of paramount importance to Council.
- Council has agreed to support the Energex proposal of installing 33kV cables under various Council roads subject to a number of conditions.
- Council will offer no objection to DERM for the formal naming of Mount Boo Boo, Mount Kilkivan, Bakers Gully, German Gully, Italian Gully, Star Gully, and Skibbereen Gully situated in the ex Kilkivan Shire Council area.
- Victory College has requested a pedestrian refuge crossing on Old Maryborough Road for use by the students and Council will now seek funding from the Department of Transport and Main Roads under the SafeST program to construct same.
- Following a request from a local resident, Council has resolved that street lights be installed on Golden Hind Avenue between Britannic Avenue and Glorious Avenue.
- The Goomeri Skate Park will be up and operational in the near future.
- The Cooloola Cove entry statement has been completed.

Council will be strongly supporting the Australian Local Government Association by writing to various Government Departments, including the Prime Minister and Leader of the Opposition, to encourage support for the continuation of the Roads to Recovery Program. This Program is vital to local governments.

G11/09/11 Moved: Cr L.J. Friske

Seconded: Cr R.A. Gâté

That the Report be received.

Carried

SECTION 9: ADOPTION OF PLANNING & DEVELOPMENT COMMITTEE RECOMMENDATIONS
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G12/09/11 Moved: Cr J. Watt

Seconded: Cr R.A. Gâté

That the Recommendations of the Planning & Development Committee Meeting held on 7 September 2011 as presented, be received with the exception of Recommendation P14/09/11 & P23/09/11 to be withdrawn and dealt with later in this meeting.

Further that Recommendation P12/09/11 be withdrawn at the request of the applicant.

Carried

G13/09/11 Moved: Cr J. Watt

Seconded: Cr G.L. Engeman

That the Recommendations of the Planning & Development Committee Meeting held on 7 September 2011 as amended, be adopted.

Carried

Cr J. Watt declared a Material Personal Interest in Minute P14/09/11 due to being the applicant and left the meeting at 9.20 am.

Recommendation P14/09/11 of the Recommendations of the Planning & Development Committee Meeting held on the 7 September 2011.
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G14/09/11 Moved: Cr A.J. Perrett

Seconded: Cr R.A. Gâté

That Recommendation P14/09/11 of the Recommendations of the Planning & Development Committee Meeting held on 7 September 2011 be received and adopted.

Carried

Cr J. Watt returned to the meeting at 9.21 am.

Recommendation P23/09/11 of the Recommendations of the Planning & Development Committee Meeting held on the 7 September 2011.

G15/09/11 Moved: Cr D.R. Neilson Seconded: Cr J. Watt

That Recommendation P23/09/11 of the Recommendations of the Planning & Development Committee Meeting held on 7 September 2011 be deleted and the following placed in its stead:

“That Staff be authorised to negotiate an appropriate settlement of this matter if possible.”

Carried

SECTION 10: REPORT BY THE PLANNING & DEVELOPMENT COMMITTEE CHAIRMAN

Cr Jan Watt presented the following Report:-

Strategic Planning Matters

Council has resolved to refer the matter of funding a Conservation Management Plan for Elginvale Mill to the 2012/2013 Draft Budget deliberations and noted that the Kilkivan and District Historical Society be kept informed due to their interest in the conservation of the sawmill.

Planning Applications

Council's approval of a duplex at Habitat Circuit at Cooloola Cove is supported by the application's consistency with the Draft Wide Bay Burnett Regional Plan urban footprint principles which support the efficient use of land to achieve a compact settlement pattern in established communities and will be subject to relevant conditions.

An application to formalise an existing Commercial Facility (showroom and Hardware store) zoned industrial under the Tiaro Planning Scheme at Gunalda was approved with no further building works proposed in the application. Car parking is considered to be acceptable. The application was advertised for public comment in accordance with the requirements of the Sustainable Planning Act (SPA) with no submissions received.

Reconfiguring a Lot applications

An application to reconfigure one lot to create two lots at Widgee in a Rural Residential locality was considered and approved. The application was advertised for public comment under the SPA with one

submission being received. Due to the applicant's presentation of the proposed subdivision map, the submitter has understandably mistaken the application to be seeking a development of six blocks instead of two and therefore issues raised were considered to be either not relevant or are addressed in the approval conditioning. The proposal is compliant with Council's planning scheme requirements and is assessable against the Kilkivan Planning Scheme with infrastructure charges totalling \$107 per lot.

A subdivision to create a 20 lot rural residential subdivision on the Bruce Highway, Chatsworth was approved. This application is an additional stage of a previously approved development of 50 lots over three stages in 2009. The site is included in the 'Rural Living' classification of the Draft Wide Bay Burnett Regional Plan and is consistent with the long term policy direction for the area. A number of proposed blocks did not meet the minimum required size and conditions reflect the need to amalgamate blocks and amend the minimum lot sizes of several others. Infrastructure charges under the Cooloola Planning Scheme for Rural Residential total \$13,717 per lot. Representations to an existing approval for an additional Rural Residential lot were made with regard to new Council requirements for a passing bay to be provided on a long driveway which services the new lot, representations were refused.

