



**MINUTES**  
*of the*  
**GENERAL MEETING**

**CHAIRPERSON: Cr R.J. Dyne (Mayor)**

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

**On Wednesday 10 March 2010  
At 9.00 am**

Gympie Regional Council **GENERAL**

*Mayor R.J. Dyne (Chairman),  
Crs. A.J. Perrett, G.L. Engeman, R.A. Gâté, LJ Friske,  
DR Neilson, IT Petersen, J Watt and J.A. Walker.*

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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 and Cr J. Watt.

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

Cr J. Watt was not present at the commencement of the meeting.

## **DECLARATIONS OF INTEREST BY COUNCILLORS**

### **Corporate Governance & Finance Committee Meeting**

**F13/02/10** Cr J.A. Walker, Cr G.L Engeman - conflict of interest

**F20/02/10** Cr J.A. Walker, Cr J. Watt, Mayor Cr R.J. Dyne, Cr G.L Engeman, Cr I.T. Petersen – conflict of interest

**F22/02/10** Cr. D.R. Neilson – material personal interest

**F25/02/10** Cr G.L Engeman - conflict of interest

**F31/02/10** Cr R.A. Gâté - conflict of interest

### **Planning & Development Committee Meeting**

**P07/03/10** – Cr G.L. Engeman declared a Conflict of Interest.

**P14/03/10 and P17/03/10** – Cr R.A. Gâté declared a Conflict of Interest.

**P18/03/10** – Cr A.J. Perrett declared a Conflict of Interest.

**P17/03/10** - Cr G.L. Engeman – Material Personal Interest

## **SECTION 1: OPEN WITH PRAYER**

Pastor Thomas Hemphill from the Baptist Church 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.

Cr J. Watt entered the meeting at 9.09am.

## **LEAVE OF ABSENCE**

**G25/02/10** - Cr J.A. Walker – Leave of Absence

## **SECTION 2: APOLOGIES**

### SECTION 3: CONFIRMATION OF MINUTES OF PREVIOUS GENERAL MEETING

G01/03/10 Moved: Cr R.A. Gâté

Seconded: Cr L.J. Friske

**That the Minutes of the Gympie Regional Council General Meeting held on 24 February 2010 be taken as read and confirmed.**

**Carried**

### SECTION 4: PETITIONS

4/1	Petition – 9 Alma Street – DA 2009-1393
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Re: **G02/03/10** Petition – Alma St Pre Prep – DA 2009-1393  
 From: D Tunbridge and 47 other Signatories  
 File: 2009-1393 Doc ID:1418479  
 Date: 2 March 2010  
 Reference:

***“Alma Street Residents and Property Owners' Petition calling for refusal of Development Application 2009-1393 (high density multi-residential development at 9 Alma St and lot reconfiguration of 24 Caledonian Hill)***

*The residents and property owners within Alma Street unreservedly object to Gympie Regional Council approving this proposed multi-residential development within the designated Housing Zone at 9 Alma Street and the proposed reconfiguration affecting the restored heritage character home on 24 Caledonian Hill for the following reasons:*

***Failure to deliver RaL code outcomes***

*The reconfiguration of lot proposal fails to comply with the Specific Outcomes in the RaL Code due to:*

*the proposed 38% lot size reduction of 24 Caledonian Hill being well in excess of the 10% reduction limit set down within the Code. The reduction in lot size of 24 Caledonian Hill from 784 to 489m<sup>2</sup> also breaches the 600m<sup>2</sup> minimum lot size set down within the Code. The development also fails to achieve the required RaL Code Overall Outcome of ensuring that "the useability of all lots is maintained or improved" — with the complete loss of a back yard from 24 Caledonian Hill lot by way of the rear boundary being shifted to within 2m from the rear of the existing heritage family sized home (Circa 1890-1905). In addition, the imposition of a solid 5m high wall (rear of the block of flats) being positioned within 2m of the rear boundary will deprive the home and verandah area of winter sun and natural light and warmth for approximately 4 months of the year.*

***Failure to deliver Multi-residential code outcomes***

*The approval of such a high density development delivering 1 dwelling per 70sqm is well in excess of the current multi-residential density limit of 1 dwelling per 250sqm that is set down in the Multi-residential code.*

***Intensified traffic loading in child sensitive area — Alma St Pre Prep School***

*High density development on a single house lot brings significantly increased traffic loading in an already traffic congested and child sensitive area where traffic flow is unavoidably constrained by narrow road width, steepness and poor visibility when exiting onto Mellor Street.*

***NRAS suitability not a relevant consideration for code assessment under s3.5.4 of the IPA***

*The proposed purpose of the development (affordable housing scheme dwellings) does not present legally valid criteria for assessment against the relevant codes. In addition, neither the developer, Council or Federal Government can guarantee or impose this proposed use as a requirement on the development in the long term. Conditioning NRAS use (by Council) would also be in breach of s3.5.30 of the IPA.*

