



TENDER SPECIFICATION

CORP 5 – 2013/14

COUNCIL FREEHOLD LAND FOR SALE

Tenders are invited for the purchase of Council owned properties which are located throughout the Fraser Coast region as shown on the attached schedule.

Tenderers are advised that the **properties will be sold 'as is'**, they will need to **undertake their own due diligence**, and conditions including but not limited to **building restrictions, drainage easements etc may apply** to some properties. Tenderers' due diligence should include, but is not limited to, enquiries on access to the property, availability of services e.g. power, water etc and any requirements in relation to proposed improvements to the land e.g. town planning, building, vegetation removal etc. All costs associated with these issues will be the responsibility of the Tenderer.

A **standard REIQ Contract of Sale** will be used for the sale of the properties and Tenderers must note that any Special Conditions required by Tenderers must be outlined in the Form of Tender attached. Additional pages for any of the requirements of this Tender can be added if required.

SPECIAL CONDITIONS ON SALES:

Tenders are to note that **Council may apply Special Conditions** to some of the properties listed for sale. These will be negotiated with relevant Tenderers, following assessment of Tenders received, and therefore Tenders are to be submitted on the basis of the Tenderer's understanding that this may be the case. Should negotiations result in the need for Special Conditions to apply to the sale of a particular property, Council acknowledges the Tenderer's right to withdraw the Tender.

Tenders can be submitted for the purchase of the properties as follows:-

- **Individual Lots** – See Section A in the 'Form of Tender' attached
- **Multiple Lots which will remain individual Lots** following the sale - See Section B in the 'Form of Tender' attached
- **Multiple Lots which will be amalgamated** as part of the sale - See Section C in the 'Form of Tender' attached (*Tenderers must note that Council may accept one or more Tenders under this category and therefore tender prices offered should be provided on a per Lot basis and also as a total offer*)

Tender Liaison Officer

Council's Liaison Officer for this Tender is Executive Manager Corporate Business, Janet Campbell, who may be contacted on 1300 79 49 29 during normal business hours with any queries regarding the properties for sale.

TENDER DETAILS

Tender Name SALE OF COUNCIL LAND
CORP 5- 2013/14

Format of Tender: 3 **hard** copies of each Tender should be submitted

Close of Tender: Date: **Monday 23 December 2013**
Time: **11:00am** (Eastern Standard Time)

Lodge Tenders in the Tender box situated at:

Fraser Coast Regional Council
Administration Building
77 Tavistock Street
TORQUAY QLD 4655

Post Tenders to: Chief Executive Officer
Fraser Coast Regional Council
PO BOX 1943
HERVEY BAY QLD 4655

* ***Emailed and/or faxed Tenders will not be accepted, nor will late Tenders***

Council reserves the right, at any time, to amend the details for this Tender, during the Tender process, should the need arise, and Tenderers must note that canvassing of a Councillor, or any officer or agent of the Council, by Tenderers or their representatives, will automatically disqualify the Tender, as per Council's Procurement Policy.

Council reserves its right not to accept the highest or any Tender, in its absolute discretion.

Tenders must include:-

- The attached **Form of Tender** – completed as applicable
- The attached **Particulars of Tender** form – signed by Tenderer/s
- **Purchase price** – price offered for each property (price must include GST)

Opening of Tenders

Tenders will be opened publicly and only the name of the Tenderer and the property/ies Tendered for will be disclosed.

PROPERTIES INCLUDED IN THIS TENDER

**Some properties are currently Parks which have been identified as underutilised and surplus to Council's and the community's needs*

