



MINUTES
of the
GENERAL MEETING

CHAIRPERSON: Cr R Dyne (Mayor)

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

**On Wednesday 16 December 2009
At 9.00 am**

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

APPOINTMENTS etc.

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The meeting commenced at 9:04 am.

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

Also in attendance were Chief Executive Officer (Mr K.A. Mason), and Minutes Clerk (Miss S Bull).

DECLARATIONS OF INTEREST BY COUNCILLORS

Community & Economic Development Committee Meeting
CS16/12/09 - Cr J. Watt – Conflict of Interest

G42/12/09 - Cr G.L. Engeman – Conflict of Interest

SECTION 1: OPEN WITH PRAYER

Cr R.A. Gâté from Gympie Regional Council 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

SECTION 3: CONFIRMATION OF MINUTES OF PREVIOUS GENERAL MEETING

G26/12/09 Moved: Cr A.J. Perrett Seconded: Cr G.L. Engeman

That the Minutes of the Gympie Regional Council General Meeting held on 9 December 2009 be taken as read and confirmed.

Carried

SECTION 4: PETITIONS

SECTION 5: ADOPTION OF COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDATIONS

Cr Jan Watt and Cr J.A. Walker declared a Conflict of Interest in Minute CS16/12/09 due to being members of the Mary Valley Show Society.

G27/12/09 Moved: Cr A.J. Perrett Seconded: Cr R.A. Gâté

That the Recommendations of the Community & Economic Development Committee Meeting held on 9 December 2009 as presented, be received.

Carried

G28/12/09 Moved: Cr A.J. Perrett Seconded: Cr R.A. Gâté

That the Recommendations of the Community & Economic Development Committee Meeting held on 9 December 2009, be adopted.

Carried

Cr J. Watt and Cr J.A. Walker voted **FOR** the MOTION.

SECTION 6: REPORT BY THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE CHAIRMAN

Cr Tony Perrett presented the following report:-

The Health and Environmental Services report noted major earthworks at the Southside Waste Management Facility during the month of November. This work is in accordance with the commitments provided to the Department of Environment and Resource Management (DERM) as part of the Transitional Environmental Program for the facility. Significant earthworks were also undertaken at the Goomeri Waste Management Facility including reshaping and covering the batter walls at the landfill and pushing up extra cover material for daily use. Additional litter fencing will be installed to capture wind blown material.

The Committee considered a number of recommendations from the Health Services Sub-committee. The Committee is recommending that Council commit to increasing the numbers of CACP clients to the maximum number of

16. The level of service provided to new clients entering this program will be commensurate with the level of funding provided by the Federal Government. Councils Director of Community Services will continue to monitor the level of service to all clients. The meeting was also advised that there have been numerous Community groups contacting Council expressing an interest in assisting with the delivery of aged and health care services to the Western region.

Mr Colin Brown, Business Development Officer, AGL Action Rescue Helicopters provided a comprehensive report on the operational role of the Community Rescue Helicopter to the Gympie region. The service is a not-for-profit organization operating 24hours/365 days per year. On average the service completes around 92 missions to the Gympie region every year. AGL are seeking to partner with Council to continue to provide this essential service. The Committee is recommending that the request for additional support be referred to the 2010/11 draft budget for further consideration.

The Committee is recommending that Council enter into a Management Agreement for the Tin Can Bay Swimming Pool with Mr Michael Winton for a three (3) year period commencing 01 July, 2010. The Committee also recommends that Council enter a Management Agreement for the Kandanga Swimming Pool with Stacey Robertson for the same term.

The Committee recommends that Council not enter a contract for the provision of Local Law Services at the Cooloola Coast and that all Local Law issues be handled by Council Officers during normal work hours. An audit of all regulatory signage at Council's parks and recreational reserves at Rainbow Beach, Cooloola Cove and Tin Can Bay will be conducted by Council Staff. A meeting will also be convened to discuss local law matters with the Rainbow Beach and Tin Can Bay Chambers of Commerce, Residents' groups and the Queensland Police Service.

The RADF Committee reported to Council that 12 applications were received for the current round of funding. After careful consideration and assessment in accordance with Arts Queensland criteria the Committee is recommending that Council endorse the RADF Committees recommendations and that 8 projects totaling \$19,790.00 be funded.

Gympie Regional Council area has in excess of 400 Community organizations and with this in mind the Committee recommends that Council invest \$5,750.00 dollars in 'My Community Directory', an online information database. The information in the directory is readily available to public, community organizations and associations as well as all levels of Government. The Youth and Community Development unit will co-ordinate this directory and will provide further information on the success of this program to the 2010/11 draft budget.

Council has been approached by the Wide Bay Burnett Transport Equipment Manufacturers (TEM) Reference Group to provide sponsorship for the 2010 International Truck, Trailer and Equipment Show. The Committee recommends that Council join with the Fraser Coast Regional Council and provide financial

support to TEM and that Council's Economic Development Officer be responsible for the co-ordination of this contribution.

The recommendations from the Waste Strategy Working Group were presented to the meeting and the Committee recommends that Council;

1. proceed with the design process of the Bayside Road transfer station
2. not perform concrete crushing at the Bonnick Road Waste Management Facility and that Council proceed with the design and construction of an 'enclosed building' transfer station
3. advise Forest Plantation Queensland that the terms and conditions of land purchase for the Toolara Central Landfill are satisfactory to Council
4. adopt new waste disposal fees for bulk general waste, to commence on the 01 February, 2010
5. not alter the opening hours/days of the Amamoor Bulk Bin Site and extend the contract for the provision of gate-keeping and recycling services for this site for a further period of 12 months.

Advice from the Sunshine Coast Regional Council that restructuring of the Regional Tourist Organization (RTO) is well advanced has the Committee recommending that Council not provide funding to Tourism Sunshine Coast (TSC) for the 2009/10 budget year. Further that Council withdraws its representation to the TSC Board and that a letter is forwarded acknowledging their role as a RTO.

G29/12/09

Moved: Cr A.J. Perrett

Seconded: Cr R.A. Gâté

That the Report be received.

Carried

SECTION 7: OTHER MATTERS

7/1

Update of Delegations Registers – Sustainable Planning Act 2009. Delegations Register from Council to the Chief Executive Officer

Re: **G30/12/09** Update of Delegations Registers – Sustainable Planning Act 2009. Delegations Register from Council to the Chief Executive Officer

From: Assistant Manager Corporate Administration, Debbie Jenkins

File: 3/7/01/0002

Date: 7 December 2009

Report: (Assistant Manager Corporate Administration – Debbie Jenkins)

Body of Report:

Following advice received from the Department of Infrastructure & Planning that the Integrated Planning Act 1997 will be replaced by the Sustainable Planning Act 2009 effective from the 18 December 2009 it is necessary to update Council's Delegation Register accordingly.

The document annexed hereto, Gympie Regional Council's Delegations Register from Council to the CEO contains the relevant legislation at the time of compilation by King and Co. Solicitors.

It is noted that amendment of legislation is an ongoing process and as such the Delegations Register will need to be amended as and when changes in relevant State Legislation occur.

Further, a subsequent Delegations Register will be prepared following adoption of this Register. Under Section 1132 of the Local Government Act 1993, the Chief Executive Officer has the power to further delegate as long as relevant legislation permits.

Section 26 of the Local Government Regulation 2005 provides that the Register must contain a summary of conditions to which a delegation is subject. If Council is inclined to impose conditions on the exercise of any power, then a summary of the conditions is to be included along side the subject delegation in the Delegation Register.

Council's Delegation Register must be kept open for inspection by the public.

Council is to consider and if necessary review the annexed documentation and make any alterations accordingly.