***Conflict with the preserved and restored heritage character in the street.***

*The approval of high density multi-residential development in the street would strongly conflict with the residential character and amenity within the street. The development will devalue the recognised amenity of the street as an established housing precinct with distinct heritage character and permanent long-term residents. It will open the street to itinerant accommodation and further forms of mixed development that are inconsistent with the designated housing zone which this street has maintained for the last century.*

*We respectfully seek your support in preventing this high density multi-residential development being imposed on our neighbourhood.*

***“Alma Street Residents and Property Owners' Petition calling for refusal of Development Application 2009-1393 (high density multi-residential development at 9 Alma St and reconfiguration of 24 Caledonian Hill)”***

**G02/03/10 Moved: Cr A.J. Perrett**

**Seconded: Cr I.T. Petersen**

**That the petition be received and referred to the Director of Planning & Development for further consideration.**

**Carried**

4/2

Petition – 9 Alma Street – DA 2009-1393

Re: **G03/03/10** Petition – Alma St Pre Prep – DA 2009-1393  
 From: Kylie Finger and 90 other Signatories  
 File: 2009-1393 Doc ID:1418474  
 Date: 2 March 2010  
 Reference:

***“Alma Street Pre Prep 1  
Petition calling for refusal of Development Application 2009-1393  
(multi-residential development at 9 Alma St).***

*Alma Street Pre-Prep (formerly Gympie Community Kindergarten) is a community based, non profit educational centre established in Gympie for over 60 years. We have an enrolment of 88 students in 2010.*

*We, the petitioners, believe it would be irresponsible for Gympie Regional Council to approve a multi-residential development in lower Alma Street that will unavoidably increase traffic loading in an area that is recognised as a high use set-down and pick-up zone for young children.*

*The report by Council's engineers considered by Council on 02 December 2009 recognises the existing traffic flow problems in lower Alma St. It states:*

*"The congestion of traffic in this section of Alma Street, mainly in the vicinity of the Pre Prep School has been an ongoing problem, for many years. By allowing a further twelve (12) units to be developed would add to this congestion."*

*The report goes further to suggest a reduction in the size of the development to eight (8) units and qualifies that this would only result in a "slightly reduced increase in traffic congestion" - despite requiring all parking for the eight (8) units to be catered for on the development site.*

*The proposed multi-residential development on a single house lot at 9 Alma Street is by definition "an inconsistent use" under the planning scheme. There are sufficient grounds for refusal of the development based on this inconsistency alone. The detrimental impact on the safety and amenity of the children and patrons of the Alma Street Pre Prep provides significant additional justification for refusal of this proposal.*

***We respectfully seek your support in preventing this multi-residential development being imposed on this child-sensitive area of our town.”***

***“Alma Street Pre Prep  
Petition calling for refusal of Development Application 2009-1393 (multi-residential development at 9 Alma St).”***

**G03/03/10**

**Moved: Cr A.J. Perrett**

**Seconded: Cr R.A. Gâté**

**That the petition be received and referred to the Director of Planning & Development for further consideration.**

**Carried**

<b>SECTION 5: ADOPTION OF CORPORATE GOVERNANCE &amp; FINANCE COMMITTEE RECOMMENDATIONS</b>
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**G04/03/10      Moved: Cr D.R. Neilson                      Seconded: Cr J. Watt**

**That the Recommendations of the Corporate Governance & Finance Committee Meeting held on 24 February 2010 as presented, be received with the exception of Minute F22/02/10 & F29/02/10 to be withdrawn and dealt with later in the meeting.**

**Carried**

**G05/03/10      Moved: Cr D.R. Neilson                      Seconded: Cr G.L. Engeman**

**That the Recommendations of the Corporate Governance & Finance Committee Meeting held on 24 February 2010 as amended, be adopted.**

**Carried**

Cr. D.R. Neilson declared a material personal interest in Minute F22/02/10 as she is a resident of Southside and left the meeting at 9.11 am.

<b>Recommendation F22/02/10 of the Recommendations of the Corporate Governance &amp; Finance Committee Meeting held on the 24 February 2010.</b>
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**G06/03/10      Moved: Cr G.L. Engeman                      Seconded: Cr R.A. Gâté**

**That Recommendation F22/02/10 of the Recommendations of the Corporate Governance & Finance Committee Meeting held on 24 February 2010 be received and adopted.**

**Carried**

Cr D.R. Neilson returned to the meeting at 9.12am.



