

GYMPIE REGIONAL COUNCIL

MINUTES

of the

GENERAL MEETING

CHAIRPERSON: Cr R Dyne (Mayor)

**Held in the Boardroom
Old Bank Building,
46 Nash Street,
Gympie Qld 4570**

**On Wednesday 9th April 2008
At 9.00 am**

Gympie Regional Council **GENERAL MINUTES**

*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.*

APPOINTMENTS etc.

CONTENTS:

SECTION 1:	OPEN WITH PRAYER	4
SECTION 2:	APOLOGIES.....	4
SECTION 3(A):	CONFIRMATION OF MINUTES OF PREVIOUS GENERAL MEETING	4
SECTION 3(B):	CONFIRMATION OF MINUTES OF STATUTORY MEETING.....	5
SECTION 4:	PETITIONS.....	5
SECTION 5:	ADOPTION OF THE ORGANISATIONAL STRUCTURE.....	6
SECTION 6:	APPOINTMENT OF CHIEF EXECUTIVE OFFICER	7
SECTION 7:	APPOINTMENT OF DIRECTORS.....	7
SECTION 8:	APPOINTMENT TO SENIOR MANAGEMENT POSITIONS	8
SECTION 9:	COUNCILLORS REMUNERATION.....	8
9/1	COUNCILLORS REMUNERATION	8
SECTION 10:	COUNCILLORS SUPERANNUATION.....	12
SECTION 11:	TRANSITIONAL EXPENCES REIMBURSEMENT POLICY FOR LOCAL GOVERNMENT COUNCILLORS – PRIVATE VEHICLE USAGE	13
SECTION 12:	OTHER MATTERS.....	14
12/1	LGAQ LOCAL GOVERNMENT SYMPOSIUM 16-18 APRIL 2008.....	14
12/2	MEETING FACILITIES.....	15
12/3	EB – INTERIM PAY RISE.....	16
12/4	ESTIMATED COST 15 MARCH 2008 LOCAL GOVERNMENT ELECTION	17
12/5	FUTURE OF WBBROC	19
12/6	LOCAL GOVERNMENT PARTNERSHIP ARRANGEMENTS WITH THE BURNETT-MARY REGIONAL GROUP..	20
12/7	FUNDING SUBMISSION FOR THE COOLOOLA REGIONAL DEVELOPMENT BUREAU FOR 2008/09 FINANCIAL YEAR.	21

12/8	GYMPIE SALEYARDS	22
12/9	LANDS PROTECTION SURVEY PROGRAM APRIL - JUNE 2008.....	23
12/10	COUNCIL AGENDAS ON THE WEBSITE	25
12/11	GENERAL COMPLAINTS PROCESS.....	25
12/12	ELECTION OF ASSOCIATION'S EXECUTIVE DISTRICT REPRESENTATIVES 2008-2012	34
12/13	LOGO COMPETITION.....	35
12/14	KILKIVAN SWIMMING POOL.....	36
12/15	KINGAROY – THEEBINE RAIL LINE	37
SECTION 13: GENERAL BUSINESS.....		42
NOTICE OF MOTION.....		42
CHANGE OF MEETING DATES		42
LEAVE OF ABSENCE		42

The meeting commenced at 9.03am.

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

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

SECTION 1: OPEN WITH PRAYER

Pastor George Miller from the Victory Church offered a Prayer for the advancement of the Shire and the true welfare of its people.

One Minutes silence was observed for family and friends of deceased residents of the Shire.

SECTION 2: APOLOGIES

NIL

SECTION 3(a): CONFIRMATION OF MINUTES OF PREVIOUS GENERAL MEETING

G01/04/08 Moved: Cr I.T. Petersen

Seconded: Cr L.J. Friske

That the Minutes of the Cooloola Shire Council General Meeting held on 11th March 2008 be taken as read and confirmed.

Carried

G02/04/08 Moved: Cr A.J. Perrett

Seconded: Cr R.A. Gâté

That the Minutes of the Kilkivan Shire Council General Meeting held on 11th March 2008 be taken as read and confirmed.

Carried

G03/04/08 Moved: Cr J. Watt

Seconded: Cr A.J. Perrett

That the Minutes of the Tiaro Shire Council General Meeting held on 6th March 2008 be taken as read and confirmed.

Carried

G04/04/08 Moved: Cr L.J. Friske

Seconded: Cr A.J. Perrett

That the Minutes of the Local Transition Committee Meeting held on 12th March 2008 be taken as read and confirmed.

Carried

SECTION 3(b): CONFIRMATION OF MINUTES OF STATUTORY MEETING
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G05/04/08 Moved: Cr J.A. Walker

Seconded: Cr R.A. Gâté

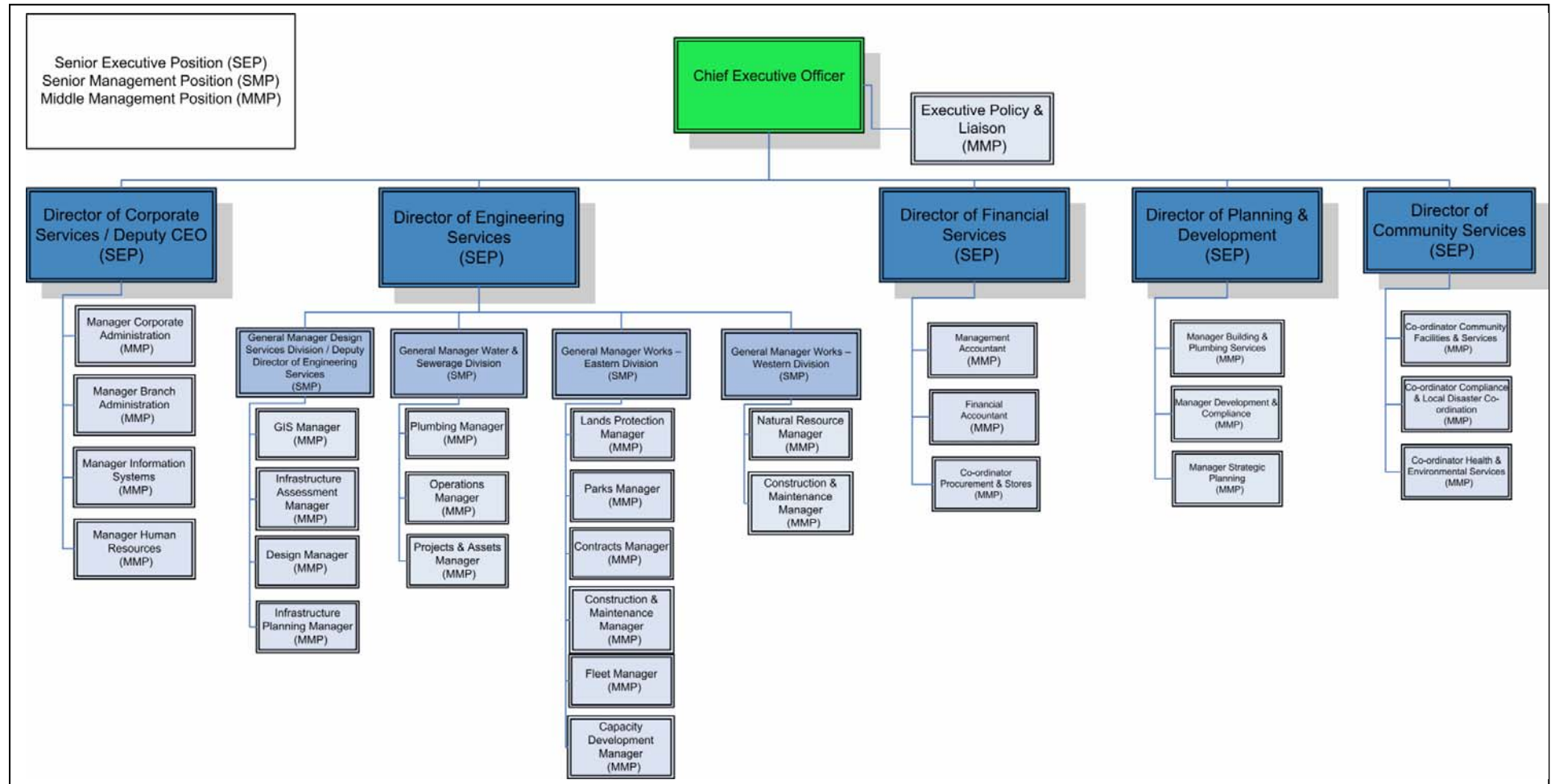
That the Minutes of the Statutory Meeting held on 2 April 2008 be taken as read and confirmed.