G30/12/09

Moved: Cr I.T. Petersen

Seconded: Cr J. Watt

That all powers under the Sustainable Planning Act 2009 referred to in the document entitled 'Register of Delegations – Council to CEO' attached are hereby delegated by Council to the Chief Executive Officer of Council pursuant to Section 472 of the Local Government Act 1993 and are to be included in Council's Register of Delegations.

Carried

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
1	Chief Executive Officer	Power to amend its planning scheme to reflect the designated region's regional plan.	Section 29(2) <i>Sustainable Planning Act 2009</i>		
2	Chief Executive Officer	Power to consult with the Minister, before the Minister establishes a regional planning committee for a non-designated region.	Section 31(5)(c) <i>Sustainable Planning Act 2009</i>		
3	Chief Executive Officer	Power to elect not to be represented on a regional planning committee for a non-designated region.	Section 33(5) <i>Sustainable Planning Act 2009</i>		
4	Chief Executive Officer	Power to amend planning schemes to reflect standard planning scheme provisions.	Section 55 <i>Sustainable Planning Act 2009</i>		
5	Chief Executive Officer	Power to make written submissions in relation to a State planning regulatory provision or an amendment to a State planning regulatory provision..	Section 60(2)(d) <i>Sustainable Planning Act 2009</i>		
6	Chief Executive Officer	Power to make a planning scheme for its planning scheme area.	Section 84 <i>Sustainable Planning Act 2009</i>		
7	Chief Executive Officer	Power to review Council's planning scheme every 10 years.	Section 91 <i>Sustainable Planning Act 2009</i>		
8	Chief Executive Officer	Power to prepare a report if Council decides to take no further action under section 92(c).	Section 93 <i>Sustainable Planning Act 2009</i>		
9	Chief Executive Officer	Power to accept or refuse a request made under section 95, including extending the request period by 10 days.	Section 96 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
10	Chief Executive Officer	Power to issue a written notice of Council's decision under section 96.	Section 97 <i>Sustainable Planning Act 2009</i>		
11	Chief Executive Officer	Power to accept or refuse an application for extension of time made under section 98(2), and provide written notice of that decision.	Section 98(2) and (4) <i>Sustainable Planning Act 2009</i>		
12	Chief Executive Officer	Power to make a temporary local planning instrument.	Section 105 <i>Sustainable Planning Act 2009</i>		
13	Chief Executive Officer	Power to make a planning scheme policy for all or part of its planning scheme area.	Section 113 <i>Sustainable Planning Act 2009</i>		
14	Chief Executive Officer	Power to prepare and adopt a consolidated planning scheme.	Section 122(1) <i>Sustainable Planning Act 2009</i>		
15	Chief Executive Officer	Power to publish in a local newspaper and government gazette notice of a repealed temporary planning scheme.	Section 123(3) <i>Sustainable Planning Act 2009</i>		
16	Chief Executive Officer	Power to publish in a local newspaper and government gazette notice of a repealed planning scheme.	Section 124(3) <i>Sustainable Planning Act 2009</i>		
17	Chief Executive Officer	Power to make submissions to the Minister about the proposed exercise of the State's power, after being given written notice under section 125.	Section 125(3)(b) <i>Sustainable Planning Act 2009</i>		
18	Chief Executive Officer	Power to comply with a direction made by the Minister.	Sections 126 and 127 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
19	Chief Executive Officer	Power to identify a master planned area within its planning scheme or in a document made under the relevant regional plan (if any).	Section 132(1) <i>Sustainable Planning Act 2009</i>		
20	Chief Executive Officer	Power to note each master planned area on its planning scheme.	Section 135 <i>Sustainable Planning Act 2009</i>		
21	Chief Executive Officer	Power to make a structure plan for each master planned area.	Section 140 <i>Sustainable Planning Act 2009</i>		
22	Chief Executive Officer	Power to enter an agreement with owners or occupiers of land in a declared master planned area to fund the preparation of a structure plan.	Section 143 <i>Sustainable Planning Act 2009</i>		
23	Chief Executive Officer	Power to receive and process an application for a proposed master plan under Chapter 4, Part 3, Division 3 of the Act. For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions of the local government as detailed in sections 160, 161, 162, 163(4), 169, 171, 172, 179, 180, 181, 183, 184, 185, 189, 191, 192, 195, 197.	Sections 160, 161, 162, 163(4), 169, 171, 172, 179, 180, 181, 183, 184, 185, 189, 191, 192, 195, 197 <i>Sustainable Planning Act 2009</i>		
24	Chief Executive Officer	Power to enter an agreement with an applicant in relation to the obligations or to secure the performance of those obligations under a proposed master plan.	Section 193 <i>Sustainable Planning Act 2009</i>		
25	Chief Executive Officer	Power to amend a master plan.	Section 198 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
26	Chief Executive Officer	Power to cancel a master plan.	Section 199 <i>Sustainable Planning Act 2009</i>		
27	Chief Executive Officer	Power to act as a ‘designator’ of land for community infrastructure under Chapter 5, Part 1 of the Act. For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions as detailed in sections 200, 201, 202, 206, 212, 213, 216, 223, 224, 225, 226, 227.	Sections 200, 201, 202, 206, 212, 213, 216, 223, 224, 225, 226, 227 <i>Sustainable Planning Act 2009</i>		
28	Chief Executive Officer	Power to make a submission to the Minister in relation to a Ministerial designation of land.	Section 207 <i>Sustainable Planning Act 2009</i>		
29	Chief Executive Officer	Power to enter a Ministerial designation of land in its planning scheme.	Section 211 <i>Sustainable Planning Act 2009</i>		
30	Chief Executive officer	Power to repeal a designation made by Council. For the avoidance of doubt, the power delegated includes (without limitation) the power to take all actions as detailed in sections 217, 219 and 221.	Sections 217, 219 and 221 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
31	Chief Executive Officer	Subject to Part 4 of the <i>Iconic Queensland Places Act 2008</i> , power to act as the “assessment manager” for all applications received by Council under Chapter 6 of the <i>Sustainable Planning Act 2009</i> . For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions of an assessment manager as detailed in sections 256, 259, 260, 262, 266, 267, 268, 272, 276, 277, 279, 286, 297, 303, 304, 305, 309, 310, 313, 314, 316, 317, 318, 324, 325, 327, 328, 331, 334, 337, 339, 348, 350, 352, 354, 355, 357, 362, 363, 368, 371, 373, 374, 375, 376, 378, 381, 386, 387, 389, 417, 418, 419, 426, 428, 433, 434 of the <i>Sustainable Planning Act 2009</i> .	Sections 256, 259, 260, 262, 266, 267, 268, 272, 276, 277, 279, 286, 297, 303, 304, 305, 309, 310, 313, 314, 316, 317, 318, 324, 325, 327, 328, 331, 334, 337, 339, 348, 350, 352, 354, 355, 357, 362, 363, 368, 371, 373, 374, 375, 376, 378, 381, 386, 387, 389, 417, 418, 419, 426, 428, 433, 434 of the <i>Sustainable Planning Act 2009</i>		
32	Chief Executive Officer	Power to act as the “referral agency” or a “concurrence agency” or an “advice agency” for all applications referred to Council under Chapter 6, Part 3 of the <i>Sustainable Planning Act 2009</i> . For avoidance of doubt, the power delegated includes (without limitation) the power to take all actions of a “referral agency” or a “concurrence agency” or an “advice agency” as detailed in sections 271, 276, 277, 279, 281, 282, 284, 285, 286, 287, 288, 290, 291, 292, 321, 339, 348, 368, 371, 373, 374, 375, 376, 378, 385, 387, 420, 434 of the <i>Sustainable Planning Act 2009</i> .	Sections 271, 276, 277, 279, 281, 282, 284, 285, 286, 287, 288, 290, 291, 292, 321, 339, 348, 368, 371, 373, 374, 375, 376, 378, 385, 387, 420, 434, <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
33	Chief Executive Officer	Power to consult with the Minister in relation to a deemed approval.	Section 332 <i>Sustainable Planning Act 2009</i>		
34	Chief Executive Officer	Power to note an approval on its planning scheme and give notice of that approval to the chief executive of the department.	Section 391 <i>Sustainable Planning Act 2009</i>		
35	Chief Executive Officer	Power to carry out compliance assessment.	Section 399 <i>Sustainable Planning Act 2009</i>		
36	Chief Executive Officer	Power to assess and report on aspects of the development requiring compliance.	Section 402 <i>Sustainable Planning Act 2009</i>		
37	Chief Executive Officer	Power as a compliance assessor to decide a request and issue a permit or certificate.	Sections 405 and 407 <i>Sustainable Planning Act 2009</i>		
38	Chief Executive Officer	Power, as compliance assessor, to respond to a request to withdraw or change an action notice.	Section 412 <i>Sustainable Planning Act 2009</i>		
39	Chief Executive Officer	Power, as compliance assessor, to respond to an application to change a permit or certificate.	Section 413 <i>Sustainable Planning Act 2009</i>		
40	Chief Executive Officer	Power to bring declaratory and other proceedings in the Planning and Environment Court.	Section 456 <i>Sustainable Planning Act 2009</i>		
41	Chief Executive Officer	Power as an advice agency, to appeal to the Planning and Environment Court.	Section 464 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
42	Chief Executive Officer	Power, as the relevant entity requesting a change, to appeal against a decision of that change.	Section 466 <i>Sustainable Planning Act 2009</i>		
43	Chief Executive Officer	Power as assessment manager, to apply to the court to withdraw from an appeal, if the appeal is only about a concurrence agency's response.	Section 485(6) <i>Sustainable Planning Act 2009</i>		
44	Chief Executive Officer	Power to elect as a concurrence agency or a building referral agency for the development application to become a co-respondent.	Section 485(8) <i>Sustainable Planning Act 2009</i>		