Material Change of Use

Councillors inspected the site of an application to develop a function venue on Tagigan Road, Goomborian prior to considering the matter later in the meeting. The site is located within the Rural Zone adjoined entirely by rural land. Main issues include noise, traffic, existing condition of Tagigan Road and existing rural amenity of the locality with staff proposing to manage noted issues through conditions in their recommended approval. The application was impact assessable and as such subject to public notification with a number of submissions received. Council refused the application at the committee meeting and as advised in the adoption of the minutes of the P&D committee meeting at the General meeting today, the application has been withdrawn at the request of the applicant.

General Matters

The Office of Liquor and Gaming Regulation has sought Council's comment or objection to the application from the Jockey Club Hotel or a Detached Bottle Shop. Council resolved to advise the Department that it has no concerns.

The Minister for Employment Skills and Mining, Stirling Hinchliffe MP has advised council of actions the Qld Government has taken to address concerns raised by communities about the expansion of exploration in and around urban centres and has sought involvement

from Local Government. The Premier has temporarily halted the acceptance of new coal or mineral exploration permit applications in and around urban areas until a permanent solution to exploration-urban interface issues has been implemented. This has been achieved by a declaration of Restricted Areas (RA) around urban centres across Queensland.

Whilst in SEQ the RA applies to all land bound by the current SEQ Regional Plan (plus a two klm buffer), outside SEQ, the RA applies to all towns with a population of 1000 or more, plus a two kilometre buffer from the border of the urban area.

The Government has recognised that smaller townships with fewer than 1000 people may want the restrictions to also apply and have provided the opportunity for Local Governments to opt towns in or out of the RA.

Councils have been asked by the Premier to vote on opting smaller towns in or out of the RA and apply in writing by 16th September via a submission supporting the request.

Areas identified by the State as under the RA in the GRC area are Gympie, Gympie South, Cooloola Cove, Tin Can Bay, Rainbow Beach and Curra.

Council resolved by majority vote to advise the Minister that the RA be declared for the towns of Goomeri Kilkivan and Imbil on the basis that Council considers these towns to be significant rural centres.

Planning Applications Pending

- Material Change of use – Impact Assessable – 1
- Code Assessable - 5
- Reconfiguring Code Assessable – 1
- Building work assessable against the Planning Scheme – 5
- Development Applications Approved (under delegated authority) – 15

G16/09/11 Moved: Cr J. Watt

Seconded: Cr G.L. Engeman

That the Report be received.

Carried

SUSPENSION OF STANDING ORDERS

G17/09/11 Moved: Cr D.R. Neilson Seconded: Cr R.A. Gâté

That Council suspend standing orders to deal with Item 11/2 and refer Item 11/1 to the In Committee Section 14.

Carried

SECTION 11: OTHER MATTERS

Director of Community Services Mr Michael Grant and Acting Co-ordinator of Health & Environmental Services Mr Paul Lofts entered the meeting at 9.28 am.

11/2	Contract for the provision of Management Services – Goomeri Public Swimming Pool, Moore Street Goomeri
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Re: **G18/09/11** Contract for the provision of Management Services – Goomeri Public Swimming Pool, Moore Street Goomeri

From: Environmental Health Officer – Mr Paul Lofts

File: 2/9/11/0001 – Doc ID 1507791, 1507794, 1517758 and 1517201

Date: 31 August 2011.

Executive Summary

Council operates its Public Swimming Pools through the use of contract managers who enter into agreements for the provision of management services. These agreements are generally for a period of three (3) years.

Previous Council Considerations:

At the Community & Economic Development Committee meeting held on 14 July 2010 Council resolved as follows:

CS03/03/11 - Recommend that Council close the Goomeri Public Swimming Pool for the 2010 – 2011 season at 6.00pm on Saturday, 30th April 2011.

Further, that Council advertise for quotations for the position of Manager of the Goomeri Public Swimming Pool on a contract

basis for a period of three (3) years subject to the contract conditions.

Carried

Report: (Environmental Health Officer – Mr Paul Lofts)

Quotations were advertised for the provision of Management Services at Council's Goomeri Public Swimming Pool located at Moore Street, Goomeri for a three (3) year period commencing Monday, 15 August 2011.

A total of twelve (12) sets of quotation documents were forwarded to interested parties with two (2) responses being received by the closing date of Tuesday, 5 July 2011.

Listed below is a summary of the quotations received.

RESPONDENT DETAILS REGD BUSINESS & ABN / ACN	PAYMENT PER MONTH <u>BY</u> COUNCIL TO RESPONDENT EXC GST	PAYMENT PER YEAR (8 MONTHLY PAYMENTS) <u>BY</u> COUNCIL TO RESPONDENT EXC GST
DAVID KAREL ABN: 60 906 076 830	Year 1 - \$4,000.00	Year 1 - \$32,000.00
	Year 2 - \$4,000.00	Year 2 - \$32,000.00
	Year 3 - \$4,000.00	Year 3 - \$32,000.00
		TOTAL FOR THREE YEARS \$96,000.00
NEIL and KIM COZENS ABN: 24 119 274 684	Year 1 - \$5,625.00	Year 1 - \$45,000.00
	Year 2 - \$5,738.65	Year 2 - \$45,909.09
	Year 3 - \$6,017.00	Year 3 - \$48,136.36
		TOTAL FOR THREE YEARS \$139,045.45

In order to generate as much interest in the position as possible, quotations were re-advertised on Saturday, 23 July 2011. A total of six (6) sets of quotation documents were forwarded to interested parties with two (2) further responses being received by the closing date of Tuesday, 16 August 2011.

Listed below is a summary of the second round quotations received.