**Recommendation F29/02/10 of the Recommendations of the Corporate Governance & Finance Committee Meeting held on the 24 February 2010.**

**G07/03/10 Moved: Cr D.R. Neilson**

**Seconded: Cr L.J. Friske**

**That Recommendation F29/02/10 of the Recommendations of the Corporate Governance & Finance Committee Meeting held on 24 February 2010 be deleted and placed in it stead:-**

*“That Council authorised the purchase of the UB8 scissor lift with the balance up to a maximum of \$4,000 be reimbursed to the Friends of the Gallery in the next financial year.”*

**Carried**

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

Cr Donna Neilson presented the following report:-

Rates for the second half of this financial year have been levied and are payable by 25 March in order to receive the discount. It is important to note that there has been no increase in rates in the current notices – it is simply the second half of the annual rates levy. Ratepayers who have increased their water consumption will find that reflected in the total, but those whose water consumption has decreased, will have a lower total.

The committee agreed to grant a lease over council owned land at Ascot Road, Gympie to the Gympie Gem Club Inc. The Club intends to erect a shed for storage of equipment, primarily in times of flood. The 10 year lease will be subject to standard conditions.

It was also agreed to offer a lease over land and a building at Main Street, Kandanga to the Friends of Kandanga Group Inc. The group has already invested a considerable amount of funds towards the maintenance of the building, which is currently occupied by the Save the Mary Group.

In order to facilitate an affordable lease to the Tin Can Bay Sporting Shooters Club Inc, the committee resolved to endorse the surrender of their current lease and the amalgamation into the adjoining reserve owned by the State. Council will then offer a lease over the land at the aptly named Riflefish Road at Tin Can Bay.

The committee recommended that the sum of \$20,000 be allocated in the 2010/11 budget for the Regional Arts Development Fund grant, subject to a successful bid for \$30,000 funding from Arts Queensland.

Following a request from the Rainbow Beach Commerce and Tourism Association to fund an independent fire assessment in the area, the meeting resolved to coordinate discussions with the Association, QPWS, and Councillors. The request arose out of concerns that fire bans imposed by QPWS were restrictive to tourism, particularly campers, and were not lifted in a timely manner.

It was recommended that Council extend the contract with Mr Tony Kishawi for caretaking at the Gympie Civic Centre for a further two years to 4 June 2012.

**G08/03/10      Moved: Cr D.R. Neilson                      Seconded: Cr G.L. Engeman**

**That the Report be received.**

**Carried**

<b>SECTION 7:    ADOPTION OF WORKS &amp; SERVICES                          COMMITTEE RECOMMENDATIONS</b>
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**G09/03/10      Moved: Cr L.J. Friske                      Seconded: Cr R.A. Gâté**

**That the Recommendations of the Works & Services Committee Meeting held on 2 March 2010 as presented, be received.**

**Carried**

**G10/03/10      Moved: Cr L.J. Friske                      Seconded: Cr A.J. Perrett**

**That the Recommendations of the Works & Services Committee Meeting held on 2 March 2010, be adopted.**

**Carried**

<b>SECTION 8: REPORT BY THE WORKS &amp; SERVICES COMMITTEE CHAIRMAN</b>
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Cr Larry Friske presented the following report:-

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

- Council has resolved to write to the LGAQ and ALGA regarding the compilation of a model policy on road maintenance following consideration of a legal opinion on road maintenance and repair.
- Council will be looking at the offer by Noosa and Great Sandy Biospheres to assist with the long term improvement of the Mary River environment and the development of new, sustainable businesses that support local community interests and have asked them to make a presentation on same to a future Council Meeting.
- Council will be approaching DERM regarding an annual rental fee for the emergency helicopter landing site at Rainbow Beach and requesting that the fee be waived as Council currently bears all maintenance costs relative to the site.
- Council will be approaching the Rainbow Beach Commerce and Tourism Association inviting them to present their Esplanade Park land and Streetscape Master Plan proposal to Council and staff for consideration.
- Council has directed the Design Services Division to issue a procedure to the Rainbow Beach Community Information and Resource Centre to issue house numbers to residents on presentation of their rate notices for fixing to the kerb or some other prominent feature on the property free of charge. This service will enable Emergency Services to locate the property in a timely manner in emergencies.
- Council staff have been directed to proceed with the removal of the Cave Street timber rail bridge at Kilkivan due to its state of disrepair. The upgrade will cost in the vicinity of \$200,000 which will be funded by the Department of Transport and Main Roads.
- Council has discussed concerns from a resident relative to the use of bollards on the Tin Can Bay foreshore and Council has agreed to continue the use of bollards and other methods of restricting vehicles from sections of the Foreshore, in specific areas as necessary, and Council will manage the Foreshore according to environmental, public use, legislative and resource priorities. Further that Council has no intention to bollard from Norman Point to Crab Creek.