Please see individual details and maps on following pages

DESCRIPTION	ADDRESS	ZONING	AREA m ²
MARYBOROUGH			
Lot 1 RP119556	Farrell & Christensen Cr (surplus Park)	Community	771
Lot 69 RP4140	Pallas & Wilson St (surplus Park)	Residential	500
Lots 20 & 51 RP100944	Dymock St (x2) (surplus Park)	Community	731 each
Lot 25 RP193713	Iindah Road (surplus Park)	Rural Residential	35,420
Lot 1 on RP119556	Christensen Cr Maryborough	Commercial	771
Lots 9 & 10 RP4082	47 Burrum Street	Residential	2307 (total)
Lot 2 RP3407	Crescent Street	Industrial	784
Lot 48 RP27160	Sussex Street	Residential	1012
Lot 1 RP140535	Thurecht Street	Residential	632
Lots 16, 17, 18, 19, 20 on RP67083	Carlisle St	Residential	4,554 (total)
Lot 26 on RP4111	1/3 Woodville St	Residential	1651
Lot 18 on RP71266	Reed Ave	Residential	911
Lots 1-5 on RP4070 Lots 6-9 on RP4070 Lots 21-22 on RP4070	Diana/Edward/Jupiter	Residential	837 each 819 each 819 each
HERVEY BAY			
Lot 43 on RP143121	80 Crawford St Dundowran	Residential	880
Lot 59 on RP143089	Carolyn St Dundowran	Park Residential	3,995
Lot 18 on RP138431	821 River Heads Rd	Residential	833
Lot 22 on RP138431	27 Wilkins St River Heads	Residential	800
Lot 23 on RP138431	25 Wilkins St River Heads	Residential	800
Part Lot 158 SP181751 or 3 separate lots subject to DA approval	Barron Ct / Round Island Rd (Aquaculture precinct)	Industry	65,412 (total)
Lot 4 on SP151829	231 Maryborough/Hervey Bay Rd	Service/Trade	4,605
Lot 5 on SP151829	222 Urraween Rd	Service/Trade	10,000
Lot 98 RP910978	View St, Torquay (surplus Park)	Medium Density Residential	455
Lot 105 on RP136910 (surplus Park)	Fraser Drive, River Heads	Residential	718
Lot 6 on RP224700 (surplus Park)	Palmwood Dr, Dundowran	Conservation	432
BROOWEENA			
Lot 3 on CP847069	24 Smith Cr, Brooweena (Lorne Purser Building)	Community facilities	1,200

LIST OF PROPERTIES FOR SALE BY TENDER

- All tenderers must note **SPECIAL CONDITIONS** apply to certain sales

MARYBOROUGH:

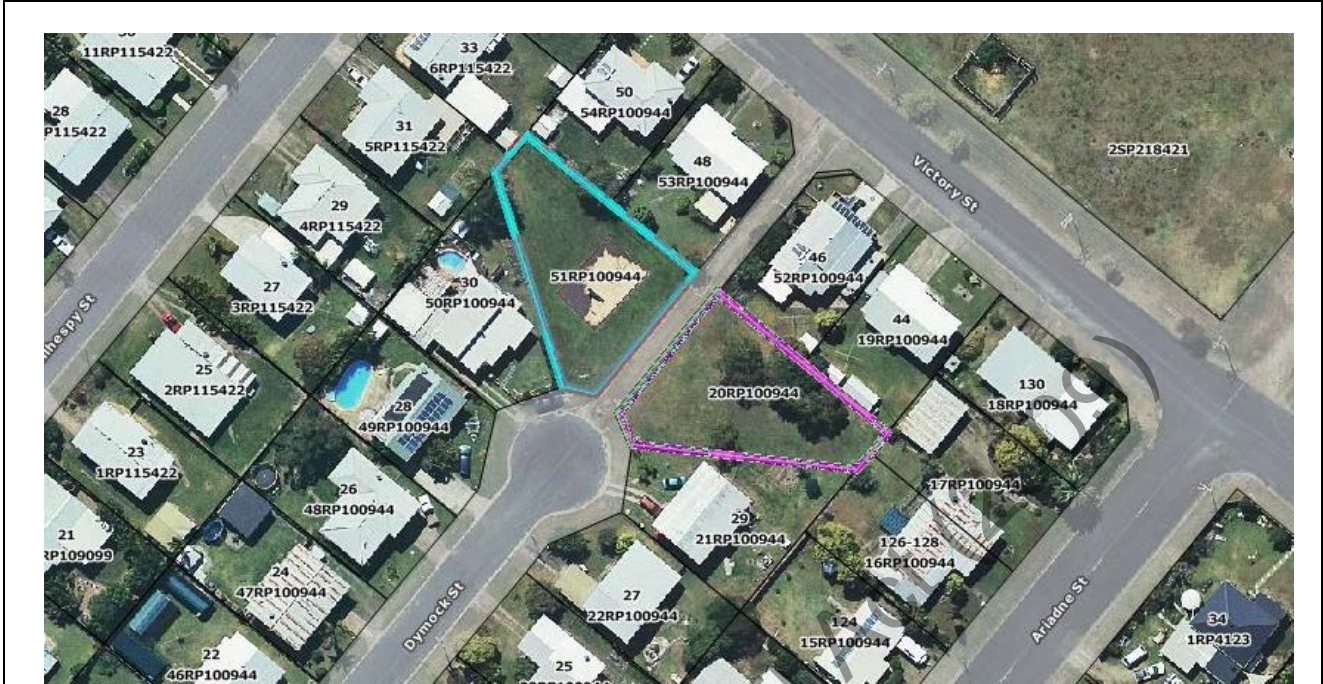
Lot on Plan	Street Address	Land area	Zoning
L1 RP119556	Christensen Crescent MARYBOROUGH	771 m ²	Commercial