45	Chief Executive Officer	Power, as compliance assessor, to apply to withdraw from an appeal under sections 468 or 469 of the Act.	Section 486(2) <i>Sustainable Planning Act 2009</i>		
46	Chief Executive Officer	Power, as a second entity under section 484, to elect to be a co-respondent.	Section 487 <i>Sustainable Planning Act 2009</i>		
47	Chief Executive Officer	Power, as a party to a proceeding, to appeal a decision to the Court of Appeal.	Section 498 <i>Sustainable Planning Act 2009</i>		
48	Chief Executive Officer	Power, as an assessment manager to bring a proceeding before the building and development committee.	Section 510 <i>Sustainable Planning Act 2009</i>		
49	Chief Executive Officer	Power, as a compliance assessor, to bring a proceeding before the building and development committee.	Section 512 <i>Sustainable Planning Act 2009</i>		
50	Chief Executive Officer	Power, as a responsible entity, to bring a proceeding before the building and development committee.	Section 513 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
51	Chief Executive Officer	Power, as applicant in a proceeding before the building and development committee, to request the proceedings to be fast tracked.	Sections 515 and 537 <i>Sustainable Planning Act 2009</i>		
52	Chief Executive Officer	Power as a concurrence agency served with a notice under section 339, to appeal a decision to the building and development committee.	Sections 520 and 529 <i>Sustainable Planning Act 2009</i>		
53	Chief Executive Officer	Power, as an entity given a notice under section 373 to appeal a decision to the building and development committee.	Sections 521 and 530 <i>Sustainable Planning Act 2009</i> .		
54	Chief Executive Officer	Power, as an advice agency, to appeal to the building and development committee about a development approval.	Section 528 <i>Sustainable Planning Act 2009</i>		
55	Chief Executive Officer	Power as assessment manager to apply to withdraw from the appeal if the appeal is only about a concurrence agency response.	Section 543 <i>Sustainable Planning Act 2009</i>		
56	Chief Executive Officer	Power to elect to be a co-respondent.	Section 547(3)(b) <i>Sustainable Planning Act 2009</i> .		
57	Chief Executive Officer	Power, as assessment manager, to provide all material requested by the registrar.	Section 551 <i>Sustainable Planning Act 2009</i>		
58	Chief Executive Officer	Power, as a part to an appeal or proceedings, to agree to have the matter decided on the basis of written submissions.	Section 558(b) <i>Sustainable Planning Act 2009</i>		
59	Chief Executive Officer	Power to give a show cause notice.	Section 588 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
60	Chief Executive Officer	Power to give an enforcement notice.	Section 590 <i>Sustainable Planning Act 2009</i>		
61	Chief Executive Officer	Power to bring proceedings in the Magistrates Court on a complaint.	Section 597 <i>Sustainable Planning Act 2009</i>		
62	Chief Executive Officer	Power to bring proceedings in the court for: (a) an enforcement order; or (b) interim enforcement order; or (c) cancellation or change of an enforcement or interim enforcement order.	Section 601 <i>Sustainable Planning Act 2009</i>		
63	Chief Executive Officer	Power to apply to Court for an order for costs.	Section 614 <i>Sustainable Planning Act 2009</i>		
64	Chief Executive Officer	Power to impose a condition in relation to non-trunk infrastructure.	Section 626 <i>Sustainable Planning Act 2009</i>		
65	Chief Executive Officer	Power to review its priority infrastructure plan every 5 years.	Section 628 <i>Sustainable Planning Act 2009</i>		
66	Chief Executive Officer	Power to levy a charge for supplying trunk infrastructure.	Section 629 <i>Sustainable Planning Act 2009</i>		
67	Chief Executive Officer	Power to agree in writing, with the owner of the land to which an infrastructure charge relates, regarding a charge to be imposed.	Section 632(3) <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
68	Chief Executive Officer	Power as a local government to issue an infrastructure charges notice or regulated infrastructure charges notice.	Sections 633 and 643 (and 364) <i>Sustainable Planning Act 2009</i>		
69	Chief Executive Officer	Power to agree with the State infrastructure provider for State-controlled roads that the infrastructure charge may be used to provide works for the Council road network.	Section 635 <i>Sustainable Planning Act 2009</i>		
70	Chief Executive Officer	Power to enter into a written agreement with a person to whom an infrastructure charges notice has been given.	Section 637(1) <i>Sustainable Planning Act 2009</i>		
71	Chief Executive Officer	Power to give the applicant a notice, for development infrastructure that is land, in addition to, or instead of, the notice given under section 633.	Section 637(2) <i>Sustainable Planning Act 2009</i>		
72	Chief Executive Officer	Power to supply different trunk infrastructure to that detailed in the priority infrastructure plan.	Section 638 <i>Sustainable Planning Act 2009</i>		
73	Chief Executive Officer	Power to enter into a written agreement with the applicant that the infrastructure charge is a debt.	Section 639(2) <i>Sustainable Planning Act 2009</i>		
74	Chief Executive Officer	Power to advertise Council's regulated infrastructure charges schedule and notify the chief executive of the department.	Section 641 <i>Sustainable Planning Act 2009</i>		
75	Chief Executive Officer	Power to enter into a written agreement with a person to whom a regulated infrastructure charges notice has been given.	Section 647 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
76	Chief Executive Officer	Power to enter into a written agreement with the applicant that a regulated infrastructure charge is a debt.	Section 648(2) <i>Sustainable Planning Act 2009</i>		
77	Chief Executive Officer	Power to impose conditions requiring different trunk infrastructure to that identified in the priority infrastructure plan.	Section 649 <i>Sustainable Planning Act 2009</i>		
78	Chief Executive Officer	Power to impose conditions requiring payment of additional trunk infrastructure charges.	Section 650 <i>Sustainable Planning Act 2009</i>		
79	Chief Executive Officer	Power to enter an agreement with an applicant or person who requested compliance assessment for the refund of infrastructure establishment costs.	Section 651 <i>Sustainable Planning Act 2009</i>		
80	Chief Executive Officer	Power to enter into an agreement with the State infrastructure provider and the person required to comply with the conditions imposed by a State infrastructure provider.	Section 653(5) <i>Sustainable Planning Act 2009</i>		
81	Chief Executive Officer	Power to sell land held on trust in fee simple by Council.	Section 659 <i>Sustainable Planning Act 2009</i>		
82	Chief Executive Officer	Power, as entity that issued the infrastructure charges notice on regulated charges infrastructure notice, to consider representations made under section 677.	Section 678 <i>Sustainable Planning Act 2009</i>		
83	Chief Executive Officer	Power to make a decision in response to a representation under section 677	Section 679 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
84	Chief Executive Officer	Power to enter an infrastructure agreement.	Chapter 8 Part 2 <i>Sustainable Planning Act 2009</i>		
85	Chief Executive Officer	Power to make comments in relation to draft terms of reference of an environmental impact statement.	Section 691 <i>Sustainable Planning Act 2009</i>		
86	Chief Executive Officer	Power to make comments in relation to draft environmental impact statement.	Section 694 <i>Sustainable Planning Act 2009</i>		
87	Chief Executive Officer	Power to decide claims for compensation.	Section 709 <i>Sustainable Planning Act 2009</i>		
88	Chief Executive Officer	Power to seek approval of the Governor in Council to take land, under the <i>Acquisition of Land Act 1967</i> .	Section 714 <i>Sustainable Planning Act 2009</i>		
89	Chief Executive Officer	Power to enter land to undertake works.	Section 715 <i>Sustainable Planning Act 2009</i>		
90	Chief Executive Officer	Power to decide a claim for compensation, and recover same from an applicant, where loss or damage not attributable to Council's negligence.	Section 716 <i>Sustainable Planning Act 2009</i>		
91	Chief Executive Officer	Power to make submissions in response to a development for public hearing.	Section 721 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
92	Chief Executive Officer	Power to decide that sections 724(1), 729(1) and 734(1) do not apply where reasonably satisfied that the documents mentioned in section 724(1) (2a) to (2f), and 729(1)(i) or (j), and 734(1) contain— (a) sensitive security information; or (b) information of a purely private nature about an individual, including, for example, someone's residential address.	Sections 724(5), 729(5) and 734(3) <i>Sustainable Planning Act 2009</i>		
93	Chief Executive Officer	Power to decide that section 725(1), 726(1) and 728(1) do not apply where reasonably satisfied that the documents mentioned in sections 725(1), 726(1) and 728(1) contain sensitive security information.	Section 725(3), 726(3) and 728(3) <i>Sustainable Planning Act 2009</i>		
94	Chief Executive Officer	Power to decide that section 736(1) does not apply because the information contains sensitive security information.	Section 736(3) <i>Sustainable Planning Act 2009</i>		
95	Chief Executive Officer	Power to issue a limited, standard or full planning and development certificates.	Section 741 <i>Sustainable Planning Act 2009</i>		
96	Chief Executive Officer	Power to consult with the Minister in relation to the guidelines the Minister may make under section 759.	Section 759 <i>Sustainable Planning Act 2009</i>		
97	Chief Executive Officer	Power to consult with the chief executive in relation to guidelines the chief executive may make under section 760.	Section 760 <i>Sustainable Planning Act 2009</i>		