- Council will again be writing to the Kilkivan Community Gardens and Railway Markets Projects Group asking for a detailed written proposal, including drawings for their activities on the road reserve and Council's leased railway land beside Lester Miller Park in Kilkivan – such written proposal to be provided within thirty days otherwise Council will commence action to terminate their activities on the leased land and the road reserve.
- Mr Mike Webb, Council's Lands Protection Manager attended his last Works & Services Meeting and Councillors and staff expressed their thanks to Mr Webb for his dedication to his duties during his time with Council.
- The water restrictions in Kilkivan have now been lifted to the permanent level and a review for the lifting of the Goomeri water restrictions will be considered at the April Works Meeting.

**G11/03/10 Moved: Cr L.J. Friske**

**Seconded: Cr R.A. Gâté**

**That the Report be received.**

**Carried**

<b>SECTION 9: ADOPTION OF PLANNING &amp; DEVELOPMENT COMMITTEE RECOMMENDATIONS</b>
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**G12/03/10 Moved: Cr I.T. Petersen**

**Seconded: Cr J. Watt**

**That the Recommendations of the Planning & Development Committee Meeting held on 3 March 2010 as presented, be received with the exception of P13/03/10 & P17/03/10 to be withdrawn and dealt with later in this meeting.**

**Further that Minute P05/03/10 be withdrawn at the request of the applicant.**

**Carried**

G13/03/10 Moved: Cr I.T. Petersen Seconded: Cr J. Watt

That the Recommendations of the Planning & Development Committee Meeting held on 3 March 2010 as amended, be adopted.

Carried

<p>Recommendation P13/03/10 of the Recommendations of the Planning &amp; Development Committee Meeting held on the 3 March 2010.</p>
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G14/03/10 Moved: Cr I.T. Petersen Seconded: Cr J. Watt

That Recommendation P13/03/10 of the Recommendations of the Planning & Development Committee Meeting held on 3 March 2010 be deleted and the following placed in its stead:-

“That Council, as Assessment Manager, APPROVE development application 2009-0272 for Reconfiguring a Lot – Subdivision to Create One (1) Additional Lot over Lot 203 L3739 located at 219 Webb Road, Blacksnake subject to the following conditions:

*Assessment Manager Conditions*

**Conditions To Be Satisfied Prior to Council Signing and Sealing the Plan of Survey**

1. (i) The development shall be generally in accordance with the plan submitted with the application (Plan No D-01032-01-D drawn by Martoo Consulting and dated 17/08/2009).
- (ii) The layout of the development as shown on the endorsed development plan shall not be altered or modified unless previously approved by Council’s Chief Executive Officer.
2. All outstanding rates or charges levied by Council or expenses that are a charge over the subject land under any act are to be paid.
3. A contribution is to be paid towards the improvement of existing public park or recreation spaces in the general area. The amount is currently assessed at \$100 based on \$100 per new lot created, however the actual amount payable will be in accordance with Council’s Fees and Charges Schedule and the rate applicable at the time of payment.
4. The whole of the subject land including all approved lots is to be treated for declared plants to the satisfaction of Council’s Chief Executive Officer. On completion of the treatment the enclosed Notification of Compliance Form is to be completed and lodged with Council.

5. Lot boundaries are to be approved by Council's Chief Executive Officer prior to cadastral survey.
6. An agreement is to be entered into with Energex to provide electricity to all approved lots without any financial encumbrance on future owners of these lots.
7. The applicant shall make suitable arrangements for the provision of an underground telephone service to the proposed allotments. Documentary evidence shall be submitted that an agreement has been reached with an authorised supplier for telephone services, prior to the Plan of Survey being sealed by Council.
8. The developer must meet the cost of all development works including any necessary alteration, relocation of services, public utility mains or installations.
9. Access to the proposed lots are to be constructed in accordance with the attached standard drawing.
10. Access to each lot shall have a minimum visibility of 65 metres in each direction to the satisfaction of Council's Asset Officer.
11. A Bushfire Management Plan is to be undertaken, by a suitably qualified consultant, in accordance with SPP1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide and is to detail proposed hazard reduction measures for the site. The Bushfire Management Plan is to be submitted to Council for consideration and approval prior to the commencement of works on site.
  - (i) Hazard reduction measures recommended as part of the approved Bushfire Management Plan are to be implemented and maintained at all times.