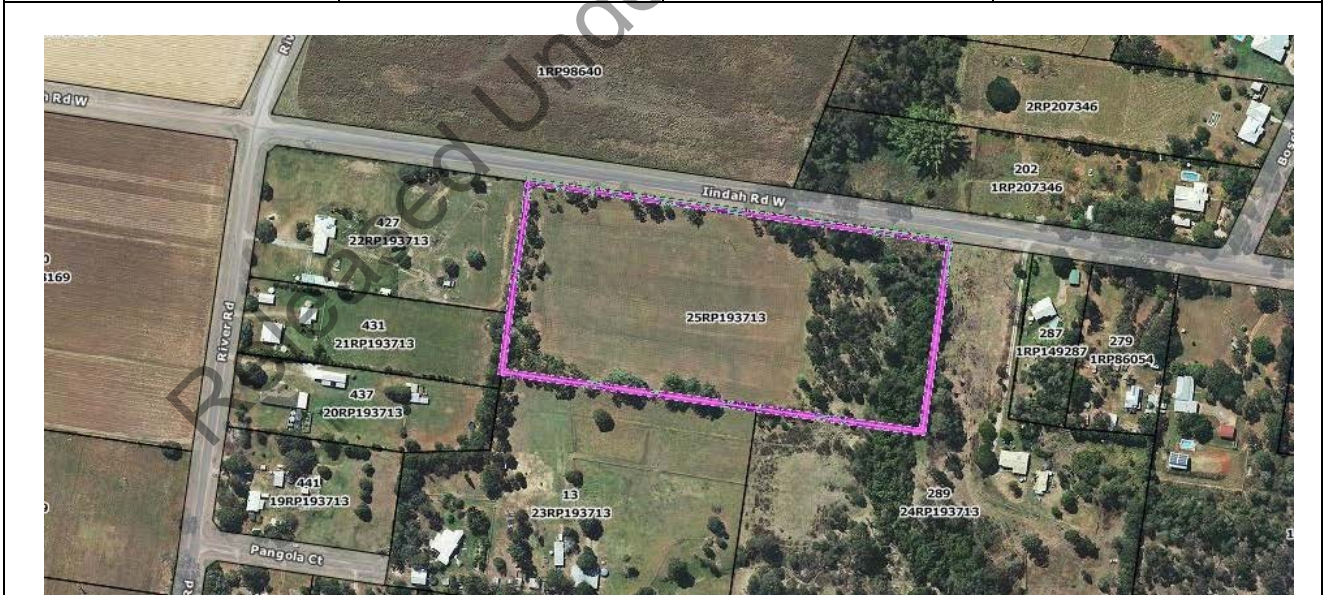
Lot on Plan	Street Address	Land area	Zoning
L69 RP4140	Pallas and Wilson Street MARYBOROUGH	500 m ²	Residential



Lot on Plan	Street Address	Land area	Zoning
L20 & 51 RP100944	Dymock Street MARYBOROUGH	Each lot 731m ²	Community



Lot on Plan	Street Address	Land area	Zoning
L25 RP193713	lindah Road MARYBOROUGH	35,420m ²	Rural Residential



Lot on Plan	Street Address	Land area	Zoning
L1 RP119556	Christensen Cr MARYBOROUGH	771m ²	Commercial