RESPONDENT DETAILS REGD BUSINESS & ABN / ACN	PAYMENT PER MONTH <u>BY</u> COUNCIL TO RESPONDENT EXC GST	PAYMENT PER YEAR (8 MONTHLY PAYMENTS) <u>BY</u> COUNCIL TO RESPONDENT EXC GST
SHIELDS, KATHRYN ANNE ABN: 53 566 795 916	Year 1 - \$3,437.50*	Year 1 - \$27,500.00
	Year 2 - \$3,554.40	Year 2 - \$28,435.00
	Year 3 - \$3,675.25	Year 3 - \$29,402.00
		TOTAL FOR THREE YEARS \$85,337.00
LEISUREWORX AUSTRALIA PTY LTD ABN: 19 105 141 884 ACN: 105 141 884	Year 1 - \$12,000.00	Year 1 - \$96,000.00
	Year 2 - \$12,000.00	Year 2 - \$96,000.00
	Year 3 - \$12,000.00	Year 3 - \$96,000.00
		TOTAL FOR THREE YEARS \$288,000.00

Respondent requires Council to contribute towards the cost of Public Liability Insurance associated with this contract. This can be in the form of Council re-imbursement upon receipt of a tax invoice attached to a copy of a current Certificate of Insurance. For other similar Public Swimming Pool agreements, Council has agreed to cap the reimbursement amount for public liability insurance at \$1,900.00.

Council, when entering into a contract, has an obligation under the *Local Government Act 2009* to apply sound contracting principles as follows:

- (a) value for money; and
- (b) open and effective competition; and
- (c) the development of competitive local business and industry; and
- (d) environmental protection; and
- (e) ethical behaviour and fair dealing.

Quotations are assessed by staff using information gathered from the respondents completed Offer Forms based on the following selection criteria:

- Relevant experience including key personnel skills and experience;
- Demonstrated understanding of contract requirements;
- Respondents resources to carry out the contract requirements;
- Price.

Using the above selection criteria, all quotations were assessed with scores apportioned against each selection criteria. Shields, Kathryn Anne (ABN: 53 566 795 916) scored highest.

Mrs Shields attended an interview with Co-ordinator Health and Environmental Services – Mr Ian Wolff and Environmental Health Officer – Mr Paul Lofts on Friday, 19 August 2011. Kathryn has confirmed that, if successful, evidence of all required qualifications, insurances and a criminal history check as detailed in the contract would be produced prior to commencement of contract duties.

Council's current 2011/2012 budget provides an amount of \$28,330.00 for Contractor Payments, and \$2,000.00 for Caretaker's Public Liability Insurance at Goomeri Swimming Pool.

Strategic Implications

Corporate Plan:	1.5 (iv)
Operational Plan:	3.3 (x)
Budget Implications:	The quotation received from Shields, Kathryn Anne (ABN: 53 566 795 916) falls within current budget.
Budget Reference:	Ledger # 2520604.6000 Goomeri Pool – Contract Payments to Manager Ledger # 2520604.6001 Goomeri Pool – Public Liability Insurance Reimbursement.
Risk Analysis:	The Contractor is responsible for compliance with the <i>Workplace Health & Safety Act 1995</i> .

Council has care and control of numerous Public Swimming Pools. Failure to provide the required level of supervision of these facilities exposes Council to unacceptable risk of litigation. Safety of patrons is paramount and legislation prescribes specific standards of supervision and water quality at public swimming pools.

As supervisor of a Council owned facility, the contractor is considered to be a representative of Council and has frequent interaction with members of the public. As such, the contractor's actions and behaviour on site are a reflection on

Council. Council's choice of a suitable person for this contract is an important consideration.

Consultation

Director of Community Services
 Director of Financial Services
 Co-ordinator Health and Environmental Services
 Environmental Health Officer
 Shields, Kathryn Anne (ABN: 53 566 795 916)

Checklist

- ☐ Financial Services Directorate
- ☐ Corporate Services Directorate
- ☒ Community Services Directorate
- ☐ Engineering Services Directorate
- ☐ Planning & Development Directorate
- ☐ Office of the Chief Executive Officer

G18/09/11 Moved: Cr A.J. Perrett

Seconded: Cr R.A. Gâté

That Council accept the quotation submitted by Shields, Kathryn Anne (ABN: 53 566 795 916) for the provision of management services at Council's Goomeri Public Swimming Pool on a contract basis for a three (3) year period expiring on 30 June 2014.

The contract arrangement is subject to Shields, Kathryn Anne (ABN: 53 566 795 916) providing evidence of attainment of all required qualifications, insurance and Queensland Police Criminal History check as per the contract prior to commencement of any contract duties at the Goomeri Public Swimming Pool.

Remuneration for the provision of these services to be as per the quotation submitted by Shields, Kathryn Anne (ABN: 53 566 795 916) with Council to pay a subsidy as follows:

Years	Period	Payment per month of subsidy by Council for the Period (excluding GST)	Payment per year of subsidy (8 monthly payments) by Council for the Period (excluding GST)
2011	/ 1 July 2011	\$3,437.50	\$27,500.00

2012		to 30 June 2012		
2012	/	1 July 2012	\$3,554.40	\$28,435.00
2013		to 30 June 2013		
2013	/	1 July 2013	\$3,675.25	\$29,402.00
2014		to 30 June 2014		

Further that Council reimburse Shields, Kathryn Anne (ABN: 53 566 795 916) each year for the payment of the public liability insurance premium associated with this contract. Reimbursement for each financial year to be capped at a maximum amount of \$1,900.00 (plus GST, if applicable). Reimbursement to be paid following the submission of a valid tax invoice and copy of current Certificate of Insurance.