*Note: A note shall be placed on Council's rates records advising that the property is subject to an approved Bushfire Management Plan, and the document will be made available to future potential purchasers.*

### **Notes**

- (i) *Council's property records will be noted that the construction of Class 1 Dwellings on approved Lots 1 and 2 are to be in accordance with the approved fire management plan required by Condition 11 of this development approval.*
- (ii) *In carrying out your activity you must take all reasonable and practicable measures to ensure that it does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). You will comply with the cultural*

*heritage duty of care if you are acting in accordance with the gazetted cultural heritage duty of care guidelines. An assessment of your proposed activity against the duty of care guidelines will help determine whether or to what extent Aboriginal cultural heritage may be harmed by your activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from the Department of Natural Resources and Water ~ phone (07) 3238 3838 or website [www.nrw.qld.gov.au](http://www.nrw.qld.gov.au).”*

**Carried**

Cr G.L. Engeman declared a Material Personal Interest in Minute P17/03/10 due to perceived business interests and left the meeting at 9.30am.

**Recommendation P17/03/10 of the Recommendations of the Planning & Development Committee Meeting held on the 3 March 2010**

**G15/03/10 Moved: Cr I.T. Petersen**

**Seconded: Cr D.R. Neilson**

**That Recommendation P17/03/10 of the Recommendations of the Planning & Development Committee Meeting held on 3 March 2010 be received and adopted.**

**Carried**

Cr G.L. Engeman returned to the meeting at 9.31am.

**SECTION 10: REPORT BY THE PLANNING & DEVELOPMENT COMMITTEE CHAIRMAN**

Cr Ian Petersen presented the following report:-

**STRATEGIC PLANNING MATTERS**

A comprehensive report was received from the Sport Recreation and Parks Coordinating Committee covering realignment of various reserve boundaries, an update on the Tozer Park site, and the imminent release of the draft Wide Bay Burnett Regional Recreation and Sport Strategy.

Positive comment was received from the Australian Camps Association on Gympie Regional Council's response to the Great Australian Campout planned for April 17, 2010.

The Committee also identified the need for consistent regulation of community markets.

The Heritage Advisory Committee presented an in depth report giving rise to several suggested motions. Accordingly, this Committee is recommending that Council:-

- (i) Endorses the letter to Ipswich City Council in relation to a Park Conservation Management Plan
- (ii) Prepares a Park Conservation Management Plan for Memorial Park using mainly internal staff resources.
- (iii) Refers the allocation of \$6000 additional funding for external assistance to the 2011 budget deliberations
- (iv) Prepares a statement about the Glastonbury grave site for inclusion in the Local Heritage Register

The Committee is recommending that the matter of the Bullock Point Jetty be referred back to the Heritage Advisory Committee.

The Strategic Planning Unit has commenced work on the Environment Strategy with work on the action plans expected to commence this month.

#### **MATERIAL CHANGE OF USE APPLICATIONS**

The Committee is recommending that Council refuse an application to develop a multi – residential project in Alma Street on the grounds that it conflicts with the Planning Scheme.

An application for professional offices on Exhibition Rd is recommended for approval, as it is seen as a logical progression from the previous use and is supported by commercial uses on the opposite corner and on the other side of Exhibition Rd.

#### **RECONFIGURING A LOT APPLICATIONS**

An application to create 2 additional lots at Chatsworth is recommended for refusal on several grounds, as is an application for a reconfiguration application at Greens Creek which would have resulted in the creation of a lot in three parts connected by two vinculum across two unconstructed roads. An application to create 1 additional lot at Kilkivan is recommended for approval with standard conditions.

The Committee is recommending that Council approve an application to change an existing approval at Old Veteran Road, and recommending the issue of a negotiated decision notice for a previous approval at Rifle Range Road

#### **NEW APPLICATIONS**

No new impact assessable applications were received. 2 new code assessable Material Change of Use applications, 5 reconfiguring a lot applications and 6 operational works applications were noted



**DEVELOPMENT APPLICATIONS APPROVED**

10 Development applications were approved under delegated authority.

**GENERAL MATTERS**

The Committee is recommending that Council set an application fee of \$3965 for Development Applications for feedlots between 49 and 499 SCU (inclusive).

**G16/03/10      Moved: Cr I.T. Petersen                      Seconded: Cr J. Watt**

**That the Report be received.**

**Carried**

<b>SECTION 11: OTHER MATTERS</b>
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11/1	Memorial Lane Project
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Re:                      **G17/03/10** Memorial Lane Project  
 From:                 Gympie RSL Sub-Branch  
 File:  
 Date:                 2 March 2010  
 Reference:

*“After considerable research it is planned to start the next project in Memorial Lane. This time at the Reef Street end, on the walls either side of the Memorial Flame and on the two ends of the toilet blocks facing Reef Street.*

*The aim is to create walls of Remembrance on these eight places. Each wall has a recess which is similar to the ones where the Ceramic Murals are at the other end of the lane.*

*It is planned to fill these walls with pavers, each bearing the particulars of a deceased person who has served in the Military Forces. It is open to all deceased Ex-Service personnel, no matter where they served, whether they went overseas or were in the Reserves. Members who had been in other Nation’s Forces would be considered on application.*