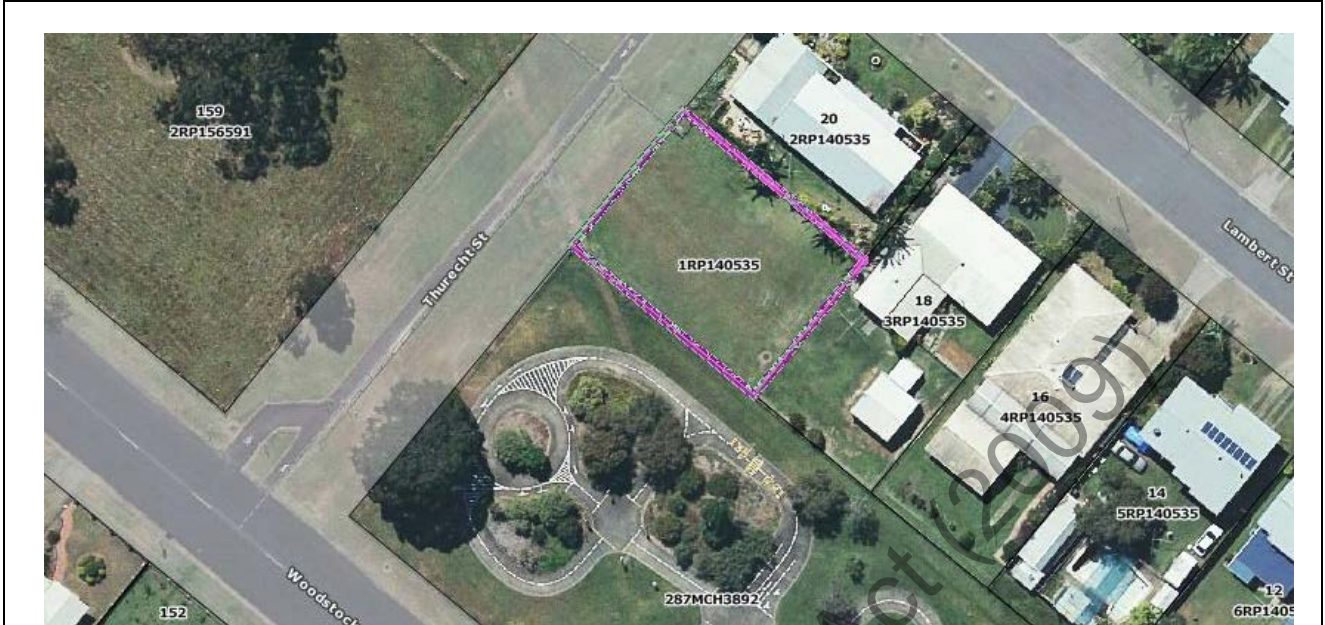
Lot on Plan	Street Address	Land area	Zoning
L9 & 10 RP4082	47 Burrum Street MARYBOROUGH	L9 – 1,396m ² L10 - 911m ²	Residential



Lot on Plan	Street Address	Land area	Zoning
L2 RP3407	Crescent Street MARYBOROUGH	784m ²	Industrial

Lot on Plan	Street Address	Land area	Zoning
L48 RP27160	Sussex Street MARYBOROUGH	1,012m ²	Residential

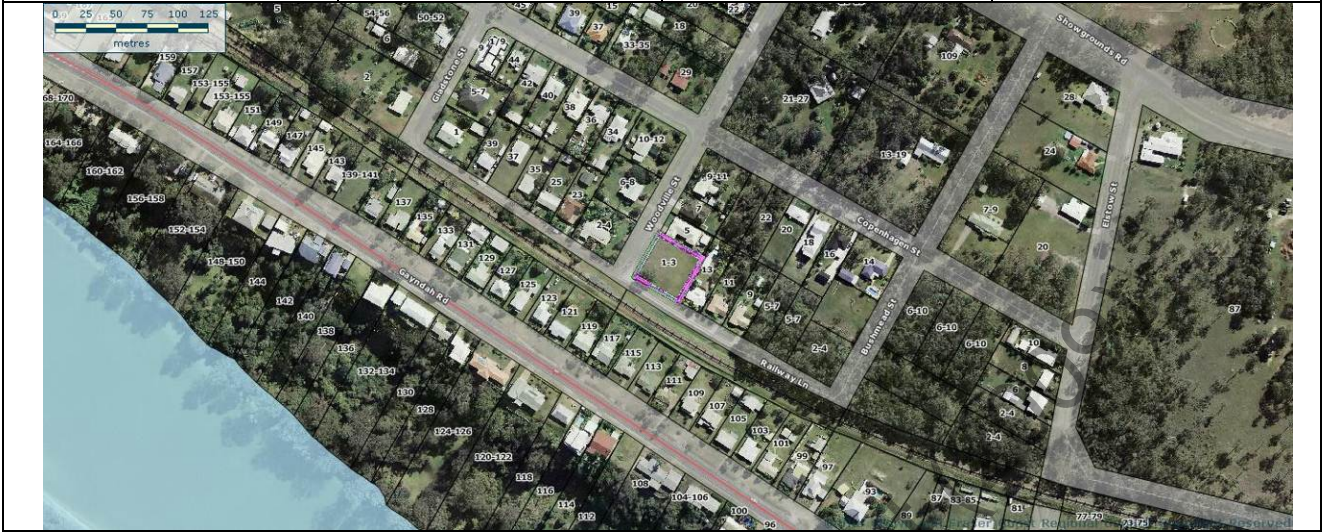
Lot on Plan	Street Address	Land area	Zoning
L1 RP140535	Thurect Street MARYBOROUGH	632m ²	Residential