Carried

SECTION 4: PETITIONS

NIL

SECTION 5: ADOPTION OF THE ORGANISATIONAL STRUCTURE



G06/04/08 Moved: Cr R.J. Dyne

Seconded: Cr L.J. Friske

That the Interim Organisation Structure as approved by the Gympie Regional Council Local Transition Committee be adopted as the permanent organisation structure for the Gympie Regional Council subject to further investigation into the feasibility of transferring the development infrastructure assessment function from the Design Division of the Directorate of Engineering Services to Planning & Development Directorate.

Carried

SECTION 6: APPOINTMENT OF CHIEF EXECUTIVE OFFICER

G07/04/08 Moved: Cr I.T. Petersen

Seconded: Cr G.L. Engeman

That Mr Ken Mason be appointed to the position of Chief Executive Officer, Gympie Regional Council on a negotiated contract basis for a term commencing from 17th March 2008 to the 31 December 2012.

Carried

SECTION 7: APPOINTMENT OF DIRECTORS

G08/04/08 Moved: Cr A.J. Perrett

Seconded: Cr L.J. Friske

That the following people be appointed to the positions on a negotiated contract basis for a term commencing 17 March 2008 to the 31 December 2012.

**Craig Manson – Director of Corporate Services / Deputy CEO
Robert Fredman – Director of Engineering Services
Yvonne Oliver – Director of Financial Services
Mike Hartley – Director of Planning & Development
Michael Grant – Director of Community Services**

Carried

SECTION 8: APPOINTMENT TO SENIOR MANAGEMENT POSITIONS

G09/04/08 Moved: Cr R.A. Gâté

Seconded: Cr G.L. Engeman

That the Chief Executive Officer be authorised to appoint General Managers to these positions in consultation with the Director, on a negotiated contract basis for a term commencing 17 March 2008 to the 31 December 2012.

Carried

SECTION 9: COUNCILLORS REMUNERATION

9/1 Councillors Remuneration

Re: **G10/04/08** Councillors Remuneration
From: Ken Mason – Acting Chief Executive Officer
File:
Date: 3 April 2008

Report: (Acting Chief Executive Officer – Ken Mason)

The Local Government Remuneration Tribunal, established under section 250AA of the *Local Government Act 1993*, has produced the Local Government Remuneration Tribunal Report.

The Report :

- Outlines various categories of remuneration for Mayors, Deputy Mayors and Councillors.
- Applies categories to the respective Councils to determine their remuneration rate.
- Indicates an Amalgamation Loading to reflect the anticipated extra workload associated with amalgamation.
- Deliberately selects a range of remuneration levels for each category of local government representatives to give individual councils maximum flexibility in the determination of the actual rates paid to individual mayors, deputy mayors and councillors, as well as the way that that payment might be structured.
This allows:
 - Councils whom are concerned about affordability to set remuneration levels at the lower end of the spectrum.

- The adoption of a range within each category will also allow councils to establish a base rate of remuneration complemented by additional payments reflecting an individual councillor's involvement in council affairs including: attendance at council meetings; committee meetings; meetings concerning the local government and community matters; deputations; inspections; training and educational seminars and conferences.

The categories represent a % of the rate payable to a Member of the Queensland Legislative Assembly. Gympie Regional Council is a category 5 Council.

The Remuneration Range for a category 5 Council is:

	<u>% Rate Qld MLA</u>	<u>Remuneration Range</u> (rounded to nearest \$10)
Category 5		
Mayor	80 – 95	\$101,250 - \$120,230
Deputy Mayor	55 – 67.5	\$69,610 - \$85,430
Councillor	47.5 – 60	\$60,120 - \$75,940

It is suggested that Council nominate a percentage (%) of the MLA rate rather than an actual amount as this will ensure any increases given to MLAs will automatically flow on to Councillors.

Must be made public:

Gympie Regional Council is required to make public the rate that they have selected within the range:

- Under section 236A of *Local Government Act 1993* a local government must pass by resolution what remuneration is to be paid to each of its councillors and the purpose for which the remuneration is to be paid.
- Gympie Regional Council may authorise the payment of remuneration to a councillor only if the remuneration is that which is stated in the remuneration schedule issued by the Tribunal for the category to which Gympie Regional Council belongs.
- In addition, Council must provide a copy of any resolution it may make during the year authorising the payment or provision of remuneration to councillors in its Annual Report, as per section 534 of

the *Local Government Act 1993*. In addition to the copy of the resolution, particulars of the total remuneration paid to each councillor are also to be outlined in the annual report.

Chairpersons of Committees:

The Tribunal has decided due to the degree of uncertainty about how Councils may operate in the future, that it is premature to establish different or special remuneration categories for persons appointed to a committee as a chairperson of a committee. The matter will be further considered in the Tribunal's 2008 deliberations.

Amalgamation Loading:

The Tribunal decided to establish an "Amalgamation Loading" designed to reflect the additional workload expected by Councils which are amalgamating. It was viewed that additional workloads associated with 'bedding' the amalgamation process would be heavily weighted to the front end of Councillor's terms.

The Tribunal decided to calculate the loading of 10% by reference to the mid-point of the salary ranges determined at each Councillor level by the Tribunal.

Category Level 5 Amalgamation remuneration package recommendations:
(rounded to nearest \$10)

March 2008 to 30 June 2009 10%	1 July 2009 to 30 June 2010 7.5%	1 July 2010 to 30 June 2011 5%	1 July 2011 to March 2012 2.5%
Mayor \$11,070	Mayor \$8,300	Mayor \$5,540	Mayor \$2,770
Deputy Mayor \$7,750	Deputy Mayor \$5,810	Deputy Mayor \$3,880	Deputy Mayor \$1,940
Councillor \$6,800	Councillor \$5,100	Councillor \$3,400	Councillor \$1,700

Gympie Regional Council situation:

The Councillor Remuneration Resolution as required by S236A follows.
The resolution takes into account the activities to be undertaken by Councillors.

G10/04/08 Moved: Cr J.A. Walker

Seconded: Cr L.J. Friske

That Council resolves to authorise the following payments of remuneration in accordance with the determination in the remuneration schedule and amalgamation loading schedule set by the Local Government Remuneration Tribunal as established under section 250AA of the Local Government Act 1993.

Mayor -	90% of the rate payable to a Member of the Queensland Legislative Assembly in accordance with the remuneration range for a Category 5 Local Government						
Deputy Mayor -	62.5% of the rate payable to a Member of the Queensland Legislative Assembly in accordance with the remuneration range for a Category 5 Local Government.						
Councillor -	55% of the rate payable to Member of the Queensland Legislative Assembly in accordance with the remuneration range for a Category 5 Local Government.						
Committee Chairpersons -	2.5% of the rate payable to a Member of the Queensland Legislative Assembly in accordance with the remuneration range for a Category 5 Local Government for the Chairpersons of the following Committees: <ul style="list-style-type: none"> - Works & Services - Corporate Governance & Finance - Community & Economic Development 						
	<ul style="list-style-type: none"> - In recognition of the additional workload undertaken by the Chairperson of the Planning and Development Committee 5% of the rate payable to a member of the Queensland Legislative Assembly in accordance with the remuneration range for a Category 5 Local Government. 						
Amalgamation Loading -	In accordance with the amounts set by the Local Government Remuneration Tribunal for the period 15 March 2008 to 30 June 2009.						
	<table> <tr> <td>Mayor</td><td>\$11,070</td></tr> <tr> <td>Deputy Mayor</td><td>\$7,750</td></tr> <tr> <td>Councillor</td><td>\$6,800</td></tr> </table>	Mayor	\$11,070	Deputy Mayor	\$7,750	Councillor	\$6,800
Mayor	\$11,070						
Deputy Mayor	\$7,750						
Councillor	\$6,800						

The purpose of the remuneration is to cover individual Councillors involvement in Council affairs including attendance at Council Meetings, committee meetings, meetings concerning the local government and community matters, deputations, inspections and training and educational seminars and conferences which further a Councillor's knowledge of local government affairs and requirements. Further, the additional workload to be managed by Councillors due to the amalgamation process.