Carried

Director of Community Services Mr Michael Grant and Acting Co-ordinator of Health & Environmental Services Mr Paul Lofts left the meeting at 9.29 am.

11/3	Civica National User Conference
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Re: **G19/09/11** Civica National User Conference
 From: Acting Director Corporate Services – Mr B Hayes
 File:
 Date: 5 September 2011
 Reference:

Report: (Acting Director Corporate Services – Mr B Hayes)

The 2011 Civica National User Conference will be held at the Crowne Plaza, Hunter Valley NSW from the 16th-18th October.

A quality Agenda has been prepared for the Conference including:-

- Demonstrations of the latest Authority local government enterprise software applications including Authority Version 6.5 due for release in October
- Presentation from guest speaker, Peter Baines, one of Australia's most experienced disaster management specialists
- Case study presentations from Councils throughout Australia and New Zealand

- Demonstrations of the Civica Executive Management System (including Authority BIS, Authority Performance Manager and Long Term Planning applications)

As the largest supplier of Local Government software in Australia, the National User Conference provides a rare opportunity for Council staff to network with peers from more than 300 Councils using the Civica range of products across Australia and New Zealand.

Gympie Regional Council operates an increasingly complex IT network of approximately 300 PCs located at more than 25 locations across the Region. Keeping these systems up to date, secure and operating to their full potential is most definitely enhanced by relevant Council staff's exposure to the latest product developments, tools, processes and best practice procedures for IT networks operating in a contemporary local government setting.

There is a focus this year on business continuity for IT systems in the face of natural and other disasters, plus a showcase of the latest portal based Authority 6 platform software of which Gympie Regional Council is moving to in the immediate future. Both are appropriate key areas of interest for relevant GRC staff.

The ongoing challenge of maximising potential benefits from Council's significant investment in key software/hardware solutions makes this conference an ideal forum for the exchange of ideas, and the development of a fuller understanding of the capability of software products already in use by Council, or available as future upgrades.

Product demonstrations, key note presentations and interactive question and answer sessions all provide a great opportunity for staff to better understand how the Civica product is currently being used by Councils across Australia to help deliver a wide range of services to their communities.

Given the wide use of Civica software within the organisation, and its ongoing role as Council's key Local Government software package, it would be appropriate for 2 X Corporate Services staff and 1 x Finance Directorate staff to attend this conference.

Registration, accommodation and travel costs for this conference are approximately \$1200 ex GST per person.

Discounts apply for early bird registrations and advance travel bookings.

G19/09/11 Moved: Cr R.A. Gâté

Seconded: Cr D.R. Neilson

That two staff from Corporate Services Directorate, and one staff from Finance Directorate, to be nominated by the relevant Directors, be approved to attend the Civica Conference from October 16 - 18, 2011.

Carried

11/4	Mary Valley Heritage Railway Museum Association Inc.– Rule Changes
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Re: **G20/09/11** Mary Valley Heritage Railway Museum Association Inc.– Rule Changes
From: Len Tighe – Secretary – MVHR
File: 1-3-6-1 Doc ID: 1521656
Date: 6 September 2011

“We refer to your letters of 10th November 2010 and 3rd May 2011 and advise that the changes to the rules of The Mary Valley Heritage Railway Museum Association Inc. that was voted on at the Special General Meeting on the 29th June 2011 have now been registered with the Office of Fair Trading.

As we now operate under these rules The Gympie Regional Council no longer have two seats on the Management Committee of The Mary Valley Heritage Railway Museum Association Inc.

We would like to thank all members of the Council that attended to their duties on our Management Committee over the years for their input, guidance and direction.

We would also like to extend an invitation for the Council to provide two liaison officers to attend our monthly Management Committee Meetings. We consider that their guidance and assistance in our decision making on the future direction of our Association would be invaluable.”

G20/09/11 Moved: Cr A.J. Perrett

Seconded: Cr R.A. Gâté

That the information be received.

Further that the current Council representatives Cr Jan Watt and Cr Julie Walker remain the Liaison Officers to Mary Valley Heritage Rail.

Carried

Acting Director Corporate Services Mr Brian Hayes entered the meeting at 9.34 am.

LATE ITEMS

In accordance with Section 173 of the Local Government Act 2009:-

All Councillors declared a perceived Conflict of Interest in Minute G21/09/11, G22/09/11, G23/09/11, G24/09/11, G25/09/11, G26/09/11, G27/09/11, G28/09/11 due to Local Laws dealing with a variety of matters including eg: regulation of Electoral Advertising.

As a majority of Councillors declared a Conflict of Interest or perceived Conflict of Interest in the matter of Local Laws dealing with a variety of matters including eg: regulation of Electoral Advertising, all Councillors remained in the meeting while the matter was discussed and voted on.

Late Item 1 Local Laws Review

Re: **G21/09/11, G22/09/11, G23/09/11, G24/09/11, G25/09/11, G26/09/11, G27/09/11, G28/09/11** Local Laws Review
From: Acting Director Corporate Services – Mr Brian Hayes
File:
Date: 8 September 2011
Reference:

Report: (Acting Director Corporate Services – Brian Hayes)

As Councillors will be aware, Gympie Regional Council is required to repeal all existing Local Laws brought across from the 2008 amalgamation of the former Cooloola, Kilkivan and part of Tiaro Shire Councils, and adopt new Local Laws for the Gympie Regional Council area prior to December 31, 2011.