Lot on Plan	Street Address	Land area	Zoning
L16, 17, 18, 19, 20 RP67083	Carlisle Street MARYBOROUGH	911 m ² each 4,554 m ² in total	Residential



Lot on Plan	Street Address	Land area	Zoning
L26 RP4111 (Prev S26 R4 S1 A4 Sec173)	1/3 Woodville Street & u/named Road MARYBOROUGH	1,651 m ²	Residential



Lot on Plan	Street Address	Land area	Zoning
Lot 18 RP71266 Parish of Maryborough	Reed Avenue MARYBOROUGH	911 m ²	Residential



Lot on Plan	Street Address	Land area	Zoning
Lot 1-5 RP4070 Lot 6-9 RP4070 Lot 21-22 RP4070	Diana /Edward /Jupiter Sts MARYBOROUGH	837 m ² 819 m ² 819 m ²	Residential



HERVEY BAY:

Lot on Plan	Street Address	Land area	Zoning
43 RP143121	80 Crawford Dr DUNDOWRAN	880 m ²	Low Density Residential



Lot on Plan	Street Address	Land area	Zoning
59 RP143089	23 Carolyn St DUNDOWRAN	3,995 m ²	Park Residential



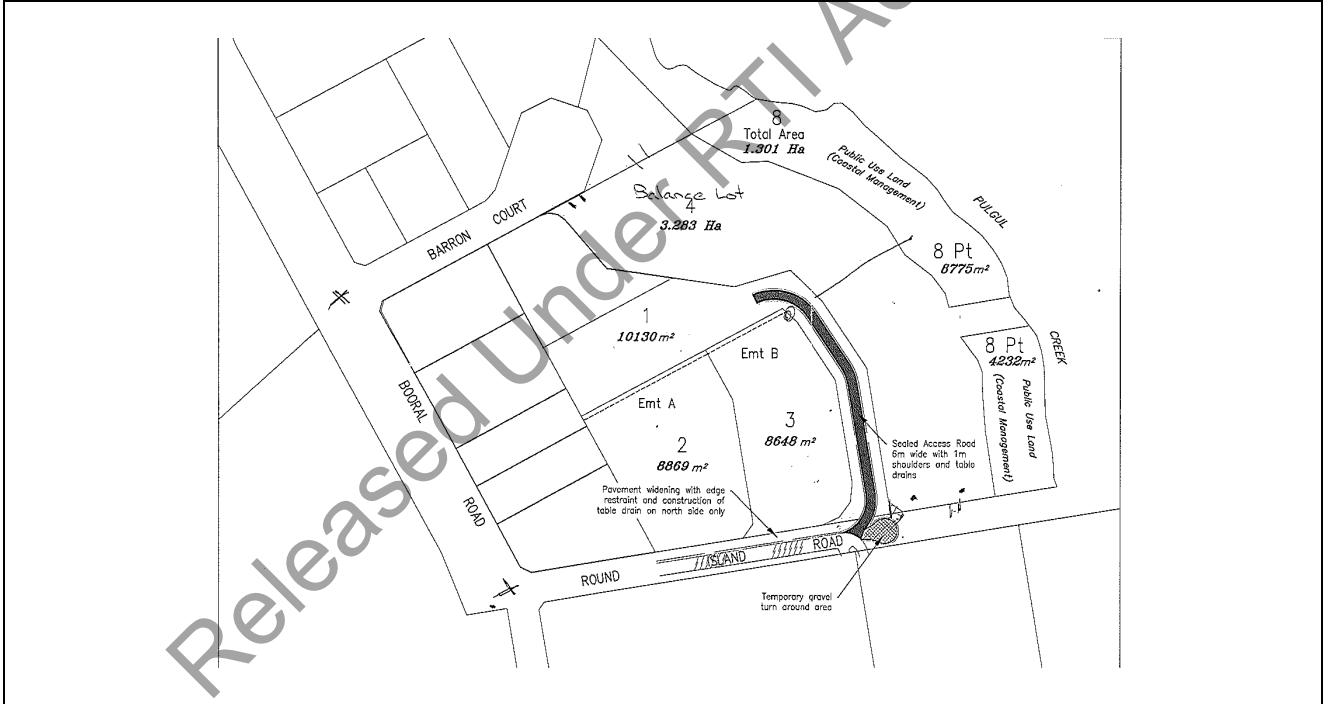
Lot on Plan	Street Address	Land area	Zoning
18 RP138431	821 River Heads Road RIVER HEADS	833 m ²	Low Density Residential