Reimbursement is to paid on a fortnightly basis.

Carried

SECTION 10: COUNCILLORS SUPERANNUATION

Report: (Acting Chief Executive Officer – Ken Mason)

The level of superannuation payments made to a Mayor, Deputy Mayor or a Councillor is a matter to be determined by each individual Council having regard to section 238 of the Local Government Act. This is to say, superannuation is not included in the Local Government Remuneration Tribunal determinations.

The intent of section 238 is to enable Councils, at their discretion, to provide superannuation support for Councillors up to but not exceeding the level of support provided for Council officers.

Under section 238A Councillors may make salary sacrifice arrangements in accordance with the conditions set by the section.

G11/04/08 Moved: Cr J. Watt

Seconded: Cr D.R. Neilson

That Council resolves to authorise superannuation payments of 12% of remuneration on the condition that Councillors contribute 6% from their salaries. Councillors can contribute their proportion through a salary sacrifice arrangement under section 238A of the Local Government Act by making a formal request to the Chief Executive Officer. Councillors should nominate the preferred superannuation fund and where no nomination has occurred the superannuation payment will be made to LG Super.

Carried

SECTION 11: TRANSITIONAL EXPENCES REIMBURSEMENT POLICY FOR LOCAL GOVERNMENT COUNCILLORS – PRIVATE VEHICLE USAGE

Report: (Acting Chief Executive Officer – Ken Mason)

Under the Transitional Expenses Reimbursement Policy Councillors private vehicle usage may be reimbursed where:

- Travel has been endorsed by Council resolution
- Claim for mileage is substantiated with log book details

And (where appropriate) a

- Total travel claim does not exceed the cost of the same travel using economy flights plus the cost of taxi transfers.

At this point in time some Councillors are utilising their own vehicles for Council business.

Within local government it is usual for motor vehicle allowances, when paid, to be embraced by the related Public Service Act Directive, currently Directive No. 6/07 – September 2007.

For Councillors purposes a reference in the Directive to ‘headquarters’ can be interpreted as individual Councillor residences. From an insurance view point Councillors’ vehicles should be covered by either a comprehensive or a third party property damage insurance policy. Councillors are required to produce evidence that the insurance policy has been endorsed to indemnify Gympie Regional Council. It is understood this is a standard type endorsement available on request from all insurance companies. Council will refund any endorsement fees.

G12/04/08 Moved: Cr A.J. Perrett

Seconded: Cr R.A. Gâté

That where Councillors utilise their own vehicles for Council business an allowance per kilometre be paid under the scale prescribed by Directive Number 6/07 (or the most current Directive) made pursuant to the provisions of section 34 of the Public Service Act 1996. This payment to be made following the requirements detailed in the Transitional Expenses Reimbursement Policy and the process for claims as decided by the Chief Executive Officer.

Carried

SECTION 12: OTHER MATTERS

12/1

LGAQ Local Government Symposium 16-18 April 2008

Re: **G13/04/08** LGAQ Local Government Symposium 16-18 April 2008
From: Local Government Association Queensland.
File:
Date: 18 March 2008

“The 2008 Local Government Symposium is being held at the Brisbane Convention and Exhibition Centre from 16-18 April 2008.

The Local Government Symposium will be the first opportunity for local government leaders and senior executives to come together to discuss the challenges for local governments - new and unchanged, and what the future holds for our communities.

Attendance is a must for:

- *All mayors and councillors, both returned and newly elected*
- *CEOs, and*
- *Senior management and professional staff*

Meet the Ministers whose portfolios directly impact on Local Government and ***have your say*** in the development of their plans for Queensland’s “stronger councils” including:

- *The new Local Government Act*
- *The role of Regional councils and their engagement with the state government*
- *Reforms to planning and development*
- *New water reform and institutional arrangements in SEQ and across the state*
- *New Main Roads districts and business models for working with councils*
- *The role for Local Government in Climate Change*
- *What the Federal ALP Government means for Local Government*

*Symposium 2008 provides the **ideal opportunity** for newly elected mayors, councillors and senior officers to come together for the first time, to develop critical networks, to share their experiences and learn from one another.*

*Your council's capacity to “**Forge Ahead**” depends on how successfully you are able to take on the core issues challenging your community and to develop solutions. Take this opportunity to engage with government and industry networks that will support you in delivering on this term's goals.*

Key symposium themes include:

- *Local Government reform and its funding, capacity building and performance reporting*
- *Creation of new councils and their community identity*
- *Physical and social infrastructure*
- *Ministerial engagement and departmental briefings*

Come....meet your local government colleagues, engage with key ministers and departmental decision makers, build or renew your own networks and learn about the major issues confronting local government.

*Those who had previously registered their interest in attending this event, now need to register as a delegate on line at our website www.lgaq.asn.au and look for LG Symposium under **Key Events**.*

Remember if three delegates or more are attending from the same council, a discounted registration applies!

*For further information on the Symposium, please contact **Bron Browning**, LGAQ Events Coordinator on 3000 2220 or bron_browning@lgaq.asn.au.*

G13/04/08

Moved: Cr G.L. Engeman

Seconded: Cr A.J. Perrett

That Cr D.R. Neilson, Cr J.A. Walker, Cr R.A. Gâté and Cr G.L. Engeman attend the LGAQ Local Government Symposium to be held from the 16th April to the 18th April 2008.

Carried

12/2

Meeting Facilities

Re: **G14/04/08 Meeting Facilities**
 From: Gympie Regional Council Local Transition Committee
 File: AG98/00305
 Date: 4 October 2007

“Re:
Investigation

LT36/10/07 Mead Consulting

*From: Cooloola Shire Council
File: AG98/00305
Date: 4 October 2007*

Minute G12/10/07 Refers

That Council ensure that its proposed new meeting facility has adequate provision to meet the needs of all interested media.

Further that this matter be referred to the Local Transition Committee.

Carried

LT36/10/07: That the information be received and that this matter be referred to the Gympie Regional Council for further consideration.

Agreement Reached Carried

G14/04/08 Moved: Cr R.A. Gâté

Seconded: Cr J.A. Walker

That the information be noted for future meeting room deliberations.

Carried

12/3	EB – Interim Pay Rise
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Re: G15/04/08 EB – Interim Pay Rise
From: Gympie Regional Council Local Transition Committee
File:
Date: December 2007

LT37/12/07: That the Local Transition Committee recommend to the Gympie Regional Council that consideration be given to an Interim pay increase during the EB negotiation period.

Carried by consensus

G15/04/08 Moved: Cr L.J. Friske

Seconded: Cr R.A. Gâté

That the matter be considered during the Enterprise Bargaining negotiations.

Carried

12/4

Estimated cost 15 March 2008 Local Government Election

Re: **G16/04/08** Estimated cost 15 March 2008 Local Government Election.
From: Gympie Regional Council Local Transition Committee
File:
Date: February 2008

*“Re: LT29 & LT30/02/08 Estimated cost 15 March 2008 Local Government Election.
From: Minister of Main Roads & Local Government, Warren Pitt MP, PO Box 15031 City East QLD 4002.*

*File: AG07/01034 Doc ID: 877246
Date: 11 February 2008*

“I am writing to inform you of the estimated cost to your council of the 15 March 2008 local government election.

I have determined that the Department of Local Government, Sport and Recreation will contribute \$1.2 million to cover the Electoral Commission of Queensland (ECQ) establishment costs associated with the conduct of the 15 March 2008 local government elections.

I have also determined that in 2007/2008 councils need only reimburse the State to the extent that has been allowed for in each local council's budget for that period. Outstanding amounts due to the State can be remitted during 2008/09 and 2009/10 depending on individual circumstances.

Section 271 of the Local Government Act 1993 (LGA) provides that a local government is responsible for expenditure incurred for the conduct of an election in its local government area. As a key element of the Local Government Reform process, the LGA now provides that the ECQ will conduct the 2008 quadrennial local government elections on behalf of councils as the Chief Returning Officer.

Section 159ZN of the LGA (introduced by the Local Government Reform Implementation Act 2007), provided that in relation to the requirement that the local governments are responsible for election expenses, all new, adjusted or continuing local government must, to the extent the Minister directs, reimburse the State for all costs incurred, including cost incurred by the electoral commission in conducting the elections.