*The pavers would be offered for sale and ordered through out the year, but only put up in batches two times per year, in time for ANZAC Day and Remembrance Day. Pavers to be sold @ \$50.00 each for the first three years of the project. Approximately 1100 pavers can fit on these eight walls, so the project can be on going for some years.*

*The Council contribution to this project would be to move the three fluorescent lights, on each side of the Memorial flame, up higher and to do some minor concrete work on the bottom of the walls on the end of the toilet blocks. With this project, it is envisaged that there shall be a place in the lane where the community can display a lasting tribute to family and friends who have been in the armed forces and to also brighten up that end of the lane way.*

*If the project goes ahead preliminary work shall be in place by and the project announced on the 24<sup>th</sup> April, 2010.*

*Hoping this project meets the Councils approval.*

*For more information please contact the Sub-Branch at the above."*

**Report: (Parks Manager – Ed French)**

The primary concern from Parks, as the section responsible for cleaning and maintaining the Lane, is damage from graffiti, as there have been limited occurrences in the past. A representative of the engraved paver suppliers stated that he was not aware of any problems with existing installations being damaged from graffiti. He states that the product is of slightly less quality than ceramics and will not absorb paints. Without a sample it is difficult to undertake any tests.

A secondary consideration is that the product should be of a high presentation value and the layout and installation should be very structured, uniform and orderly. The product brochure this report is partly based on indicates that this may be possible if uniform formats and sizing is maintained.

**Strategic Implications:**

Corporate Plan: 1.4

Operational Plan: 2.4(ii)

Budget Implications: Possible cost to remove graffiti if occurred.

Budget Reference: Nil

Legal/Statutory: Nil

Risks: Low – Risk of possible graffiti.

**Checklist:**

- Financial Services Directorate
- Corporate Services Directorate
- Community Services Directorate

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

**G17/03/10 Moved: Cr I.T. Petersen**

**Seconded: Cr D.R. Neilson**

**That Council support the RSL proposal for a Wall of Remembrance in Memorial Lane.**

**Further that Council contribute to the relocation of lights and minor concrete work at the end of the toilet blocks.**

**Carried**

11/2	New legislation to streamline the valuation process introduced into parliament
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Re: **G18/03/10** New legislation to streamline the valuation process introduced into parliament

From: DERM

File:

Date: 11 February 2010

Reference:

*“Today, the **Valuation of Land and Other Legislation Amendment Bill 2010** was introduced to the Queensland Parliament. This Bill is part of a package of business reforms being progressed over the next two years aimed at modernising the state’s valuation service, so as to provide a more consistent, transparent and equitable process for the issuing of land valuations in Queensland.*

*The Bill proposes a number of amendments to the Valuation of Land Act 1944, which aim to streamline the state’s statutory valuation process. The changes will confirm the valuations previously issued and provide certainty for the future.*

*The proposed reforms to be implemented over the next two years include:*

- streamlining the valuation objection process to provide a more transparent, consistent and efficient process (commencing for the 2010 valuation)*
- providing a 10-year set schedule of general valuations to give certainty to local governments and property owners about when the next revaluation will be issued. From 2012, all local government areas will be revalued at three, four or five yearly intervals, based on their growth, historical market movements and numbers of valuations*

- *working in collaboration with industry to set an adjustment factor for the years that a general valuation is not being undertaken to avoid large variances between general valuations (commencing 2012)*
- *bringing more clarity to the definition of 'unimproved value' (commencing 2010), to confirm the way in which valuations, based on unimproved value, are provided*

*Once the legislation is in place, the Department of Environment and Resource Management will work with local governments to ensure a seamless transition to the implementation of reforms. As well, more information will be made available as the valuation streamlining process progresses.*

*For details of the Bill, please go to [http://www.legislation.qld.gov.au/Bill\\_pages/bills\\_home.htm](http://www.legislation.qld.gov.au/Bill_pages/bills_home.htm) or the Department of Environment and Resource Management website at [www.derm.qld.gov.au](http://www.derm.qld.gov.au)*

*Should you require any additional information, please feel free to contact Mr Vern Di Salvo, Director, State Valuations Services on (07) 3330 6227 or Ms Leslie Shirreffs, General Manager, Land Management and Use on (07) 3330 6228."*

#### **Executive Summary:**

New Legislation to streamline the valuation process

#### **Previous Council considerations:**

CG & F Meeting 28 October 2009. F14/10/09

#### **Report: (Chief Executive Officer – Ken Mason)**

The proposed legislation will affect Council as follows:

It will provide certainty as to when revaluations will take place ie. for Gympie every 3 years. At present revaluations are carried out according to real estate market movements and the length of time since the last revaluation. As Council is due for a revaluation effective from 1 July 2011 it is now certain the next revaluation will be 1 July 2014.