No.	Delegate	Power Delegated	Legislation	Date and Number of Resolution	Conditions
98	Chief Executive Officer	Power to continue to make or amend a planning scheme or planning scheme policy or a structure plan under the repealed <i>Integrated Planning Act 1997</i> ("IPA").	Sections 779, 786 and 791 <i>Sustainable Planning Act 2009</i>		
99	Chief Executive Officer	Power to continue to make a temporary local planning instrument under the repealed IPA.	Section 783 <i>Sustainable Planning Act 2009</i>		
100	Chief Executive Officer	Power to continue repealing an existing temporary local planning instrument or planning scheme policy under the repealed IPA.	Sections 784 and 787 <i>Sustainable Planning Act 2009</i>		
101	Chief Executive Officer	Power to continue preparing a priority infrastructure plan or infrastructure charges schedule and regulated infrastructure charges schedule under the repealed IPA.	Sections 835, 836 and 837 <i>Sustainable Planning Act 2009</i>		
102	Chief Executive Officer	Power to continue to decide a claim made under sections 5.4.2, 5.4.3, 5.4.5 or 5.5.3 of the repealed IPA.	Section 842 <i>Sustainable Planning Act 2009</i>		
103	Chief Executive Officer	Power to impose conditions on a development approval.	Section 848 <i>Sustainable Planning Act 2009</i>		
104	Chief Executive Officer	Power to advise a school by written notice that the local government does not agree to an exemption.	Schedule 4, table 5, item 11(3)(b) of the <i>Sustainable Planning Regulation 2009</i>		

Re: **G31/12/09** Legal Matter - Lease
From: Gordon McRae, Sporting Shooters' Association of Australia Tin Can Bay Branch Inc.
File: 3/3/03/00045
Date: 27 November 2009

..(Mr Gordon McRae, President of the Sporting Shooters' Association of Australia Tin Can Bay Branch Inc. contacted Council in response to the lease documentation received by the Association for signing. The amount of the rent requested was queried due to the significant increase from the previous lease of \$1.00, then \$110.00 and now \$2000)....

Report:

(Acting Manager Corporate Administration – Debbie Jenkins)

Background:

Council resolved in Minute F07/03/07, that Council apply to the Department of Natural Resources and Water for renewal of Term Lease 49396 over Lot 109 on MCH 5112 for the purpose of granting a Sub Term Lease to the Sporting Shooters' Association of Australia – Tin Can Bay Branch Inc. Further, that after the aforementioned Term Lease is granted to Council, a Term Sub Lease be offered to the Sporting Shooters' Association of Australia – Tin Can Bay Branch Inc. to include the following terms:-

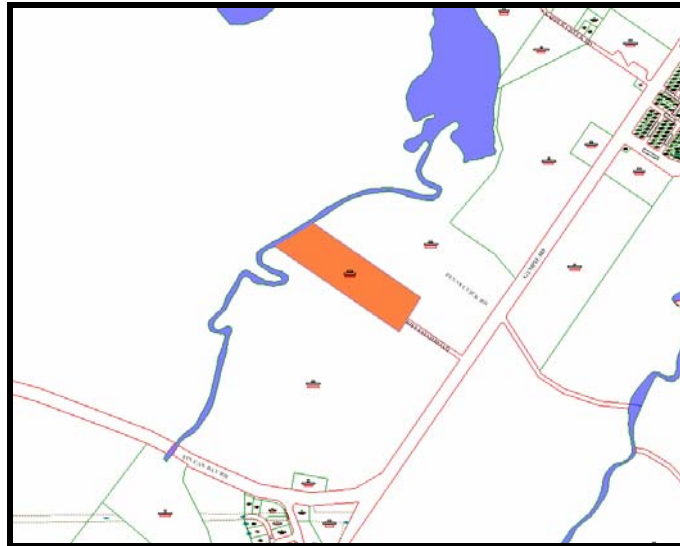
1. The area to be leased is Lot 109 on MCH 5112;
2. Term of Lease to be the same as the head lease;
3. The annual rental to be the same as the rental Council pays in the head lease;
4. The annual rent is to be reviewed and reflect the rental Council pays in the head lease;
5. The Sub Lessee is to hold \$10 million Public Liability Insurance;
6. All associated costs of lease preparation and any surveys to be met by the Sub Lessee; and
7. The commencement date of the lease is 1 July 2007.