The Department of Local Government, Sport and recreation is responsible for collecting the ECQ election costs from local councils associated with the March 2008 elections.

The estimate provided to you has been adjusted for the contribution being made by the Department. The actual costs to each council will not be known until after the election has been conducted and may vary from the estimate provided. The Department's contribution will remain regardless of the actual ECQ costs incurred.

The Department will correspond with all local councils in Queensland following the election to agree on a repayment plan.

Local government: Gympie Regional Council

Estimated election cost to local government: \$207,844

Proposed repayment 2007/2008 \$200,350

Proposed repayment 2008/2009 \$7,494

Proposed repayment 2009/2010 \$0

If you have any queries, please contact Phil Clarke, Deputy Director-General Local Government Reform on telephone 07 3235 4303."

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

As stated above the estimate for Gympie Regional Council election cost will be \$207,844. In the 2007/08 budget each Council has allocated:

<i>Cooloola -</i>	<i>\$157,750</i>
<i>Kilkivan -</i>	<i>\$20,000</i>
<i>Tiaro -</i>	<i>\$8,400 (based on a third of \$25,200)</i>

Total allocated in the 2007/08 Budget \$186,150

Shortfall - \$21,694.

LT29/02/08 That the information be received.

Carried by consensus

LT30/02/08 That the Local Transition Committee recommend to the Gympie Regional Council that the proposed repayment method of Election costs suggested by the Minister of Main Roads & Local Government be accepted.

Carried by consensus"

G16/04/08 Moved: Cr R.A. Gâté

Seconded: Cr J.A. Walker

That recommendation LT30/02/08 be adopted.

Carried

12/5

Future of WBBROC

Re: **G17/04/08** Future of WBBROC
From: Gympie Regional Council Local Transition Committee
File:
Date: 12 March 2008

*“Re: **LT03/03/08** Future of WBBROC
From: Spencer Slatter, Executive Officer, Wide Bay Burnett Regional Organisation of Councils, “The Globe” 190 Cheapside St, Maryborough Q 4650.
File: AG07/1034
Date: 22 January 2008, Doc ID: 871132*

“At the last meeting of this organisation discussion took place regarding the forthcoming Council amalgamations and the role of WBBROC in the future.

There was overwhelming support for the proposition put forward that the ROC has a valuable role to play after the amalgamations with the view being expressed that it is highly probable that given the inclination of the State Government in particular to act increasingly on a regional basis the ROC will become the vehicle through which true regional co-operation could be facilitated. There is undoubtedly many areas where co-operation between Councils could and should be enhanced for the benefit of the region and the Councils.

Member Councils request that you inform your LTC of their views that the ROC should continue its role of being an advocate for the region and a vehicle through which regional co-operation and development can be facilitated.”

LT03/03/08: That the information be received and the matter be referred to the Gympie Regional Council for consideration.

Carried by consensus”

G17/04/08 Moved: Cr R.J. Dyne

Seconded: Cr J.A. Walker

That the Gympie Regional Council continue to be a member of Wide Bay Burnett Regional Organisation of Councils.

Carried

12/6	Local Government Partnership arrangements with the Burnett-Mary Regional Group
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Re: **G18/04/08** Local Government Partnership arrangements with the Burnett-Mary Regional Group
From: Gympie Regional Council Local Transition Committee
File: AG07/01034 Doc ID 881773
Date: 12 March 2008

*“Re: LT05/03/08 Local Government Partnership arrangements with the Burnett-Mary Regional Group
From: David Brown – Chief Executive Officer, Burnett Mary Regional Group
File: AG07/01034 Doc ID 881773
Date: 22 February 2008*

“In recent years, the Burnett Mary Regional Group has enjoyed a successful and collaborative relationship with Local Government Authorities in the Wide Bay Burnett. Through the Local Government Authority Clusters, the investment of funds and time from both the Burnett Mary Regional Group and the participating Local Government Authorities has meant that real outcomes have been achieved for Councils and the community. This was a result of cross-boundary partnerships and increasing community participation in natural resource management. The Cluster initiative has also benefited Council employees through awareness and training activities. This partnership and associated projects have been recognised continuously in the media, as well as by the State Government and the Local Government Association of Queensland.

Unfortunately, changes to Local Government boundaries mean the partnerships can no longer be maintained in their current form. The Burnett Mary Regional Group is committed to continuing this partnership in the next financial year. I would appreciate the opportunity to discuss with the new Council how this could best be achieved. In the interim, I am interested in the level of support that the Local Transitional Committees may have indicated for a continued partnership into the future.

I am very conscious of the task in front of Local Government over the next few months and do not want to distract or inconvenience your team, however, I am keen to ensure that we keep up the valuable work that we have been doing over the last year. If you have any questions or would like to discuss this further, please do not hesitate to contact me on 4181 2999 ext 101.”

LT05/03/08: That the information be received and the matter be referred to the Gympie Regional Council for further consideration.

Carried by consensus”

cautious with our estimates, both incoming and outgoing whilst acknowledging the additional expectations of the Bureau.

We trust the Gympie Regional Council will be supportive of the CRDB in its role of Economic Development and Tourism management and promotion for the new region."

LT21/03/08: That the information be received and referred to the Gympie Regional Council for consideration.

Carried by consensus"

G19/04/08 Moved: Cr A.J. Perrett

Seconded: Cr D.R. Neilson

That the matter be referred to the Director of Financial Services for inclusion in the Draft Budget deliberations.

Carried

12/8	Gympie Saleyards
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Re: **G20/04/08** Gympie Saleyards
 From: Gympie Regional Council Local Transition Committee
 File:
 Date: 12 March 2008

*"Re: LT22/03/08 Gympie Saleyards
 From: Cooloola Shire Council, PO Box 155, Gympie Qld 4570
 File:
 Date: 11 March 2008*

*"G55/03/08
 That Council request the Director of Planning and Development to consider as a high priority, the development of a Local Area Plan to protect the Municipal Saleyards from restrictions on its operations due to urban encroachment.*

Further, that the matter be referred as a late item to tomorrow's Local Transition Committee Meeting.

Further, that the Local Transition Committee refer the matter to the Gympie Regional Council with the view to forming a Saleyard Users Group to discuss problems or improvements to the Saleyard.

Carried"

LT22/03/08: That the information be received and referred to the Gympie Regional Council for consideration.

Carried by consensus

G20/04/08 Moved: Cr I.T. Petersen

Seconded: Cr J. Watt

That the matter be referred to a Planning & Development Committee Meeting for further investigation.

Carried

Mr Mike Hartley entered the meeting at 9.25am and left the meeting at 9.28am.

12/9

Lands Protection Survey Program April - June 2008

Re: **G21/04/08** Lands Protection Survey Program April - June 2008
From: Land Protection Manager – Mr Troy Huckstepp
File:
Date: 1st April 2008

Report: (Land Protection Manager – Mr Troy Huckstepp)

Council, under Section 241 of the Lands Protection (Pest & Stock Route Management) Act 2002, must approve by resolution a Pest Survey Program. This then allows Council's authorised Officers to enter properties to monitor compliance with this Act. Compliance notices will result from these programs.

LAND PROTECTION (PEST AND STOCK ROUTE MANAGEMENT)

ACT 2002

SECTION 241

PEST SURVEY PROGRAM

Areas to Be Covered in this Program.

Property inspections throughout the following areas will be conducted by Council Officers authorised under Section 244 of the Act during the Program:

Area 1 – East of Mary River in the Gympie Regional Council Area

Area 2 – West of Mary River in the Gympie Regional Council Area

Criteria for Selection of Above Area

The area is a portion of the local government area for which inspection by Council officers is feasible within 3 months, and the area is considered a high priority for all pests declared under the Lands Protection (Pest & Stock Route Management) Act 2002 in accordance with the Local Government Area Pest Management Plan.

Purpose of the Program

- To monitor compliance with the Land Protection (Pest and Stock Route Management) Act 2002 in relation to declared pests.
- To aid in monitoring/mapping the distribution and spread of declared pests.
- To promote to landowners Best Practice in the treatment of declared pests.
- To assist in the enhancement of community awareness in relation to declared pests.
- To ensure that persons or organisations holding Declared Pest Permits are complying with the requirements of the Land Protection (Pest and Stock Route Management) Act 2002.