If, between revaluations, market movement for the whole region changes (increase/decrease) by more than 10% The Department of Environment & Resource Management (DERM) will issue a valuation adjustment factor for every property in the region eg. if Rainbow Beach commercial property increased by 20% the adjustment factor would be 1.2, if Kilkivan residential property remained stable the adjustment factor would be 1. Council will then alter the

valuation used to calculate rates by multiplying the valuation by the adjustment factor however, DERM will not issue a new valuation notice to property owners. It would appear then that Council must accept responsibility of explaining any change in valuations to ratepayers probably by way of insertion with the rate notice.

The legislation also seeks to clarify the definition of “unimproved capital value (UCV)” as used for rating purposes to confirm the way in which valuations are provided. This is in response to a court case in which the Pacific Fair shopping centre was granted a decrease in its UCV from \$255,000,000 to \$47,500,000 not only resulting in loss of revenue for Gold Coast City Council but also setting a precedent which could see Queensland local authorities repaying up to \$600,000,000 in general rate revenue on some commercial/industrial properties.

### **Strategic Implications Three Yearly Revaluations & Adjustment Factor:**

Corporate Plan: Outcome 4.1

Operational Plan: Objective 1.1, 1.3

Budget Implications: Printing costs for any insertions. Extra staff time for any year where an adjustment factor is required both to calculate new rating valuations and to explain the changes to ratepayers.

Budget Reference: 2130101, 2120405

Legal/Statutory: Valuation of Land Act 1944

Risks: Some ratepayer backlash

Level: Low

Mitigation Proposed: Insertion with rate notice. Staff training.

### **Strategic Implications Clarifying “Unimproved Capital Value”:**

Corporate Plan: Outcome 4.1

Operational Plan: Objective 1.1, 1.3

Budget Implications: If legislation passed – nil. If legislation fails – shortfall in general rate revenue.

Budget Reference: 1130101

Legal/Statutory: Valuation of Land Act 1944

Risks if passed: Nil

Level: Low

Mitigation Proposed: Insertion with rate notice. Staff training.  
 Risks if not passed: probable refunds of rates on some commercial/industrial land.  
 Level: Medium

**Consultation:**

List of people whom have been consulted in relation to this report e.g. CEO, Director.

Co-ordinator Corporate Management Support  
 CEO

**Checklist:**

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

**G18/03/10 Moved: Cr R.A. Gâté**

**Seconded: Cr G.L. Engeman**

**That the information be received.**

**Carried**

11/3

Workplace Health and Safety Qld Workshops

**Re:** G19/03/10 Workplace Health and Safety Qld Workshops  
**From:** Economic Development/Public Relations Officer – Mrs L Wilbraham  
**File:**  
**Date:** 4 February 2010  
**Reference:**

**Executive Summary:**

Gympie Regional Council has been approached by the Safety Advisor - Nambour office of Workplace Health and Safety Qld to provide a venue to hold two workshops in June.

**Previous Council considerations:** Nil

**Report:** (Mrs Lynne Wilbraham - Economic Development and Public Relations Officer)

The Brisbane North/Sunshine Coast Regional office of Workplace Health and Safety Queensland is conducting a series of workshops throughout the region focused on providing information and training to business in relation to –

- workplace health and safety compliance
- workplace health and safety implementation strategies

The two workshops planned in June as outlined in the correspondence received from Ms Carmel Cheers, Safety Advisor - Small Business Program, will follow on from the workshop in April.

Gympie Regional Council has been approached to provide venues to hold these workshops in return for recognition at the events and in all promotional material in relation to the workshops.

This is an opportunity for Council to be proactive in assisting this Department to educate and inform businesses in the Region and to also take advantage of opportunities to promote the business and industry development services provided by Council.

The Fossickers Room at the Gympie Civic Centre is available on the 3<sup>rd</sup> June and 30<sup>th</sup> June to host the workshops.

Corporate Plan:

Outcome 2.2  
Supporting the ongoing development of our existing businesses.

Operational Plan: 1.1 (vi) Economic Development

Budget Implications: Rebate of Civic Centre Charges

Budget Reference: 2110605

Legal/Statutory: Nil

Risks: Assessment of implication of risks as per Council's Risk Management plan.