In support of the above lease, the Sporting Shooters' Association of Australia – Tin Can Bay Branch Inc. also have a trustee lease over areas "A" and "D" on Lot 69 CP910971 which are required as buffer zones, (which are located to the left and right hand sides of the range.) This lease was registered on 28 August 2009.

Proposal:

Councillor Friske has requested that this report be presented to Council with a view to considering a reduction to the rent payable by the Association.

Locality Plan:



Report:

The former Widgee Shire Council was granted a head lease with DERM over the subject land on 1 July 1987 for a period of 20 years for the purpose of Sporting (Rifle Range). The rental applicable at that time was \$1.00 to Council.

A sub-lease with Council was entered into on 4 April 1991 for a 17 year lease with the Sporting Shooters' Association of Australia – Tin Can Bay Branch Inc with an annual rent of \$1.00 which has continued until 2006 and then was raised to \$100.00 + GST + CPI.

Records indicate that the amount payable by Council for this lease in recent years has increased quite significantly higher than the original amount, increasing to \$600.00 in 2000 to \$690.00 in 2004 until the valuations were increased in 2005 which resulted in the amount being \$1897.50.

Due to the expiration of the head lease and following Council's resolution F07/03/07, an application was lodged with the Department of Natural Resources and Water and approval was issued on 13 August 2007 for a further twenty year lease to Cooloolo Shire Council over the property for the purpose of

Recreation namely Sporting (Rifle Range). The amount of rental applicable to Council is set at 1% of the current valuation of \$172,500 (\$1897.50).

In renewing the lease to the Sporting Shooters Association of Australia, Tin Can Bay Branch, Council resolved that the annual rental was to be the same as the rental Council pays for the head lease and that the annual rent is to be reviewed and reflect the rental Council pays in the head lease and accordingly the rent was set at

“An amount equal to the Prescribed Annual Rental for Term Lease TL/0/231586 (calculated pursuant to the Land Act 1994) per annum payable at the commencement of the Sub-Lease plus GST (subject to Annual Review – pursuant to the Land Act 1994).

Following Councillor Friske’s contact, discussions with DERM have indicated that Council could make an application to have the lease Category reviewed which may result in Council’s payment being reduced by approximately half. This would involve a comprehensive application which may not be successful. DERM have also indicated that should Council wish to transfer the head lease directly to any community organisation, there would be no decrease in the amount payable.

Clearly there is a sizeable shortfall between that offer and the actual DERM requirement for Council to pay \$1897.50 (increasing with valuation increases). It is also noted that as the new lease cannot commence prior to the Ministerial consent date of 19/11/09, Council will be unable to recover the new lease payments from the date of expiry in 2007 to the new commencement date.

As noted above the Association has been paying an amount of \$1 for some time until recently it was increased to \$100.00. The Association has offered to continue paying rental of \$100.00 +GST + CPI.

Director of Corporate Services Mr Craig Manson and the Assistant Manager of Corporate Administration Mrs Debbie Jenkins entered the meeting at 9.15am.

Cr J. Watt left the meeting at 9.15am and returned to the meeting at 9.19am.

G31/12/09 Moved: Cr L.J. Friske

Seconded: Cr J.A. Walker

That Council investigate the possibility of reallocating the lease category

Carried

7/3

Proposed Standard Freehold Lease

Re: **G32/12/09** Proposed Standard Freehold Lease
From: Acting Manager Corporate Administration, Debbie Jenkins
File: WG94/00036
Date: 9 December 2009

Report: (Acting Manager Corporate Administration – Debbie Jenkins)**Background:**

In order to enable processing of leases to be undertaken in a timely and cost effective manner, it is necessary for Council to have Standard Registered lease documents.

Council minute (No. F23/07/09), as follows:

Recommend that Council adopts the following recommendations and issues-

- (1) That requests for reductions or waiver of legal costs associated with leases be referred to Council to be considered “in Committee”;*
- (2) That Council Staff prepare lease documentation only for leases using mandatory and standard terms;*
- (3) That Council proposes a fee of \$800.00 for leases prepared as outlined in (2);*
- (4) That Council representatives and relevant staff meet with Council’s solicitors to discuss the issues of lease costs and Council’s proposal, if approved, to prepare standard terms and conditions leases.*

Proposal:

Attached is the proposed standard Council Freehold Lease in respect to land that Council is currently owns.

Body of Report:

Consideration has been given to the need for the timely processing and cost effective way that Council currently undertakes to issue leases. As part of this review the Freehold lease has been included.

By having a registered Standard Freehold Lease will allow for the process to be uniform and achieved at an economical cost and issued within a timely manner.

A working group was set up with relevant Council staff, Councillor Engeman and Councillor Neilson in order to create a document which was

accommodating for both Council and the various Community Groups based on advice from Council's Solicitors and can now be registered with DERM as a Standard document.

Once this document has been registered it is anticipated that the costs of preparing a standard lease will be considerably reduced. A future report will be presented to Council once the document has been registered in respect to the applicable fee to be applied to future Standard Leases.

REFER ATTACHMENT 1

G32/12/09 Moved: Cr D.R. Neilson Seconded: Cr G.L. Engeman

That Council approves the Standard Freehold Lease for Freehold land for future leases after the obligations outlined in the initial agreement to lease have been fulfilled and that Council staff undertake the registration of the standard terms with the Department of Environment and Resource Management, through its solicitors.

Carried

7/4	Proposed Standard Trustee Lease
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Re: **G33/12/09** Proposed Standard Trustee Lease
 From: Acting Manager Corporate Administration, Debbie Jenkins
 File: WG94/00036
 Date: 9 December 2009

Report:
(Acting Manager Corporate Administration – Debbie Jenkins)

Background:

In order to enable processing of leases to be undertaken in a timely and cost effective manner, it is necessary for Council to have Standard Registered lease documents.

Council minute (No. F23/07/09), as follows:

Recommend that Council adopts the following recommendations and issues-

- (1) *That requests for reductions or waiver of legal costs associated with leases be referred to Council to be considered "in Committee";*
- (2) *That Council Staff prepare lease documentation only for leases using mandatory and standard terms;*

- (3) *That Council proposes a fee of \$800.00 for leases prepared as outlined in (2);*
- (4) *That Council representatives and relevant staff meet with Council's solicitors to discuss the issues of lease costs and Council's proposal, if approved, to prepare standard terms and conditions leases.*

Proposal:

Attached is the proposed standard Council Trustee Lease in respect to land that Council is currently trustee for.

Body of Report:

Consideration has been given to the need for the timely processing and cost effective way that Council currently undertakes to issue leases. As part of this review the Trustee lease has been included.

Although Council currently has a registered Standard Trustee Lease document it has been further reviewed as it does not currently meet Council's requirements.

A working group was set up with relevant Council staff, Councillor Engeman and Councillor Neilson in order to create a document which was accommodating for both Council and the various Community Groups based on advice from Council's Solicitors and can now be registered with DERM as a Standard document.

Once this document has been registered it is anticipated that the costs of preparing a standard lease will be considerably reduced. A future report will be presented to Council once the document has been registered in respect to the applicable fee to be applied to future Standard Leases.

REFER ATTACHMENT 2

G33/12/09

Moved: Cr L.J. Friske

Seconded: Cr R.A. Gâté

That Council approves the Standard Trustee Lease for Trustee land for future leases after the obligations outlined in the initial agreement to lease have been fulfilled and that Council staff undertake the registration of the standard terms with the Department of Environment and Resource Management, through its solicitors.