These inspections will be conducted on urban and rural properties within the area/s stated above. In addition to this program, places open to the public, such as Plant Nurseries, Landscape Garden Suppliers, Seed Merchants, Stock Fodder Suppliers and Quarry Material Suppliers, will be inspected from time to time by Council to monitor compliance with the Act.

Commencement and Duration of Survey:

The survey for **Area 1** will commence on **1st April 2008** and will be in force for a period of **3 Months**, expiring on **1st July 2008**.

The survey for **Area 2** will commence on **2nd April 2008** and will be in force for a period of **3 Months**, expiring on **2nd June 2008**.

G21/04/08

Moved: Cr L.J. Friske

Seconded: Cr A.J. Perrett

That Council approve two Pest Survey Programs under Section 241 of the Lands Protection (Pest & Stock Route Management) Act 2002 to begin on 1st April 2008 for the area East of the Mary River and on the 2nd April 2008 for the area West of the Mary River.

Carried

12/10	Council Agendas on the Website
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Re: **G22/04/08** Council Agendas on the Website
 From: Cooloolo Shire Council
 File:
 Date: December 2007

“G16/12/07: That due to there being no legal impediments, no technical barriers as reported by staff, to adapt to the greater distances of a new regional council, to practice open more open and accountable governance, Council trial for a period of 3 months, the posting of full agendas on the Cooloolo Shire Council website, by close of business Friday and Minutes be posted 10 days after Committee Meetings.

Further that the trial be monitored for positive and negative feedback.

PROCEDURAL MOTION

G17/12/07: That this matter be referred to the first meeting of the new Gympie Regional Council.

Carried

A DIVISION was called with the following results:

FOR: Cr N.R. Ellis, Cr L.J. Friske, Cr D.R. Neilson, Cr I.T. Petersen, Cr J. Watt, Cr W.J. McIntyre, Cr F.G. Nissen AM, Cr C.R. Chapman OAM, Cr M.J. Venardos OAM.

AGAINST: Cr R. Owen, Cr M. Prior, Cr S.S. Jocusen.”

G22/04/08 Moved: Cr A.J. Perrett Seconded: Cr G.L. Engeman

That the matter be referred to the Corporate Governance & Finance Committee for consideration.

Carried

12/11	General Complaints Process
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Re: **G23/04/08** General Complaints Process
 From: Mr Ken Mason – Acting Chief Executive Officer
 File:
 Date: 3 April 2008

GENERAL COMPLAINTS PROCESS
 (as distinct from Requests for Service – CM-P-022)

Title and authorisation

This is the General Complaints Process of the Gympie Regional Council made under the Local Government Act 1993 (the Act) and includes the elements required by Chapter 6, Part 5 of the Act. This Process is effective following resolution (_____ on the _____ 2008) and will not be altered without further resolution. A review will be conducted by Gympie Regional Council in 2008.

1.0 Scope of the General Complaints Process

This General Complaints Process has been established for resolving complaints by affected persons about **administrative action** of the Council or an alleged **minor breach** by a Councillor of the Council's Code of Conduct for Councillors.

The General Complaints Process does **not** apply to a complaint –

- (i) relating solely to matter of routine application not involving an exercise of judgement (Requests for Service and Complaints Procedure [CM-P-022](#));
- (ii) about competitive neutrality issues (Chapter 11 of the Act – [CM-P-021](#));
- (iii) about official misconduct (Crime and Misconduct Commission);
- (iv) made under the Whistleblowers Protection Act 1994;
- (v) about a meeting breach, a repeat breach or a statutory breach under the Code of Conduct for Councillors;
- (vi) made about Anti-discrimination, Equal Employment Opportunity Policy or Industrial matters including the Enterprise Bargaining Agreement;
- (vii) made about the level of service provided by Council (as determined in the annual Budget process);
- (viii) made anonymously (CM-P-022);
- (ix) relating to civil and/or insurance matters; or
- (x) made by a person who does not have sufficient direct interest in the complaint matter (CM-P-022).

1.1 Definitions

Terms used in this document are defined in Appendix A.

2.0 Policy Commitment

As covered by Council's Quality Policy [PR-CM-001](#), Council intends to provide customer service at the level Council has determined the ratepayers have the capacity to fund. It seeks to manage feedback, both positive and negative, on its services and/or a complaint about a decision or other action it takes.

For complaints covered by this General Complaints Process, the Council will endeavour to ensure that:

- anyone who is dissatisfied about a decision or other action of the Council, a Council officer or a Councillor can easily and simply lodge a complaint;
- complainants are provided with information on the complaints process and, if necessary, assistance to make their complaint;
- complaints are responded to as quickly as possible;
- there is a fair, efficient, consistent and confidential (subject to any legal requirements) treatment of complaints;
- complainants, Councillors and Council staff are treated with respect; and
- the principles of natural justice apply.

3.0 Complaints Process

3.1 Making a complaint

A complainant may make a complaint in any of the following ways-

- orally, either by telephone or in person to a Council officer or Councillor
- by email to council@gympie.qld.gov.au or on-line via the Council's website
- in writing (by letter, fax, or by completing the Council's complaint form).

All written and electronic complaints must be addressed to the CEO. The complainant's contact details must be identified so the Council can contact the complainant as required by s501E(1)(e) of the Act. (Anonymous complaints will not be dealt with under the General Complaints Process though they will be considered under Requests and Complaints CM-P-022.)

If necessary, assistance (including special needs assistance) may be provided by a Council officer to a complainant on how to make a complaint.

Where there is a need, a complaint can be made by an agent. If a complaint is lodged by a professional advisor eg a solicitor or accountant, the Council will respond directly to that advisor. A complaint lodged by another person as agent will be responded to directly to the affected person (or to the agent if a letter of authority from the affected person is provided indicating this request).

3.2 Preliminary process

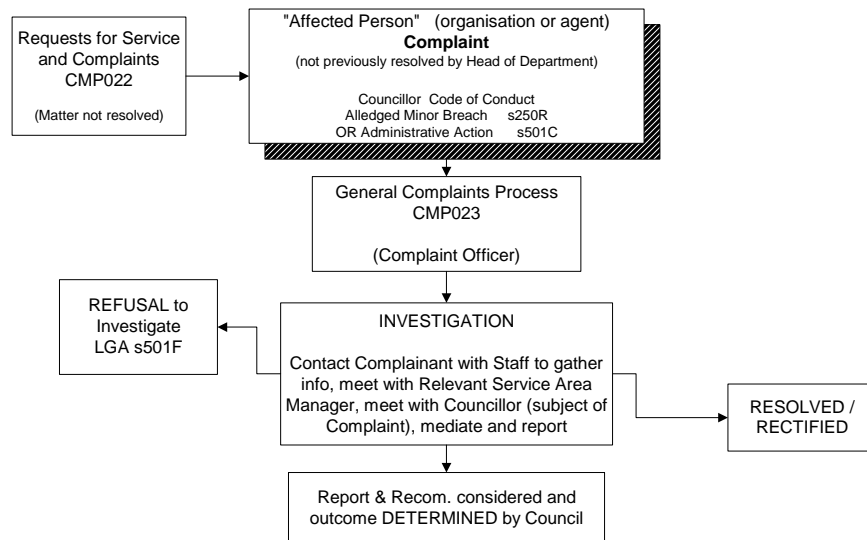
Council's Requests and Complaints Procedure CM-P-022 deals with requests for services and customer complaints and seeks to resolve matters within the relevant Department of the request for service or complaint.

When a person makes a complaint under the General Complaints Process without having contacted the relevant Department of the Council (or the Councillor in question in the case of an alleged minor breach) to try to resolve the complaint, the person may be required to take this initial step before the complaint will be registered and dealt with under the General Complaints Process.

If the complaint is not resolved by the Department or with the relevant Councillor, the complaint will be dealt with in accordance with this General Complaints Process.

3.3 Complaint handling framework

The following framework describes the process adopted by the Council for handling General Complaints Process complaints (i.e. those not previously resolved within the relevant Department):



3.4 Selecting and Appointing a Complaints Officer

The Council, by resolution has delegated to the CEO the power to select and appoint a person or persons to be a Complaints Officer to investigate complaints and resolve if possible (as recommended by the Department of Local Government, Planning, Sport and Recreation).