Lot on Plan	Street Address	Land area	Zoning
22 and 23 RP138431	25 & 27 Wilkins Street RIVER HEADS	800 m ² & 800 m ²	Low Density Residential



Lot on Plan	Street Address	Land area	Zoning
Currently Lot 158 SP181751	Barron Ct / Round Island Rd (Aquaculture precinct)	65,412 (total)m ²	Industry



The areas shown as Lots 1 and 3, and the whole of the "Balance Lot" adjoining the Buffer Zone are included in this Tender. Tenderers may submit Tenders for all of this land or for one or more of the individual areas. Negotiations will be undertaken with relevant Tenderers in relation to the creation of the Lots as separate titles if required.

Tenderers are to note that the area shown as Lot 2 is under Lease between Council and a community organisation until 2016.

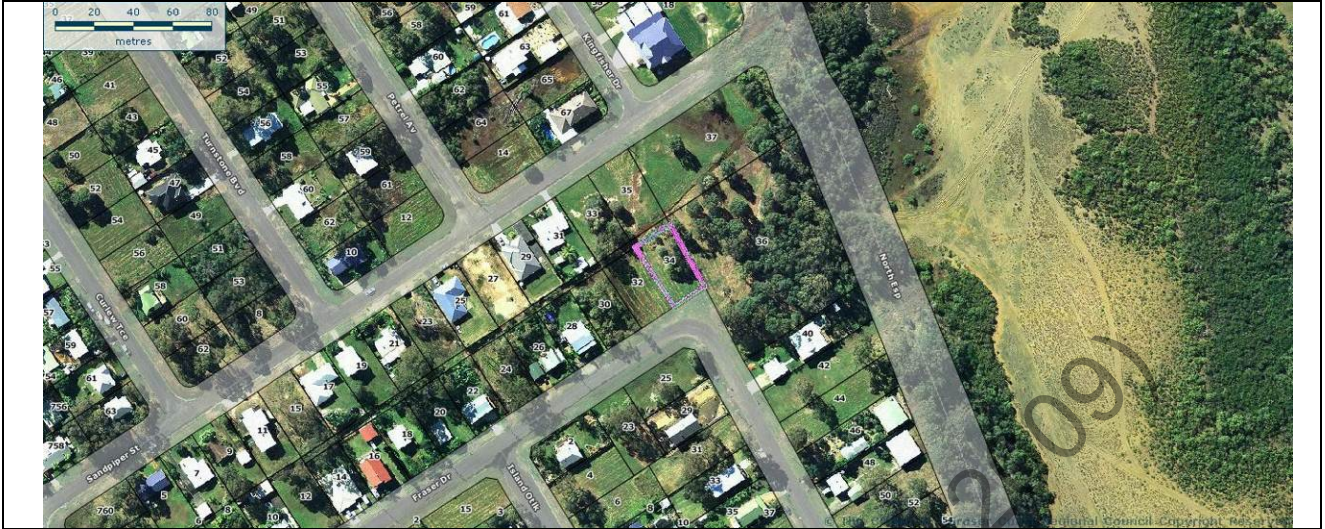
Lot on Plan	Street Address	Land area	Zoning
4 SP151829	231 Maryborough/Hervey Bay Rd	4,605m ²	Service/Trade
5 SP151829	222 Urraween Rd	10,000m ²	Service/Trade