This process will see 96 former Local Laws and Subordinate Local Laws being replaced by six new Model Local Laws and six corresponding Subordinate Local Laws.

It is proposed that Council adopt the following 6 Model Local Laws:-

- *Model Local Law No.1 (Administration) 2011;*
- *Model Local Law No.2 (Animal Management) 2011;*

- *Model Local Law No.3 (Community and Environmental Management) 2011;*
- *Model Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011;*
- *Model Local Law No.5 (Parking) 2011; and*
- *Model Local Law No.6 (Bathing Reserves) 2011.*

In adopting these Models without alteration, the requirement for any State Interest Checks to be undertaken in relation to Council's proposed new Model Local Laws is removed.

In addition, Council is also required to make a *Repealing Local Law No.1 (Miscellaneous Local Laws) 2011*, which repeals the existing local laws of the Council that have been identified as redundant.

It is further proposed that Council make the following six Subordinate Local Laws:

- *Subordinate Local Law No.1 (Administration) 2011;*
- *Subordinate Local Law No.2 (Animal Management) 2011;*
- *Subordinate Local Law No.3 (Community and Environmental Management) 2011;*
- *Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011;*
- *Subordinate Local Law No.5 (Parking) 2011; and*
- *Subordinate Local Law No.6 (Bathing Reserves) 2011*

The Department of Local Government and Planning has recently written to Council requesting that copies of GRC's adopted public consultation Draft Local Laws and Subordinate Local Laws be presented to the Department by October 7, 2011 for its review.

This requirement has heightened the time pressure for the overall process.

Councillors have been provided with a full set of the proposed new Draft Local Laws and Subordinate Local Laws, Repealing Local Law and an accompanying document titled 'Standards for the Conduct of Prescribed Activities (Local Laws)' with this meeting Agenda. (refer attachment 1)

Under the Local Government Act 2009 (Act), Council is required to adopt a process for making its new Local Laws and Subordinate Local Laws. The proposed Drafts are further subject to Public Interest Test

provisions of the Act to ensure any possible anti-competitive provisions contained within the proposed Local Laws and Subordinates are the subject of appropriate public consultation.

Given the tight time frames available to have the new Local Laws in place, a public consultation period of 21 days is recommended for the Public Interest Test/public consultation process in relation to the new Local Laws.

A Public Interest Test Report will be presented to Council following the public consultation period at which point amendments to the Draft Subordinate Local Laws can be made prior to Council formally adopting the new Model Local Laws and making the relevant Subordinate Local Laws.

It is proposed that Council will further undertake a regular review of its Local Laws into the future.

Dr Michael Limerick (Barrister), consultant to Council for the Local Laws Review project, has provided Council with a number of specific recommendations in respect to the necessary resolutions required to further the Local Law Review process. Given the legal nature of this process, it is strongly recommended that Council follow the consultant's recommendations with respect to the required Council resolutions as presented below.

G21/09/11 Moved: Cr A.J. Perrett Seconded: Cr R.A. Gâté

That Council hereby resolves under section 29 of the *Local Government Act 2009* to adopt the following process for making the repealing local law:

- 1. Council makes a resolution proposing to make the repealing local law.**
- 2. Council publishes a notice in the local newspaper and at the Council office seeking comments/submissions on the proposed repealing local law within 21 days.**
- 3. Council emails the contact officer within relevant State agencies (in this case, it will only be the Department of Infrastructure and Planning) seeking comment within 21 days on the overall State interest, if any, affected by the proposed repealing local law.**
- 4. Council considers the comments/submissions and decides to either proceed with the law or make changes (which might require further consultation).**

5. Council writes to the Minister seeking approval of the repealing local law, outlining the details of public consultation, State interest checks and attaching a copy of the local law and drafting certificate.
6. Following Ministerial approval, Council passes a resolution to make the final repealing local law.
7. The CEO certifies four copies of the repealing local laws for the local government's records.
8. Council gives public notice of the law by publishing a notice of the making of the repealing local law, within one month of the date of the resolution to make the laws:
 - a. in a newspaper that is circulating generally in the local government area; and
 - b. in the gazette; and
 - c. on the Council's website
9. As soon as practicable after the notice is published in the gazette, Council must ensure copies of the local law is available for inspection and purchase by the public at its public office and are also made available on its website.
10. Within 7 days after the notice is published in the gazette, Council must forward to the Minister:
 - a. a copy of the notice; and
 - b. a copy of the repealing local law.
11. Council must also update its Local Law Register in accordance with the requirements of section 16 of the *Local Government (Operations) Regulation 2010*.

Carried 7/0

G22/09/11 Moved: Cr G.L. Engeman Seconded: Cr J. Watt

That Council hereby resolves under section 29 of the *Local Government Act 2009* to adopt the following process for adopting the six Model Local Laws:

1. Council makes a resolution proposing to adopt the Model Local Laws
2. Council reviews the Model Local Laws to identify any possible anti-competitive provisions.