Carried

Director of Corporate Services Mr Craig Manson and the Assistant Manager of Corporate Administration Mrs Debbie Jenkins left the meeting at 9.23am.

Director of Engineering Services Mr Bob Fredman entered the meeting at 9.23am.

7/5

Traveston Crossing Dam Final Report

Re: **G34/12/09** Traveston Crossing Dam Final Report
From: Director of Engineering Services – R.A. Fredman
File:
Date: 9 December 2009

Report: (Director of Engineering Services – R.A. Fredman)

When the Hon Peter Garrett MP announced his final decision on the proposed Traveston Crossing Dam on 2 December 2009, a chapter in the history of the Gympie region was closed. In his decision, the Minister echoed almost exactly the detailed concerns raised by this Council and the Council of Mayors. He did not limit his concerns to environmental issues.

The Minister says in his decision, inter alia:

- A number of the proposed environmental mitigation measures ‘couldn’t be tested until the dam was operational and the impacts already felt’
- Independent analysis casts ‘serious doubts over the economic benefits’.
- The water in the dam was ‘unlikely to be required prior to 2026’
- There are ‘a number of alternative water supply options’ available to the Queensland Government.
- He is not against ‘well located and carefully designed dams’.

A set of late supplementary reports commissioned by the Minister have been reviewed. Report III by Prof Stuart Bunn strongly supports Council’s claim that the analysis by QWI of the hydrology and environmental impacts were misleading. The Review of Economic Aspects by the Centre for International Economics (CIE) also strongly supports Council’s claim that the economic comparison of options by QWI was misleading. Much of the reasoning by CIE and Bunn was similar to that presented to the Coordinator General by Council in its response to the EIS.

The review by the CIE of the Coordinator General’s Evaluation Report also has marked similarities to Council’s review. CIE found that economic analysis in the COG’s report was based on a number of assumptions that were contentious and likely to bias the results in favour of the dam.

The new reports highlight that with more realistic methods of assessment, other water supply options such as desalination may be lower real cost. A suite of options

could include a new Borumba Dam, a proposal which this Council and Sunshine Coast have previously supported.

The Minister highlighted the fact we now know that the river and its special species are in need of a proactive preservation program. The Minister calls for both Council and the Queensland Government to “work together” to mitigate the threats to the river system. One place to start is to seek a review of the Water Resource Plan for the Mary.

The loss of the employment opportunities for the region (albeit short term) that the dam would have brought is regretted. However the dam was the catalyst for the massive highway job now commenced. According to press releases the upgrade will support about 1650 direct and indirect jobs. This will equate to the benefit of a dam construction job.

A lot has been lost and a lot learned through the dam saga. Council, in some ways, has a larger role to play now than if the dam had proceeded.

G34/12/09 Moved: Cr J.A. Walker Seconded: Cr G.L. Engeman

That Council write to the Hon Peter Garrett MP and to the Premier, offering Council’s support for a Recovery Plan for the Mary River and requesting a meeting re same.

Further, Council seek a meeting with the Sunshine Coast Regional Council to discuss a potential joint approach to SEQ Water regarding the major raising of Borumba Dam.

Further, that Council write to DERM seeking a review of the Mary Basin Water Resource Plan because of the mass of new information available as a result of the dam proposal.

Carried

7/6	Contract 2009/2010 – T508 purchase of one (1) wheel loader
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Re: **G35/12/09** Contract 2009/2010 – T508 purchase of one (1) wheel loader

From: General Manager Works - Eastern Division - GC Ingham

File:

Date: 7 December 2009

Report: (Fleet Manager – P Stevenson)

Executive Summary:

Replacement of one (1) wheel loader to replace existing machine, tenders have been called and assessed against tender specifications and price.

Previous Council Considerations:

Nil.

Ten (10) suppliers provided quotes for eleven (11) machines, six (6) machines were removed from the assessment process as each did not comply with either the maximum weight and/or transmission specifications detailed in the Tender documentation. Offers to purchase/trade the existing machine were called at the same time, the majority of the new machine suppliers submitted 'Trade' offers, an offer for outright purchase was received from a local plant operator.

Supplier	Make	Model	Full price exc GST	Existing vehicle trade offer exc GST	Change over exc GST
Eagle Equipment	Hyundai	HL470-7	\$188,917.00	\$ -	\$188,917.00
BT Equipment	Kawasaki	65 ZV-2	\$268,409.09	\$55,000.00	\$213,409.09
Hastings Deering	Cat	924HZ	\$228,000.00	\$35,000.00	\$193,000.00
Clark Equipment	Doosan	DL200	\$193,000.00	\$ -	\$193,000.00
CJD	Volvo	L60F	\$284,800.00	\$75,000.00	\$209,800.00
Morrison Earthmoving	Private offer			\$ 18,181.82	

The remaining machines were evaluated against tender specifications including Price (including anticipated retained value), operating weight/engine performance per specifications, ground speed, operating capacity (including bucket size), fuel consumption/service costs, locality of service & parts support and warranty. Each factor was weighted with scores detailed in the table below.

Make	Model	Price inc retained value	Fuel cons & service costs	Warranty	Weight & engine performance	Locality of dealer	Speed	Capacity	Scores
Hyundai	HL470-7	1.8	0.8	0.6	0.3	0.1	0.15	0.65	2.6
Kawasaki	65 ZV-2	1.2	0.2	0.6	0.6	0.1	0.1	0.55	2.15
Cat	924HZ	2.1	0.4	1.5	0.15	0.5	0.2	0.25	3.0
Doosan	DL200	1.8	0.6	1.05	0.45	0.1	0.05	0.35	2.6
Volvo	L60F	2.1	1.0	1.2	0.75	0.1	0.25	0.35	3.65

The Volvo L60F and Caterpillar 924HZ were trialled in simulated working conditions at Council's Monkland Quarry. Each machine performed the task as expected.

Both the operators and service staff observed differences in performance levels whilst on the job. By observation the Volvo L60F has faster hydraulics, ride control is more stable and has more in-cab room for the operator. Council has two (2) existing Volvo loaders which have performed very well whilst in service. Service and parts support has been very good over the life of these machines. The Volvo L60F represents the best option to replace the existing machine.

Strategic Implications:

Corporate Plan: Nil

Budget: Allocation for machine in financial year budget.

Legal/Statutory: Nil – machine meets Australian Design Standards and Council specifications.

Risk: Nil – pre-purchase safety risk assessments completed with operational risk assessment scheduled to be completed on machine delivery.

Consultation:

Construction and Maintenance Manager
Machine Operators
Workshop Supervisors & Workshop Leading Hands

Checklist:

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

G35/12/09

Moved: Cr L.J. Friske

Seconded: Cr J.A. Walker

That

- 1. Council purchases a Volvo L60F from CJD Equipment for \$284,800.00 exc GST (\$313,280.00 inc GST).**
- 2. Council accepts the trade offer from CJD Equipment for Unit 223 - \$75,000.00 excl GST (\$82,500.00 incl GST).**
- 3. the total changeover price is \$209,800.00 excl GST (\$230,780 incl GST)**

Carried

7/7

Black spot Project Mt Pleasant Road, Johns Street, Hilton Road Intersection

Re: **G36/12/09** Black spot Project Mt Pleasant Road, Johns Street, Hilton Road Intersection
 From: Ross Chapman – General Manager Design Services
 File: 4/4/07/0016
 Date: 8 December 2009

Report: (General Manager Design Services – R. Chapman)

Overview:

This project includes supply and installation of traffic signals, kerb and channel works and asphalt overlay works. A tender has been received for the supply and installation of the signals.