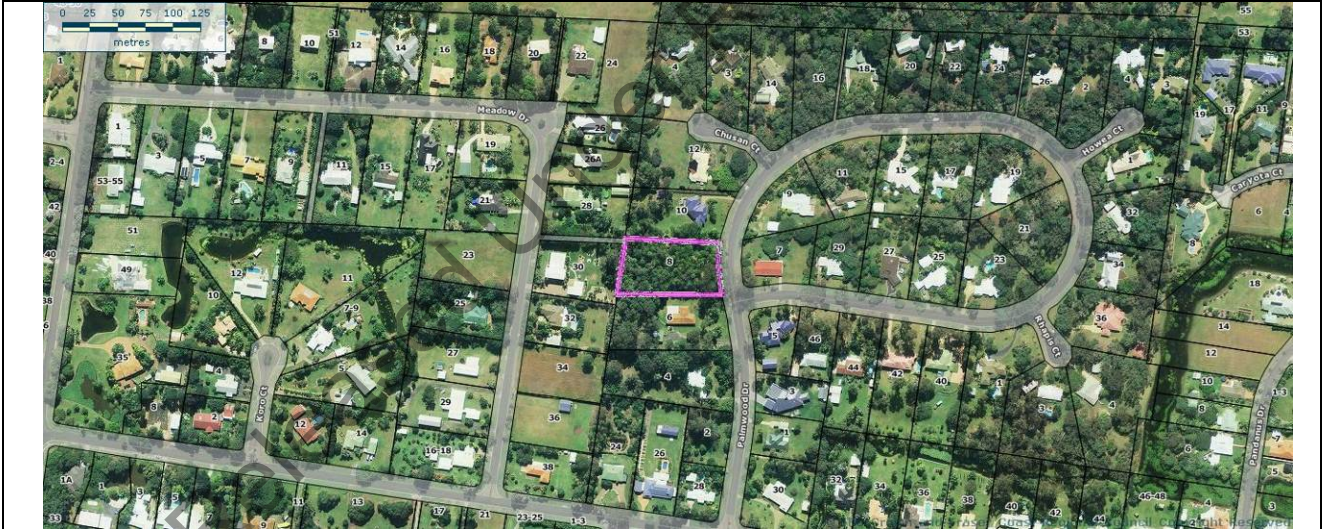
Lot on Plan	Street Address	Land area	Zoning
L98 RP910978	View Street, Torquay	455m ²	Medium Density Residential



Lot on Plan	Street Address	Land area	Zoning
105 RP136910	Fraser Drive, River Heads	718m ²	Residential



Lot on Plan	Street Address	Land area	Zoning
6 RP224700	Palmwood Dr, Dundowran	432m ²	Conservation



BROOWEENA – LAND & BUILDING

Lot on Plan	Street Address	Land area	Zoning
3CP847069	24 Smith Cr, Brooweena (Lorne Purser Building)	1,200m ²	Community facilities



Released Under RTI Act

FORM OF TENDER

I / We

of (address)

Email: Phone:

do offer the sum set forth in the Schedule below and agree to be bound by the provisions of the Tender Documents and all other relevant documents.

Please complete either:-

Section (A) for the purchase of one Lot only

Section (B) for the purchase of more than one individual Lot to remain individual Lots

Section (C) for the purchase of one or more Lots which will be amalgamated

(A) Tender for ONE Lot only.

Lot description (from List on page 3): Lot on RP

Tender Price: \$ (inc GST)

I/We note Special Conditions listed in this Tender

I/ We agree to a 30 day unconditional settlement: YES / NO

I/ We require Special Conditions to be included in the Contract: YES / NO

If yes, please provide relevant details below: -

Finance:

Council Approvals:

Other:

.....

.....

Proposed use of the Lot listed above:

I/ We have undertaken our own due diligence on this Lot: YES / NO

I/ We agree to meet all costs regarding access, power, water, and any other costs to render the Lot suitable for the proposed purpose: YES / NO

(B) Tenders for MORE THAN ONE Lot which will remain individual Lots.

Please list Lots & individual amounts offered for which Tenders are submitted (additional pages can be added if required):

A. Lot description (from List on page 3): Lot on RP

Tender Price: \$ (inc GST)

I/We note Special Conditions listed in this Tender

B. Lot description (from List on page 3): Lot on RP

Tender Price: \$ (inc GST)

I/We note Special Conditions listed in this Tender

C. Lot description (from List on page 3): Lot on RP

Tender Price: \$ (inc GST)

I/We note Special Conditions listed in this Tender

I/ We agree to a 30 day unconditional settlement: YES / NO

I/ We require Special Conditions to be included in the Contracts: YES / NO

If yes, please provide relevant details below: -

- Finance:
- Council Approvals:
- Other:

Proposed use of Lots listed above:

A. Lot on RP Purpose:

B. Lot on RP Purpose:

C. Lot on RP Purpose:

I/ We have undertaken our own due diligence on these Lots: YES / NO

I/ We agree to meet all costs regarding access, power, water, and any other costs to render the Lots suitable for the proposed purpose: YES / NO

(C) Tenders for MORE THAN ONE Lot which will be amalgamated.