The CEO may delegate his/her powers to another employee of the Council under s.1132 of the Act.

The investigation is to be undertaken either by way of internal review or external review. Relevant criteria to be applied in making the decision about the method of review are:

Internal review

An internal review of a complaint will be conducted where the administrative action in question was undertaken by a Council officer. The review will be conducted by the CEO, or an officer appointed by the CEO, as the Complaints Officer for the complaint. The Complaints Officer must not be less senior than the officer who took the administrative action that is being reviewed.

External review

An external review of a complaint will be conducted where the administrative action in question was taken by-

- (a) the Council, or a Committee of the Council, at a meeting;
- (b) the Mayor or the Chairman of a Standing Committee acting under statutory or delegated authority;
- (c) the CEO; or
- (d) a Council Officer and the requirement that an internal review be conducted by a Council Officer who is no less senior than the officer who took the administrative action cannot be met (for whatever reason).

External reviews will also be conducted for a complaint about an alleged Code of Conduct minor breach.

A complaint may be reviewed externally where the CEO considers internal resources are unavailable to conduct the review.

Council's intention is for external reviews to be conducted by an appropriately qualified associated professional.

The Complaints Officer appointed to investigate a complaint by way of internal or external review must not have been involved with the administrative action or alleged minor breach in question (s501E(2) of the Act) and must perform the role in an independent, impartial and objective manner.

The CEO, or delegate, will assess the nature of the complaint and determine, in consultation with the Complaints Co-ordinator whether the complaint is to be investigated by means of internal review or external review and based on the review criteria, appoint a suitable person as the Complaints Officer for the complaint. The CEO, or delegate, will give the person appointed as the Complaints Officer an Instrument of Appointment which stipulates the date by which the Complaints Officer must complete the report on the investigation if the complaint is not earlier resolved to the complainant's satisfaction or is withdrawn by the complainant.

The timeframe for dealing with a complaint will depend on an assessment of the following factors by the CEO or authorised officer-

- the urgency of the situation in terms of loss or damage likely to be suffered if the complaint is not quickly resolved;
- the likelihood that the complaint can be resolved within a reasonable timeframe;
- the complexity of the complaint issue/s;
- whether the complaint requires internal review or external review in accordance with the criteria for the selection of a Complaints Officer for the complaint as set out in the complaints process.

Where a timeframe cannot be met, the CEO may extend the time for dealing with a complaint and notify the complainant in writing of the extension.

3.5 Complainant to provide further information

The Complaints Officer will invite the complainant (or recognised agent) to provide further information after the initial assessment of the complaint material to assist in fully understanding the complainant's concerns, the issue/s to be investigated (if an investigation is to be undertaken) and the outcome or remedy sought by the complainant (as per s501E(1)(e) of the Act). The Complaints Officer may seek a resolution of the matter at this time.

3.6 Investigating a Complaint

The investigation of a complaint will be undertaken by the Complaints Officer in an independent, impartial, objective and, as far as possible, in a confidential manner. A Complaints Officer may, if the officer considers appropriate in the circumstances, undertake mediation between the parties with a view to resolving a complaint, but will not act as an advocate for either the complainant or the Council or for any Council officer or Councillor the subject of the complaint.

The investigation of a complaint will typically involve the following stages-

- information gathering, including discussions and interviews with the complainant, Council personnel, the Councillor subject to a minor breach complaint and third parties (where relevant);
- analysis of all relevant information obtained;
- formulation of findings and any recommendations for the CEO or Council's consideration;
- preparation of a report on the results of the investigation (if it was not resolved or withdrawn by the complainant during the complaints process); and
- inclusion in reporting requirements in Council's Annual Report.

The Complaints Officer must give the report to both the Council (subject to Closed Meeting Requirements, s463 of the Act) and the complainant within the time stipulated in the Instrument of Appointment, subject to any approved extension of time. The name and address of the complainant shall not be included in accordance with Council's policy.

The report will contain any recommendations that the Complaints Officer considers to be appropriate in the circumstances. In some cases, it will be appropriate to make a recommendation for procedural improvement even where the complaint has not been sustained. A recommendation may relate to-

- a specific remedy or remedies to redress the complainant's grievance; and/or
- the proposed amendment (including any cost implications) of a relevant Council policy, procedure or practice to address any systemic issue raised by the complaint with a view to preventing similar complaints in the future.

4.0 Refusal to Investigate a Complaint

In assessing a complaint (including any further information provided by the complainant) the Complaints Officer will consider whether there is a statutory ground on which the complaint investigation may be refused. *The Complaints Officer may refuse to investigate a complaint or, having started to investigate a complaint, refuse to continue the investigation (as per s501F of the Act) if the officer reasonably considers that-*

- (a) *the complaint is trivial; or*
- (b) *the complaint concerns frivolous matter or was made vexatiously; or*
- (c) *the complainant does not have a sufficient direct interest in the administrative action or alleged minor breach the subject of the complaint; or*
- (d) *both of the following apply-*
 - (i) *the complainant has a right of appeal, reference or review, or another remedy, that the person has not exhausted;*
 - (ii) *it would be reasonable in the circumstances to require the complainant to exhaust the right or remedy before the officer investigates, or continues to investigate, the complaint; or*
- (e) *in the circumstances, investigating the complaint is unnecessary or an unjustifiable use of Council resources.*

A right or remedy mentioned in paragraph (d) does not include a right to make an application to the Supreme Court under the Judicial Review Act 1991.

The Complaints Officer will give both the local government and the complainant written notice of a decision made by the officer to refuse to investigate the complaint and the reasons for the decision.

5.0 Consideration of Report by Council

Report about an administrative action

A Complaints Officer's report of the complaints process, on a complaint about an administrative action will be considered and the outcome determined by the Council (subject to Closed Meeting requirements, s463 of the Act).

Report about a minor breach

If a Complaints Officer who investigated a complaint about a minor breach gives a report to the local government stating that the complaint has not been resolved through the complaints process, the report will be dealt with by the Council by resolution under s250S of the Act. Penalties may be applied as detailed in s250X of the Act.

If the Council is of the view that a complaint about a minor breach was frivolous or made vexatiously, it may give notice to the complainant under s250ZJ(1) of the Act that if the complainant makes the same (or substantially the same) complaint again, he/she commits an offence for which the maximum penalty is 20 penalty units.

5.1 Notice to Complainant about Outcome

Written notice of the outcome of a complaint will be given to the complainant following the Council's consideration of, and decision on, the Complaints Officer's report and recommendations (if any).

5.2 Review by other Complaints Entities

Complainants not satisfied with the determination of the complaint may lodge with the Queensland Ombudsman or other relevant complaint entity. These may include, but are not limited to;

- Body Corporate and Community Management
- Building and Development Tribunal
- Children Services Tribunal
- Commission for Children and Young People and Child Guardian
- Crime and Misconduct Commission
- Energy Consumer Protection Office
- Health Rights Commission
- Information Commissioner
- Legal Services Commission
- Office of the Adult Guardian
- Queensland Anti-Discrimination Commission
- Queensland Audit Office
- Queensland Ombudsman
- Various Professional Registration Bodies

6.0 Reporting on Complaint Trends

Annually, the Management Systems Co-ordinator will prepare a (statistical) report on complaints for the CEO.

Details about complaints concerning administrative actions and alleged breaches of the Council's Code of Conduct for Councillors will be provided in the Council's Annual Report, as required by s534(n) of the Act.

7.0 Responsibility of Officers

Each Head of Department will ensure that-

- (a) all Council officers in the Department are aware of their role in customer service and responsibility for complaint management; and
- (b) service standards are met, within approved budgets.