3. For those Model Local Laws that contain anti-competitive provisions, Council undertakes a Public Interest Test process.
4. Following the Public Interest Test, the Council makes a resolution adopting the Model Local Laws.
5. The CEO certifies four copies of each of the local laws for the local government's records.
6. Council gives public notice of the laws by publishing a notice of the making of the local law, within one month of the date of the resolution to make the local law.
 - a. in a newspaper that is circulating generally in the local government area; and
 - b. in the gazette ; and
 - c. on the Council's website.
7. As soon as practicable after the notice is published in the gazette, Council must ensure copies of the local laws are available for inspection and purchase by the public at its public office and available on its website.
8. Within 7 days after the notice is published in the gazette, Council must forward to the Minister:
 - a. a copy of the notice; and
 - b. a copy of the local laws.
9. Council updates its local law register (in accordance with the requirements of section 16 of the *Local Government (Operations) Regulation 2010*).

Carried 7/0

G23/09/11 Moved: Cr L.J. Friske Seconded: Cr D.R. Neilson

That Council hereby resolves under section 29 of the *Local Government Act 2009* to adopt the following process for making the subordinate local laws:

1. Council makes a resolution proposing to make the subordinate local laws.
2. Council reviews the subordinate local laws to identify any possible anti-competitive provisions.

3. For subordinate local laws that contain anti-competitive provisions, Council undertakes a Public Interest Test process.
4. Council publishes a notice in the local newspaper and at the Council office seeking comments/submissions on the proposed subordinate local laws within 21 days. (Note: this provides public notice of both the proposed local laws and the Public Interest Test consultation periods, which are being run concurrently.)
5. Council writes to the chief executive of the Department of Environment and Resource Management seeking approval to make the local pest declarations in schedule 1 of *Subordinate Local Law No.3 (Community and Environmental Management) 2011* (Note: this step is only required if local pest declarations are included in schedule 1 following community consultations).
6. Council considers the public comments/submissions and decides to either proceed with the law or make changes (which might require further public consultation).
7. Council passes a resolution to make the final subordinate local laws.
8. The CEO certifies four copies of each of the subordinate local laws for the local government's records.
9. Council gives public notice of the laws by publishing a notice of the making of the subordinate local laws, within one month of the date of the resolution to make the laws:
 - d. in a newspaper that is circulating generally in the local government area; and
 - e. in the gazette (note: this is when the laws take effect); and
 - f. on the Council's website.
10. As soon as practicable after the notice is published in the gazette, Council must ensure copies of the local laws are available for inspection and purchase by the public at its public office and are also made available on its website.
11. Within 7 days after the notice is published in the gazette, Council must forward to the Minister:
 - g. a copy of the notice; and
 - h. a copy of the subordinate local laws.
12. Council must also update its Local Law Register (in accordance with the requirements of section 16 of the *Local Government (Operations) Regulation 2010*).

13. If local pest declarations have been made, Council must publish a notice regarding the declaration of local pests under *Local Law No.3 (Community and Environmental Management) 2011* in a newspaper circulating generally in the local government area (the declaration takes effect on publication).

Carried 7/0

G24/09/11 Moved: Cr G.L. Engeman Seconded: Cr R.A. Gâté

That Council hereby resolves to propose to adopt:

- *Model Local Law No. 1 (Administration) 2010*. The local law so adopted will be referred to as *Local Law No. 1 (Administration) 2011 of the Council's Local Laws*;
- *Model Local Law No. 2 (Animal Management) 2010*. The local law so adopted will be referred to as *Local Law No. 2 (Animal Management) 2011 of the Council's Local Laws*;
- *Model Local Law No. 3 (Community and Environmental Management) 2010*. The local law so adopted will be referred to as *Local Law No. 3 (Community and Environmental Management) 2011 of the Council's Local Laws*;
- *Model Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2010*. The local law so adopted will be referred to as *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011 of the Council's Local Laws*;
- *Model Local Law No. 5 (Parking) 2010*. The local law so adopted will be referred to as *Local Law No. 5 (Parking) 2011 of the Council's Local Laws*; and
- *Model Local Law No. 6 (Bathing Reserves) 2010*. The local law so adopted will be referred to as *Local Law No. 6 (Bathing Reserves) 2011 of the Council's Local Laws*.

Carried 7/0

G25/09/11 Moved: Cr L.J. Friske

Seconded: Cr A.J. Perrett

That Council hereby resolves that the following local laws have been reviewed and have been identified as redundant local laws:

- *Gympie Regional Council Local Law No. 2 (Meetings) 2008*
- *Cooloola Shire Council Local Law No.1 (Administration) 2005*
- *Cooloola Shire Council Local Law No.2 (Keeping and Control of Animals) 1999*
- *Cooloola Shire Council Local Law No. 3 (Gates and Grids) 1995*
- *Cooloola Shire Council Local Law No.4 (Libraries) 2001*
- *Cooloola Shire Council Local Law No.6 (Roads) 1988*
- *Cooloola Shire Council Local Law No. 7 (Impounding of Animals) 1999*
- *Cooloola Shire Council Local Law No. 8 (Control of Pests) 1999*
- *Cooloola Shire Council Local Law No. 9 (Parks, Reserves and Foreshores) 1992*
- *Cooloola Shire Council Local Law No. 10 (Cemeteries) 1999*
- *Cooloola Shire Council Local Law No.11 (Control of Advertisements) 1996*
- *Cooloola Shire Council Local Law No. 12 (Camping Grounds) 1999*
- *Cooloola Shire Council Local Law No. 13 (Caravan Parks) 1999*
- *Cooloola Shire Council Local Law No. 14 (Control of Nuisances) 1999*
- *Cooloola Shire Council Local Law No. 15 (Bathing Reserves) 1999*
- *Cooloola Shire Council Local Law No. 16 (Domestic Water Carriers) 1999*
- *Cooloola Shire Council Local Law No. 17 (Temporary Homes) 2001*
- *Cooloola Shire Council Local Law No. 18 (Aerodromes) 1999*
- *Cooloola Shire Council Local Law No. 19 (Regulated Parking) 1997*
- *Cooloola Shire Council Local Law No. 20 (Bridges and Culverts) 1988*
- *Cooloola Shire Council Local Law No. 21 (Control of Traffic and Obstructions on Roads) 1972*
- *Cooloola Shire Council Local Law No. 22 (Swimming Pools) 1999*