Corp Plan: 2.1 (iv)

Op Plan: 2.11 (i)

Budget: Blackspot Funding provided by Federal Budget

Consultation:

- (a) Installation of signals has been discussed on-site with adjoining owner.

Issues:

- (a) Only one tender sought from Roadtek (an entity of the Department of Transport and Main Roads). Tender is for \$162,494.00, estimated cost by consultant was \$135,308. Roadtek maintains all existing traffic signals in the region and is the only known installer of signals.

Risk Analysis:

- (a) Section 486 (1)(f) (i) of the Local Government Act allows a Local Government to not call public tenders when the likely awardee of a tender is a sole supplier and an entity of a Government Department.
 (b) The adjoining resident has expressed concerns regarding the need for signals at this intersection.

Discussion:

- Blackspot funding is awarded on specific criteria justifying expenditure against need.
- The tender is considered reasonable.

G36/12/09

Moved: Cr I.T. Petersen

Seconded: Cr J.A. Walker

That Council pursuant to Section 486 (1) (f) (i) of the Local Government Act award the tender for the supply and installation of traffic signals at the Mt Pleasant Road, John Street and Hilton Road intersection for the amount of \$162,494 exclusive of GST to Roadtek.

Carried

Director of Engineering Services Mr Bob Fredman left the meeting at 9.49am.

SECTION 8: LATE ITEMS

Late Item 1 Assets Management Program – Progress Report No. 1

Report: (Infrastructure Planning Manager – Antal Laszlo)

GYMPIE ASSETS - Asset Management Program – Progress Report No. 1

Introduction

This report is the first of regular reports to Council to provide a summary of Council's progress on Asset Management throughout the organisation. Further, this report will outline Council's legislative requirements; introduce the Department of Infrastructure and Planning Asset Management Advancement Program Guidelines and Council's progress through the milestones highlighted.

Introduction of the Local Government Act 2009

A Local Government Bill was drafted in 2008 and introduced in 2009 outlining Local Governments must comply with the requirements prescribed under the Planning and Accountability regulation. Items outlined in the Bill (Section 104) are to be adhered to in relation to financial and asset management reporting. Refer to the attached extract from the Local Government Act 2009 for further information (Appendix A).

How the Department of Infrastructure and Planning (QLD) is involved

To assist Council's statewide to achieve the above requirements the Department of Infrastructure and Planning Queensland has developed a guide named the Asset Management Advancement Program – AMAP, which is a step by step program to complete Council's Asset Management Plans by 31 December 2010. Refer to the attached document "Asset Management Advancement Program 2009-10" for further information (Appendix B).

Council's Asset Management process

Council has always conducted asset management throughout the organisation in an informal way. However, Council now must comply with current legislative requirements for all asset classes and need to work through the AMAP guide immediately as some asset class areas are less advanced than others.

A technical asset management group currently exists to develop, implement and maintain asset management processes for infrastructure only. However, the main function of the group is to resolve issues relating to asset management, revaluations, audits, standards, guidelines, policies, software, etc.

Gympie Regional Council's assets in all classes are currently being managed by directorates throughout the organisation including buildings, recreation facilities, infrastructure, parks and other general assets.

To progress through the AMAP, full commitment is required from all directorates at all organisational levels. Therefore resource(s) from each directorate must be identified to provide full commitment to this process as the program required is beyond the Design Services and Financial Services capacity.

Progress to date

A Gympie Assets Program has been drafted. Refer to the attached document – Gympie Assets Program (Appendix C). Note the tasks have been derived from the AMAP guideline. The tasks shown are at a high level and there are many sub-tasks to be completed to achieve completion. In addition, tasks have been added to re-evaluate the current software/hardware system which is an integral part of asset management process.

A draft policy has been completed for Council review and endorsement. Please find document attached (Appendix D). The Gympie Regional Council policy covers all of Council's asset classes. The draft policy is to be endorsed by Council to provide common direction through the AMAP process. The policy will then be revisited for final endorsement once the Asset Management Plans have been completed.

The asset group will shortly be collecting all the asset hierarchies for all data sets, a sub task of Item 2 of the Gympie Assets Program. Therefore, full commitment is required from all directorates to progress this task immediately at best to complete it by 31 December 2009 as per AMAP. The information collected will need to be reworked to create a common asset management framework and allowing for evaluation and migration of existing data registers to produce one common form for each asset register class.

Risk Assessment of Implementing Gympie Assets Program

The key risks can be identified as (but not limited too) include:-

- The organisation as a whole is not fully resource committed to the asset management process and therefore the impact will extend timeframes further into the future to comply with legislation.

- The milestones in the AMAP can not be met due to amount of effort (i.e. lack of data recorded) required to complete the tasks and therefore the impact will extend timeframes further to comply with legislation.

In quantifying the risks above using the following risk matrix:-

Risk needs to be quantified in two dimensions. The impact of the risk needs to be assessed. The probability of the risk occurring needs to be assessed. For simplicity, rate each on a 1 to 4 scale. The larger the number, the larger the impact or probability.

Probability

3/4	Medium	Critical
1/2	Low	High
	1/2	3/4

Impact

Note that if probability is high, and impact is low, it is a Medium risk. On the other hand if impact is high, and probability low, it is High priority. A remote chance of a catastrophe warrants more attention than a high chance of a hiccup.

Therefore in quantifying the risks above:-

- The probability of the first risk occurring is at the discretion of the Chief Executive Officer/Council. Provided that full commitment is provided the probability would be a rating 1-2. However, the impact would be high at a rating of 3-4 due to the effect on timeframes and therefore the resulting risk would be a high priority.
- The probability of the second risk occurring is due to available resources and funds to commit to the process. The probability would at a rating of 3-4 due to resources committed to other tasks already and limited funds available to commit to the process. The impact rating would be also 3-4 due to the effect on timeframes and therefore the resulting risk would be a critical priority.

What can be done with the above risks:-

- The first risk cannot be avoided as it should be embedded into the organisation's culture and therefore it would be beneficial to mitigate the risk by taken actions to lesson the impact by educating and communicating progress with the CEO/Directorates /Council on the asset management process so they can make informed corporate decisions.

- The second risk cannot be avoided but may be difficult to transfer as the organisation has ultimate responsibility. Therefore the risk should also be mitigated by taking actions to lesson the impact by committing the resources from the organisational structure from all directorates and for Council to endorse the change. Available funds should be sourced from each directorate to contribute to the process.

The identified risk above should be continually monitored and reviewed for progress. If any issues arise actions need to be implemented.

SOF11/12/09 Recommend:

- (a) That all directorates and divisions nominate one officer to be committed to delivering the AMAP program in the asset classes they are responsible for. One dedicated officer is ultimately required for each asset class. The CEO is to nominate the officer for Council buildings.*
- (b) The nominated person or representative will be required to attend regular asset meetings on a fortnightly basis. The officer will be provided with actions derived from the AMAP and will need to report to the asset management group on progress.*
- (c) That the position descriptions indicate the nominated officer(s) for each directorate and division.*
- (d) That the Corporate Structure/Directorate Responsibilities (form CSI-030) be amended to incorporate asset management responsibilities throughout all Directorates including the Chief Executive Officer. A draft is to be provided with the next progress report for endorsement by Council.*
- (e) That the draft Asset Management Policy be endorsed.*

Carried

G37/12/09 Moved: Cr L.J. Friske

Seconded: Cr D.R. Neilson

That:

- (a) All directorates and divisions nominate one officer to be committed to delivering the AMAP program in the asset classes they are responsible for. One dedicated officer is ultimately required for each asset class. The CEO is to nominate the officer for Council buildings.**
- (b) The nominated person or representative will be required to attend regular asset meetings on a fortnightly basis. The officer will be provided with actions derived from**

the AMAP and will need to report to the asset management group on progress.