Appendix A

Terms used in the complaints process have the following meanings:

- **administrative action** (as defined by s501C of the Act) – *an administrative action of the local government, being an action about a matter of administration, including each of the following-*
 - (a) *a decision and an act;*
 - (b) *a failure to make a decision or do an act, including a failure to provide written reasons for a decision;*
 - (c) *the formulation of a proposal or intention;*
 - (d) *the making of a recommendation.*
- **affected person** (as defined by s501B of the Act) – *a person who is apparently directly affected by-*
 - (a) *an administrative action; or*
 - (b) *an alleged minor breach; and*

can substantiate in writing both a direct interest and where recognised the effect allegedly suffered by the matter at hand.
- **affected person's agent** – either a professional advisor eg a solicitor or accountant, or other person acting on authorised behalf of the affected person.
- **affected organisation** – an organisation (represented by a nominated individual) which is apparently directly affected by–
 - (a) *an administrative action; or*
 - (b) *an alleged minor breach; and*

can substantiate in writing both a direct interest and where recognised the effect allegedly suffered by the matter at hand.
- **CEO** – the chief executive officer of the Council.
- **complainant** – the affected person or affected organisation making a complaint.
- **complaint** – an expression of dissatisfaction by a person regarding-
 - (a) *a decision or other action of the Council, a Council officer or a Councillor; or*
 - (b) *an alleged minor breach.*
- **Complaints Co-ordinator** – Systems and Risk Management Co-ordinator (or other position as determined by the CEO).
- **Council** – Gympie Regional Council.
- **Council officer** – includes a permanent, temporary, casual or contract member on the Council's staff.
- **level of service** – the current capacity of Council to provide services as determined by the funding allocations in the Annual Budget at the level Council has determined the ratepayers have the capacity to fund.
- **minor breach** – a minor breach (as defined by s250M(2) of the Act) by a Councillor of the Council's Code of Conduct for Councillors.
- **request for service** – a request for the Council to take action to satisfy the needs of a customer or ratepayer. This may be of a physical nature, such as a request to fill a pothole or to collect a stray dog, or a request for information. This is not considered to be a complaint.
- **the Act** – Local Government Act 1993.

G23/04/08 Moved: Cr J.A. Walker**Seconded: Cr R.A. Gâté****That the General Complaints Process procedure be adopted.****Carried**

12/12	Election of Association's Executive District Representatives 2008-2012
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Re: **G24/04/08** Election of Association's Executive District Representatives 2008-2012

From: Local Government Association of Queensland Inc. PO Box 2230, Fortitude Valley BC Qld 4006

File:

Date: 18 March 2008 Doc ID 888765

"In accordance with Rule 37 of the Association's Constitution and Rules. Nominations are hereby called for the election of District Representatives to the Association's Executive for the period 2008-2012.

Please note well, this is not an election for Local Government District Associations. In many cases the District Local Government Association areas and the LGAQ Electoral Districts are not the same.

Councils within an Electoral District are entitled to nominate candidates for election from amongst elected members of the Councils within their District, or in the case of the South-East Electoral District, one representative per sub ROC.

In all Districts, other than the South-East District, the "first past the post" voting system will apply.

*Attachment 1: The Councils within your District.
 The votes exercised by each Council.*

Attachment 2: Executive Members Information Schedule:

- LGAQ Corporate Governance Charter*
- Meeting obligations*
- Fees, reimbursements and insurance.*

Attachment 3: Nomination Form for your District.

PLEASE NOTE:

a) Nominations close at 5.00pm, Friday 18 April 2008, and must be actually received by the Executive Director by that time.

- b) If you intend to nominate a person, you are encouraged to have the matter considered at your Statutory Meeting following the Quadrennial Elections held on Saturday, 15 March 2008.*
- c) A Ballot Paper (if necessary) will be sent to you immediately upon the close of nominations.*

If you have any queries, please do not hesitate to call me.”

G24/04/08 Moved: Cr L.J. Friske

Seconded: Cr G.L. Engeman

That the information be received and that as per Minute S17/04/08 of the Statutory Meeting Cr D.R. Neilson be nominated for a position on the Local Government Association Executive.

Carried

12/13	Logo Competition
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Re: **G25/04/08** Logo Competition
 From: Ken Mason – Acting Chief Executive Officer
 File:
 Date: 2 April 2008

Report: (Acting Chief Executive Officer – Ken Mason)

The Gympie Regional Council Local Transition Committee conducted a competition for the Corporate Logo of the Gympie Regional Council. From the large number of entries the following entry has been selected.

Refer to **ATTACHMENT 1** for example letterhead etc. for your consideration.

Entrants Rationale

Within this logo it incorporates the waves of the ocean, the flowing life source of the river, the valuable and fertile grazing land and the beautiful sunshine that this region has to offer. The light blue line represents the stillness and serenity of which Gympie Regional Council is a part of.



G25/04/08 Moved: Cr R.A. Gâté**Seconded: Cr I.T. Petersen**

That the above logo Number 2 be adopted as the Gympie Regional Council Logo.

Further that the prize of \$2,000 be awarded to the winning entry.

Carried

12/14	Kilkivan Swimming Pool
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Re: **G26/04/08** Kilkivan Swimming Pool
 From: Kilkivan Shire Council
 File:
 Date: 4 April 2008

Report: (Project Officer – Ray Currie)

The Mayor, Deputy Mayor and Chief Executive Officer of Kilkivan Shire Council met with Bonnie Barry MP (Parliamentary Secretary to the Minister for Education) regarding the future of the swimming pool in Kilkivan. Ms Barry offered to gift this facility to Council subject to a satisfactory arrangements being entered into regarding future use of the pool by the School children.

Kilkivan Shire Council Resolution: That Council endorse the action of the Mayor, Deputy Mayor and the Chief Executive Officer in agreeing to the proposal for the Kilkivan Swimming Pool and associated land being gifted to Council, subject to a suitable agreement being drawn up to cover the gifting and future use of the facility by the school children.

The following are details of confidential discussions that occurred as a result of the Ministerial meeting of 13th December 2007.

The pool area and the adjoining land between the pool and Bligh Street are to be gifted to Council, with suitable arrangements being negotiated between Jim Wiedman (Education Qld) and Council's Chief Executive Officer, for the final arrangements for this to occur. Both parties agreed that the pool would always remain available (free of cost) to the Kilkivan State School students for scheduled normal school activities.

At subsequent discussions between a Department representative and the Kilkivan Chief Executive Officer the following outcomes were agreed upon:

1. Council will assume control of the facility,
1. Council will carry all liability for the facility,

2. All chemicals provided by the School and at the facility will be used at the pool,
3. Electricity supply and rates & charges for the pool will transfer to Council upon final transfer of the land to Council,
4. The pool would always remain available (free of cost) to the Kilkivan State School students for scheduled normal school activities.

It was subsequently agreed that in the event it was not legally possible for the Government to gift the pool area and the adjoining land to Council, then Council would be prepared to make a financial contribution for the land. Council was prepared to offer \$10,000 to acquire the land described as L16 K29416 Parish of Kilkivan.

G26/04/08 Moved: Cr A.J. Perrett

Seconded: Cr G.L. Engeman

That Council endorse the action of the previous Kilkivan Shire Council to acquire the Kilkivan swimming pool and adjoining land, subject to satisfactory arrangements being entered into, and further authorise the Mayor and Chief Executive Officer to finalise the details for the transfer of the Kilkivan swimming pool and adjoining land to Council.

Carried

12/15	Kingaroy – Theebine Rail Line
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Re: **G27/04/08 Kingaroy – Theebine Rail Line**
 From: Kilkivan Shire Council
 File:
 Date: 4 April 2008-04-04

“Kingaroy – Theebine Rail Line closure

South Burnett Proposal for Council's to agree with Minister's suggestion to close the Theebine to Kingaroy rail line.

Closure of the Kingaroy - Theebine line. *The Councils agree with the Minister to close the Kingaroy - Theebine line soon as possible, reflecting the widespread community support within the affected region for this to occur.*

Public Announcement. *Councils agree with the Minister's request for the announcement to be made on Monday 21st January 2008. The announcement will be made in Wondai with arrangements to be coordinated by Wondai Shire A/CEO Eleanor Sharpe and a representative from the Minister's office.*

Transfer of Rail Corridor Land. *All rail corridor land (in its entirety) will be transferred to the respective Councils on the basis of a 30-year lease at a cost of*

\$1.00 p.a. It should be noted that leases will have legal implications and therefore specific lease provisions and conditions will need to be agreed between parties.