- **Cooloola Shire Council Local Law No. 23 (Council Saleyards) 1971**
- **Cooloola Shire Council Local Law No. 25 (Jetties and Barge Loading Facilities) 1999**
- **Cooloola Shire Council Local Law No. 28 (Health and Safety) 1999**
- **Kilkivan Shire Council Local Law No. 1 (Administration) 1999**
- **Kilkivan Shire Council Local Law No. 2 (Gates and Grids) 1997**
- **Kilkivan Shire Council Local Law No. 3 (Libraries) 1999**
- **Kilkivan Shire Council Local Law No. 4 (Keeping and Control of Animals) 1999**
- **Kilkivan Shire Council Local Law No. 5 (Impounding of Animals) 1999**
- **Kilkivan Shire Council Local Law No. 6 (Entertainment Venues) 1999**
- **Kilkivan Shire Council Local Law No. 7 (Temporary Homes) 1999**
- **Kilkivan Shire Council Local Law No. 8 (Rental Accommodation with Shared Facilities) 1999**
- **Kilkivan Shire Council Local Law No. 9 (Control of Pests) 1999**
- **Kilkivan Shire Council Local Law No. 11 (Domestic Water Carriers) 1999**
- **Kilkivan Shire Council Local Law No. 12 (Blasting Operations) 1999**
- **Kilkivan Shire Council Local Law No. 13 (Parks and Reserves) 1999**
- **Kilkivan Shire Council Local Law No. 14 (Control of Nuisances) 1999**
- **Kilkivan Shire Council Local Law No. 15 (Commercial Use of Roads) 1999**
- **Kilkivan Shire Council Local Law No. 16 (Camping Grounds) 1999**
- **Kilkivan Shire Council Local Law No. 17 (Caravan Parks) 1999**
- **Kilkivan Shire Council Local Law No. 18 (Cemeteries) 1999**
- **Kilkivan Shire Council Local Law No. 19 (Swimming Pools) 1999**
- **Kilkivan Shire Council Local Law No. 20 (Roads) 1999**
- **Kilkivan Shire Council Local Law No. 22 (Control of Advertising) 1999**
- **Kilkivan Shire Council Local Law No. 23 (Extractive Industries) 1999**
- **Tiaro Shire Council Local Law No. 1 (Administration) 1995**

- ***Tiaro Shire Council Local Law No.8 (Control of Advertisements) 1996***
- ***Tiaro Shire Council Local Law No. 13 (Keeping and Control of Animals) 1995***
- ***Tiaro Shire Council Local Law No. 15 (Parks and Reserves) 1996***
- ***Tiaro Shire Council Local Law No. 19 (Entertainment Venues) 1995***
- ***Tiaro Shire Council Local Law No. 20 (Domestic Water Carriers) 1996***
- ***Tiaro Shire Council Local Law No. 22 (Libraries) 1995***
- ***Tiaro Shire Council Local Law No. 24 (Gates and Grids) 1995***
- ***Tiaro Shire Council Local Law No. 32 (Extractive Industries) 1995***
- ***Tiaro Shire Council Local Law No. 34 (Temporary Homes) 1995***
- ***Tiaro Shire Council Local Law No. 35 (Rental Accommodation with Shared Facilities) 1996***
- ***Tiaro Shire Council Local Law No. 36 (Control of Pests) 1996***
- ***Tiaro Shire Council Local Law No. 37 (Blasting Operations) 1996***
- ***Tiaro Shire Council Local Law No. 38 (Control of Nuisances) 1996***

Carried 7/0

G26/09/11 Moved: Cr D.R. Neilson Seconded: Cr A.J. Perrett

That Council hereby resolves to propose to make *Repealing Local Law No.1 (Miscellaneous Local Laws) 2011*, which repeals the existing local laws of the Council that have been identified as redundant, as listed in Minute G25/09/11 (resolution above).

Carried 7/0

G27/09/11 Moved: Cr R.A. Gâté

Seconded: Cr L.J. Friske

That Council hereby resolves to propose to make:

- *Subordinate Local Law No.1 (Administration) 2011;*
- *Subordinate Local Law No.2 (Animal Management) 2011;*
- *Subordinate Local Law No.3 (Community and Environmental Management) 2011;*
- *Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011;*
- *Subordinate Local Law No.5 (Parking) 2011; and*
- *Subordinate Local Law No.6 (Bathing Reserves) 2011.”*

Carried 7/0

G28/09/11 Moved: Cr G.L. Engeman

Seconded: Cr J. Watt

That as the Council has reviewed *Model Local Law No. 1 (Administration) 2010, Model Local Law No. 2 (Animal Management) 2010, Model Local Law No. 3 (Community and Environmental Management) 2010, Model Local Law No.5 (Parking) 2010, Model Local Law No.6 (Bathing Reserves) 2010, Subordinate Local Law No.1 (Administration) 2011, Subordinate Local Law No.2 (Animal Management) 2011, Subordinate Local Law No.3 (Community and Environmental Management) 2011, Subordinate Local Law No.5 (Parking) 2011* and found them to contain possible anti-competitive provisions, the Council hereby resolves to conduct a Public Interest Test for these laws as required by section 38 of the *Local Government Act 2009* and sections 17 and 18 of the *Local Government (Operations) Regulation 2010*.