**Consultation:**

CEO

**Checklist:**

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

**G19/03/10 Moved: Cr L.J. Friske**

**Seconded: Cr R.A. Gâté**

**That Council approve the use of the Fossickers Room at the Gympie Civic Centre to conduct the workshops.**

**Carried**

## LATE ITEMS

Late Item 1	Civic Leaders Summit – New Model of Leadership
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Re: **G20/03/10** Civic Leaders Summit – New Model of Leadership  
 From: LGAQ – Cr Paul Bell AM - President  
 File:  
 Date: 1 March 2010  
 Reference:

***“PRESIDENT’S INVITATION***

*The Civic Leaders Summit has cemented a unique place in the Local Government biennial calendar over the past decade.*

*The fifth edition of this signature event which is conducted exclusively for Mayors, Deputy Mayors and CEOs is practically future focussed and rich in content. We provide the best presenters for our own cream of the crop. The event is closed to the media, enhancing your ability to canvass and explore the most challenging issues.*

*The Summit is not a forum for the discussion of roads, rates, planning, libraries or pest control. It’s about the business of leadership and the special and unique roles of Mayor, Deputy Mayor and CEO. It’s purposely different there is no other program like it in Local Government.*

*In 2010 we have substantially lifted the number of presentations from your mayoral colleagues. Peer to peer learning is a great way to learn from those who have made their fair share of mistakes and survived!*

*Additionally hear from a true living legend John Eales! To cap it off the former Victorian Premier Jeff Kennett tells as it is on political leadership.*



*The 2010 Summit will be held at Twin Waters Resort, Mudjimba on the beautiful Sunshine Coast.*

*I hope you will find time in your busy schedule to invest in your own personal development through attendance at this unique event.”*

**Report: (Chief Executive Officer – Ken Mason)**

The Mayor, Deputy Mayor and CEO have attended the Civic Leaders Summit in previous years. Given the change to the Local Government Act and altered roles and rules for Mayors and CEO's, it is essential that the Council is represented.

The Mayor will be part of the panel for a session on “Getting the Best out of your Colleagues” on Friday 30 April 2010.

**Strategic Implications:**

Corporate Plan: 4 - Strong Council Leadership

Operational Plan: Councillor Support

Budget Implications: Provisions made in the Budget

Budget Reference: 2110603

Legal/Statutory: Local Government Act

Risks: Medium – Need to keep abreast of legislative requirements.

**Checklist:**

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

**G20/03/10 Moved: Cr J. Watt**

**Seconded: Cr R.A. Gâté**

**That the Mayor, Deputy Mayor and CEO represent Council at the Civic Leaders Summit from the 28 – 30 April 2010.**

**Carried**

**SECTION 12: MEETING DATES**

The meeting dates for the month of April 2010 have been set as follows:

<b>TUESDAY, 6 APRIL 2010</b>	<b>Works &amp; Services Committee Meeting 9am</b>
<b>WEDNESDAY, 7 APRIL 2010</b>	<b>Planning &amp; Development Committee Meeting 9am</b>
<b>WEDNESDAY, 14 APRIL 2010</b>	<b>General 9am Community &amp; Economic Development Committee Meeting to Commence at the Conclusion of the Preceding General Meeting</b>
<b>WEDNESDAY, 21 APRIL 2010</b>	<b>Planning &amp; Development Committee Meeting 9am</b>
<b>WEDNESDAY, 28 APRIL 2010</b>	<b>General 9am Corporate Governance &amp; Finance Committee Meeting to Commence at the Conclusion of the Preceding General Meeting.</b>

**G21/03/10 Moved: Cr A.J. Perrett                      Seconded: Cr R.A. Gâté**

**That the meeting dates for the month of April 2010 be adopted.**

**Carried**

**SECTION 13: GENERAL BUSINESS**

**Rainbow Beach Residents & Ratepayers Association AGM**

Cr Graham Engeman reported that he attended the Rainbow Beach Residents & Ratepayers Association Annual General Meeting on 9 March 2010. He advised that the President is Mark Lawler and the Secretary is Carol Jeffers.

Sustainability Declaration Penalty Infringement Notices

**G22/03/10**      **Moved: Cr I.T. Petersen**                      **Seconded: Cr G.L. Engeman**

**That the matter be referred to the next General Meeting for further consideration.**

**Carried**

Wide Bay Burnett Statutory Regional Plan

**G23/03/10**      **Moved: Cr I.T. Petersen**                      **Seconded: Cr G.L. Engeman**

**That Council conduct an information session on the Wide Bay Burnett Statutory Regional Plan and Regulations in the Mary Valley.**

**Carried**

Local Government Act 2009

**G24/03/10**      **Moved: Cr I.T. Petersen**                      **Seconded: Cr G.L. Engeman**

**That Council request the Local Government Association of Queensland to re-open negotiations with the State Government in relation to the Local Government Act 2009 with particular reference to *Section 172 / 173 and section 176.***

**Carried**

There being no further business the meeting closed at 9.56am.

Confirmed this TWENTY FOURTH day of MARCH 2010

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CHAIRMAN  
Cr R.J. Dyne