QR Commercial Land. *Councils will negotiate an agreement direct with QR for the purchase of surplus non-corridor land. Councils agree that the negotiations will not be finalised before the announcement. Agreement in principle should be obtained in conjunction with the Minister prior to the announcement. Councils agree that the lands required are those lots summarised in the spreadsheet provide in the email of 20 December 2007.*

Rehabilitation of Rail Corridor. *All rail lines, sleepers, signal equipment, signage and associated structures will be removed by QR at no cost to councils. It is anticipated that this will include removal of ballast, but this is yet to be confirmed. It was agreed that road/rail crossings etc will be rehabilitated after removal of the line, but a final decision will be on a 'case by case' basis (e.g. Dickabram Bridge). Following removal of the infrastructure the proposed railtrail should be left as a flat surface.*

Reallocation of Funding. *The Government will reallocate the identified funding which is capped at \$19 million (\$1.9m pa over 10 years for rail maintenance) to the road projects identified/proposed by the councils. It is agreed that this funding is for projects that are additional to those already identified in the current Main Roads 5 year RIP. Council's request that the funding be brought forward to the next five years is agreed in principle, but cannot be guaranteed until appropriate budgetary arrangements are confirmed. Attached is the agreed road program.*

Corridor scrap proceeds. *The council suggestion that they receive the proceeds from the sale of any scrap (rail track, timber etc from the corridor) is noted. QT will consider the suggestion more fully, but the current view is that it is not likely that the councils will receive any proceeds.*

Removal of rail bridges. *Councils have reconsidered the removal of the rail bridges and bearing in mind the cost of removal of the bridges, Councils request that the bridges remain and that QR will only remove those rail bridges specifically requested by councils, and that the bridges remaining have hand rails and walking platforms installed by QR. This cost would be less for QR.*

Support for a Railtrail. *The Government supports the railtrail proposal in principle. However, it was noted that the Councils are seeking additional Government funding for this purpose. Subject to the Councils providing further information on the project, QT will continue to evaluate this proposal in the context of the planning for the line closure and discuss the project with Councils accordingly. However, given the total funding cap of \$19 million, it is likely that the railtrail project will need to be considered as a separate issue in due course, but with no guarantee of Government funding.*

In order to progress the Railtrail proposal, we suggest we use \$1M of the \$19M, subject to the State Government funding a further \$1M for the proposal, over a 3-year period.

It is noted that there will be no consideration of any request for additional funds until the concept is developed in sufficient detail to inform any future decision. The request for a further \$1m to be provided as part of this government's election commitment to provide new walking & cycling trails and alternative trails for horse riding.

The feasibility study, in conjunction with the Office of Urban Management & Railtrails Australia, for the South Burnett Railtrail proposal to be completed, as a matter of urgency, and be funded as part of the \$19M.

This South Burnett Railtrail would complement the new Brisbane Valley Railtrail.

Buildings on Corridor. *Councils all agree that all building infrastructure on the corridor are to remain and become the property of the relevant Council. These buildings include:*

Wondai	Wondai station building
Murgon	Murgon station building & Sheds upon cessation of the current usage by Qlink.
Kilkivan	Goomeri station building
	Kilkivan station building
	Kilkivan Goods shed
	Kilkivan Goods shed crane
	Kilkivan lamp shed
	Kilkivan pumper shed

Leases on Corridor. *Councils acknowledge the following current leases within the corridor and that upon termination of the current leases, the subject land revert to the relevant Council.*

Murgon	Qlink lease of the Murgon station building & Sheds.
Kilkivan	Roadtek lease at the Kilkivan station.

Reconstruction of the Road crossings. *Councils submit an expression of interest to reconstruct the road/rail crossings on behalf of QR.*

Rail Line inspection. *Councils request permission to traverse the whole line in conjunction with QR representatives to inspect the corridor and bridges. This inspection needs to be carried out as soon as possible.*

Kingaroy – Theebine Line Road priorities

Kilkivan Shire

Replace Cave Street rail crossing at an estimated cost of \$200,000

Gympie – Woolooga Road - 2.5 Km at an estimated cost of \$900,000

Brooweena – Woolooga Road - 5.4 Km at an estimated cost of \$1,500,000

Murgon – Kilcoy Road – 1km north & south of crossroads, widen narrow gravel sections between the crossroads and the Kilcoy boundary and then upgrade steep hill sections north of crossroads at an estimated cost of \$1,400,000

Kingaroy Shire

Intersection Upgrades

- Bunya Hwy/ Markwell Street Signalisation \$450,000
- Bunya Hwy/Avoca Street roundabout \$850,000

D'Aguilar Hwy upgrades

- Passing Lanes south of Kingaroy \$2,000,000
- Widening of pavement (Hornley-Coolabunia) \$700,000

Murgon Shire

Murgon – Gayndah Road – widen and rehabilitate sections at an estimated cost of \$4,000,000

Wondai Shire

Undertake pavement widening and overlays on various sections ~ 20km in total. This could be done in sections of 4 - 5Km. This would connect up sections giving a consistent width on a B Double route with heavy local and tourist traffic.

Wondai Proston Road - Total cost ~\$2,500,000.

Proston Boondooma Road - Total cost ~\$1,500,000.

Tiaro Shire

Miva Road – upgrade and seal 5km and upgrade the three single lane bridges - \$2,000,000

South Burnett Railtrail

Upgrade previous Kingaroy Theebine line for South Burnett Railtrail - \$2,000,000

Kilkivan Shire	\$ 4,000,000
Kingaroy Shire	\$ 4,000,000
Murgon Shire	\$ 4,000,000
Wondai Shire	\$ 4,000,000
Tiaro Shire	\$ 2,000,000
South Burnett Railtrail	\$ 1,000,000

TOTAL \$ 19,000,000”

Report: (Project Officer – Ray Currie)

1. Ministerial Deputations

The previous Kilkivan Shire representatives attended two Ministerial Deputations in Brisbane on Thursday 13th December, and the following issues were resolved at the General Meeting held on 18th December 2007.

1.1 Kingaroy Theebine Rail Line

Representatives from the Shires of Kingaroy, Wondai, Murgon, Kilkivan & Tiaro met with the Hon John Mickel MP (Minister for Transport) regarding the future of the Kingaroy Theebine rail line. Minister Mickel advised that he is now prepared to jointly announce the closure of this line, subject to satisfactory arrangements being entered into regarding the future use of the corridor land and adjoining QR land.

Kilkivan Shire Council Resolution: That Council endorse the action of the Mayor, Deputy Mayor and the Chief Executive Officer in supporting the closure of the Kingaroy Theebine rail line, subject to satisfactory arrangements being entered into regarding the future use of the corridor land and adjoining QR land and the additional funds being allocated to the upgrade of the main roads network in the affected area.

The attached report dated 7th January provides details of confidential discussions that occurred as a result of the Ministerial meeting of 13th December 2007.

This rail line is now totally located within the Gympie and South Burnett Regional Council areas. I understand that it will be the intention of the South Burnett Regional Council to continue with the previous arrangements.

G27/04/08

Moved: Cr L.J. Friske

Seconded: Cr R.A. Gâté

That Council endorse the action of the previous Kilkivan Shire Council in supporting the closure of the Kingaroy Theebine rail line, subject to satisfactory arrangements being entered into, and further authorise the Mayor and Chief Executive Officer to finalise the details for the closure of the Kingaroy Theebine rail line.

Further that a deputation with the Hon John Mickel MP (Minister for Transport) and both Mayors affected be requested.

Carried

SECTION 13: GENERAL BUSINESS**Notice of Motion**

That: I, Cr I.T. Petersen, hereby give notice that at the General Meeting on 16th April 2008 I intend to move the following motion.

That Council request the Director of Planning & Development to report on options and cost estimates for the preparation of a new Planning Scheme for the Gympie Regional Council for consideration at the upcoming budget meeting.

G28/04/08 Moved: Cr I.T. Petersen Seconded: Cr G.L. Engeman

That the notice be received.

Carried

Change of Meeting Dates

G29/04/08 Moved: Cr D.R. Neilson Seconded: Cr J.A. Walker

That Council and Committee Meetings on the 23rd July 2008 be postponed to Wednesday 30th July 2008.

Carried

Leave of Absence

G30/04/08 Moved: Cr L.J. Friske Seconded: Cr A.J. Perrett

That Cr D.R. Neilson, Cr G.L. Engeman, Cr R.A. Gâté and Cr J.A. Walker be granted Leave of absence for all meetings to be held on Wednesday 16th April 2008.

Carried

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

Confirmed this day of 20

CHAIRMAN

ATTACHMENT 1