Carried 7/0

SECTION 12: MEETING DATES

The meeting dates for the month of October 2011 have been set as follows:

OCTOBER**TUESDAY, 4 October 2011****Works & Services Committee Meeting
9am****WEDNESDAY, 5 October 2011****Planning & Development Committee
Meeting 9am****WEDNESDAY, 12 October 2011****General 9am
Community & Economic
Development Committee Meeting to
Commence at the Conclusion of the
Preceding General Meeting****WEDNESDAY, 19 October 2011****Planning & Development Committee
Meeting 9am****WEDNESDAY, 26 October 2011****General 9am
Corporate Governance & Finance
Committee Meeting to Commence at
the Conclusion of the Preceding
General Meeting.****G29/09/11 Moved: Cr A.J. Perrett****Seconded: Cr D.R. Neilson****That the meeting dates for the month of October 2011 be adopted.****Carried**

SECTION 13: GENERAL BUSINESS

MRCCC Report

Cr Graham Engeman gave a verbal report on the following events:-

MRCCC meeting

Dugong Rock awards

Gympie East State School environmental projects

MRCCC environmental monitoring on Coastal water line infrastructure

Reef Rescue projects benefit to Gympie Regional Council landowners – 53% of interest expressions and mostly delivered to Western Mary catchments

Leave of Absence

G30/09/11 Moved: Cr R.A. Gâté

Seconded: Cr G.L. Engeman

That Cr J. Watt be granted leave of absence form all Council Meetings from the 4 – 6 October and the 12 – 14 October to attend the LGAQ Conference and the Qld Arts Conference.

Further that Cr R.J. Dyne and Cr D.R. Neilson be granted leave of absence from all Council Meeting on the 4 – 6 October 2011 to attend the LGAQ Conference.

Carried

Director of Financial Service Mrs Yvonne Oliver and Co-ordinator Procurement & Stores Mr Phill Parkman entered the meeting at 9.50 am.

SECTION 14: IN COMMITTEE

COUNCIL IN COMMITTEE

The Mayor advised the meeting that Council was going “Into Committee” to discuss

1. Supply and Delivery of Road-base to Gympie Woolooga Rd Project 2010/11 T001

G31/09/11 Moved: Cr L.J. Friske

Seconded: Cr R.A. Gâté

That pursuant to the provisions of Section 72 of the Local Government (Operations) Regulation 2010, Council resolves to close the meeting to the public and move “into committee” to consider the following matter:-

1. Supply and Delivery of Road-base to Gympie Woolooga Rd Project 2010/11 T001

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

Carried

COUNCIL OUT OF COMMITTEE

G32/09/11 Moved: Cr R.A. Gâté

Seconded: Cr L.J. Friske

That proceedings be resumed in Open Council.

Carried

11/1	Supply and Delivery of Road-base to Gympie Woolooga Road Project - 2010/11 T001
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Re: **G33/09/11** Supply and Delivery of Road-base to Gympie Woolooga Rd Project 2010/11 T001

From: Principal Procurement / Stores Officer – D Buchanan

File:

Date: 05 September 2011

Executive Summary:

This tender was publically advertised for supply and delivery of road-base to the Gympie Woolooga Rd project. This tender was undertaken due to the estimated cost of the product and to ensure the current Standing Offer Arrangement (SOA) panel and any other suppliers had the opportunity to supply the road-base a price comparable to the quantities required to gain better value for money for GRC than proceeding with one supplier off the SOA at the prices offered on the SOA.

Previous Council considerations:

N/A

Report:

A total of 5 offers have been received. Of those 5 offers 2 companies came in compliant- Hy Tec and Hervey Bay Quarries. Hervey Bay Quarries were quite expensive compared to Hy Tec and Maryborough Quarries. Hy Tec came in at the lowest price and conformed with the requirements of the tender process but have been noted by Council that Hy Tec are not operating under the Local Planning requirements. Hy Tec can supply the quality and quantity of product required to do the job. Maryborough Quarries came in as the next lowest price and can supply the quality and quantity of product. Maryborough Quarries do not meet the requested insurance rates of \$20m for Public and Product Liability.

Checklist:

Financial Services Directorate

Engineering Services Directorate

G33/09/11 Moved: Cr G.L. Engeman Seconded: Cr R.A. Gâté

That Maryborough Quarries tender be accepted to supply Road-base for the Gympie Woolooga Road Project on the condition that a current \$20m for Public and Product Liability certificate of insurance be submitted to Council prior to the engagement.

Carried

Director of Financial Service Mrs Yvonne Oliver and Co-ordinator Procurement & Stores Mr Phill Parkman left the meeting at 10.06 am.

SECTION 15: ATTACHMENTS

Attachment 1 – Refer Late Item 1 – Local Law Review

There being no further business the meeting closed at 10.06 am.

Confirmed this TWENTY-EIGHTH day of SEPTEMBER 2011

Cr R.J. Dyne
CHAIRMAN