- (c) That the position descriptions indicate the nominated officer(s) for each directorate and division.**
- (d) That the Corporate Structure/Directorate Responsibilities (form CSI-030) be amended to incorporate asset management responsibilities throughout all Directorates including the Chief Executive Officer. A draft is to be provided with the next progress report for endorsement by Council.**
- (e) That the draft Asset Management Policy be endorsed.**

Carried

Late Item 2	Regional & Local Community Infrastructure Program – Strategic Projects Round 2 2009-10 \$120 Million
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SOF13/12/09 - Recommend that Council investigate the possibility of the Rainbow Beach Swimming pool and the Transfer Station at Bonnick Road for the Regional & Local Community Infrastructure Program – Strategic Projects Round 2 2009-10.

Carried

G38/12/09 Moved: Cr I.T. Petersen

Seconded: Cr G.L. Engeman

That Council submit the Rainbow Beach Swimming pool and the Transfer Station at Bonnick Road as projects for the Regional & Local Community Infrastructure Program – Strategic Projects Round 2 2009-10.

Carried

Late Item 3 Gympie Regional Council -All Abilities Playground - Proposed Sponsorship Structure

Re: **G39/12/09** Gympie Regional Council -All Abilities Playground - Proposed Sponsorship Structure
 From: Economic Development and Public Relations Officer – Mrs Lynne Wilbraham
 File:
 Date: 15 December 2009

Report: (Economic Development / Public Relations Officer – Mrs Lynne Wilbraham)

Gympie Regional Council is undertaking the construction of an All Abilities Playground as a project under funding provided through Disability Services Qld and Rural Living Infrastructure Project funding through the State Government.

It is proposed to offer sponsorship opportunities to residents, businesses, community groups and other interested parties in the Gympie Region for the supply of funds, goods and services in relation to the All Abilities Playground.

These opportunities will assist Council and the community to maximise the project outcomes and reduce the level of staging of the project.

Proposed Sponsorship levels are detailed below –

Level Donation Level and/or \$ value of products or services supplied (inc GST)

Bronze	\$0 - \$1000
Silver	\$1000 - \$5000
Gold	\$5000 - \$15,000
Platinum	\$15000 and above

Bronze

Sponsor name engraved on plaque listing all other Bronze sponsors

Silver

Sponsor name and logo engraved on individual plaque
 Publicity and media opportunities provided to recognise Sponsorship

Gold

Sponsor name and logo engraved on individual plaque
 Framed Certificate presented to Sponsor

Sponsor logo listed on Council's website in media and information in relation to Project

Publicity and media opportunities provided to recognise Sponsorship

Platinum

Sponsor name and logo engraved on individual, large plaque

Framed Certificate presented to Sponsor

Sponsor logo listed on Council's website in media and information in relation to Project

Publicity and media opportunities provided to recognise Sponsorship

Equipment and Structures

The opportunity will also be provided for Sponsors to provide appropriate equipment and community focused infrastructure such as shade shelters, for installation at the All Abilities Playground.

Recognition will be made by the installation of a plaque on the equipment with the Sponsor's logo and name listed

Note:

- All text, logos, design and artwork to be approved by Gympie Regional Council
- All Sponsorship proposals will be individually considered and be subject to approval by CEO, Gympie Regional Council.
- Council will promote sponsorship opportunities through direct approach and also through media channels.

G39/12/09 Moved: Cr L.J. Friske

Seconded: Cr R.A. Gâté

That the All Abilities Playground Sponsorship Structure be adopted.

Carried

SECTION 9: GENERAL BUSINESS

Bus Shelter – Rocks and Lymburner Roads

Cr Ian Petersen advised that the bus shelter sought for the corner of Rocks and Lymburner Roads has been installed and extended his congratulations to all staff involved.

Wide Bay Institute of TAFE Graduation

Cr Donna Neilson advised that she attended the Wide Bay Institute of TAFE Graduation on Wednesday, 9 December 2009 at the Gympie Campus at which 177 graduates received Certificates III and IV in their various courses.

Book Presentation

Cr Graham Engeman presented a copy of the book “Queensland Agricultural Shows” a history of Queensland Shows to Council.

“No Dam” Celebration at Kandanga

Cr Julie Walker reported that the “No Dam” Celebration held on 12 December 2009 at Kandanga was very well attended and enjoyed by people from the area with overall a very positive and celebratory tone. Cr Walker commented that a number of people remained confused regarding buy-back options etc. Cr Jan Watt advised that information provided last week from the Community Futures Task Force meeting could be publicised by the media to assist with the spread of information, while the CEO referred Councillors to the advertisement by DEEDI in the Gympie Times which provided contact details for further information.

ADJOURNMENT OF MEETING

The Meeting adjourned for morning tea at 9.55am.

RESUMPTION OF MEETING

The Meeting resumed at 10.30am.

Cr Watt was not present when the meeting resumed.

SECTION 10: "IN COMMITTEE"

COUNCIL IN COMMITTEE

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

1. Queensland Rail – Budget – Contractual Matter
2. Corporate Services Directorate

G40/12/09 Moved: Cr R.A. Gâté

Seconded: Cr D.R. Neilson

That pursuant to the provisions of Section 463 of the Local Government Act, Council resolves to close the meeting to the public and move "into committee" to consider the following matter/s:-

- 1. Queensland Rail – Budget – Contractual Matter**
- 2. Corporate Services Directorate**

Further, that in relation to the provisions of Section 250 of the Act, 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

Director of Corporate Services Mr Craig Manson and Acting Manager of Corporate Administration Mrs Debbie Jenkins entered at 10.31am.

Cr J. Watt entered the meeting at 10.35am.

Cr I.T. Petersen left the meeting at 10.43am.

Acting Manager of Corporate Administration Mrs Debbie Jenkins, Donelle Shaw and Sherry Bull left the meeting at 10.43am.

COUNCIL OUT OF COMMITTEE

G41/12/09 Moved: Cr R.A. Gâté

Seconded: Cr G.L. Engeman

That proceedings be resumed in Open Council.

Carried

10. **Lot 1 LX 52, Cave Street, Kilkivan – Council has no future requirement for this lot.**
11. **Lot 13 SP 128650, Cave Street, Kilkivan - Council has no future requirement for this lot.**
12. **Lot 14 SP 128650, Bligh Street, Kilkivan – Council acquire at no cost ‘whole of lot’ for road reserve.**
13. **Lot 102 SP 122053, Bauple Woolooga Road, Bauple – Council has no future requirement for this lot.**
14. **Lot 1 RP 25332, Bular Road, Kilkivan – Council write to Queensland Rail with a view to re-opening previous contract negotiations with the former Kilkivan Shire Council at the original purchase price.**
15. **Lot 24 CP 827198, Miva Street, Theebine – Council has no future requirement for this lot.**
16. **Requests for Infrastructure from Queensland Rail – Council write to Queensland Rail, on behalf of the Tansey Show Society, Kilkivan Show & Campdraft Association, Gympie & District Show Society and the Goomeri Show Society, outlining their requests and indicating Council will be acting on behalf of these community organisations.**

Carried

10/2	Corporate Services Directorate
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Re: **G43/12/09** Corporate Services Directorate
From: Director of Corporate Services – Mr Craig Manson
File:
Date: 9 December 2009

G43/12/09 **Moved: Cr D.R. Neilson** **Seconded: Cr G.L. Engeman**

That Council endorse the revised structure for the Corporate Services Directorate.

Carried

There being no further business the meeting closed at 11.46am.

Confirmed this TWENTY-SEVENTH day of JANUARY 2010

CHAIRMAN
Cr R.J. Dyne