Please list Lots & individual amounts offered for which Tenders are submitted (additional pages can be added if required):

Lots to be purchased and amalgamated:

Lot on RP	Lot on RP
Lot on RP	Lot on RP
Lot on RP	Lot on RP
Lot on RP	Lot on RP

*as not all Lots may be included in a sale, please list both individual Lot prices offered and combined (total) price offered for all Lots below

Tender Price per Lot: \$ (inc GST)

Tender Price combined: \$ (inc GST)

I/We note Special Conditions listed in this Tender

I/ We agree to a 30 day unconditional settlement: YES / NO

I/ We require Special Conditions to be included in the Contracts: YES / NO

If yes, please provide relevant details below: -

- Finance:
- Council Approvals:
- Other:

Proposed use of Lots listed above:

.....

.....

I/ We have undertaken our own due diligence on these Lots: YES / NO

I/ We agree to meet all costs regarding access, power, water, and any other costs to render the Lots suitable for the proposed purpose: YES / NO

PARTICULARS OF TENDERER

TO BE COMPLETED IF THE TENDERER IS AN INDIVIDUAL

SURNAME:

CHRISTIAN OR GIVEN NAMES:

Signature/s:

ADDRESS OF PRINCIPAL PLACE OF
BUSINESS:

POSTAL ADDRESS FOR SERVICE OF
NOTICES:

ADDRESS OF REGISTERED OFFICE:

ADDRESS OF MANUFACTURING PLANT:

TELEPHONE NUMBER:

FACSIMILE NUMBER:

MOBILE:

EMAIL:

TO BE COMPLETED IF THE TENDERER IS A CORPORATION:

THE COMMON SEAL of)
 ACN)
 is affixed in accordance with)
 its constitution in the)
 presence of:)

.....
 Director

.....
 Name of Director (print)

.....
 Witness

.....
 Secretary/Director

.....
 Name of Witness (print)

.....
 Name of Secretary/Director (print)

TO BE COMPLETED IF THE TENDERER IS A CORPORATION BUT DOES NOT EXECUTE UNDER A COMMON SEAL:

EXECUTED by)
 ACN) Director
 by being signed by)
)
 a Director, and) Name of Director (print)
)
 , a Director/the Secretary in accordance with)
 section 127 of the *Corporations Act 2001* in) Director/Secretary
 the presence of:)

 Name of Director/Secretary (print)

 Witness

 Name of Witness (print)

TO BE COMPLETED IF THE TENDERER IS A CORPORATION, DOES NOT EXECUTE UNDER A COMMON SEAL AND HAS A SOLE DIRECTOR/SECRETARY:

EXECUTED by)
 ACN)
 by being signed by) Sole Director/Secretary
)
 the sole Director/Secretary in accordance with)
 section 127 of the *Corporations Act 2001* in) Name of Sole Director/Secretary (print)
 the presence of:)

 Witness

 Name of Witness (print)

TO BE COMPLETED IF THE TENDERER IS AN INDIVIDUAL:

SIGNED by)
)
) Signature
 Print Name)
 in the presence of:)

 Witness

 Name of Witness (print)

TO BE COMPLETED IF THE TENDERER IS A PARTNERSHIP OF INDIVIDUALS (every partner must sign – add more spaces if necessary)

SIGNED by)
)
 Print Name) Signature
 in the presence of:)

 Witness

 Name of Witness (print)

SIGNED by)
)
 Print Name) Signature
 in the presence of:)

 Witness

 Name of Witness (print)

ANTI-COMPETITIVE CONDUCT

Anti-competitive conduct is prohibited under Australian Law. Council reserves its right to report all suspected instances of collusion to the Australian Competition & Consumer Commission (ACCC). Tenderers must disclose any involvement, past or present, in proceedings regarding anti-competitive conduct in Australia or overseas. This must include the tenderer and any other party associated with the tender e.g. sub-contractors, and include related companies, directors and senior management. The names of the parties to the proceedings, case number, general nature and current status of the proceedings must be provided.

Have you, or any of the parties to this tender and/or subsequent contract, had any past or present involvement in anti-competitive conduct in Australia or overseas?

YES NO

If YES, please complete table below. Attach additional pages if needed.

NAME	CASE NUMBER	NATURE OF CASE	STATUS

CHECKLIST FOR RETURN OF DOCUMENTS

Please tick to indicate compliance

- I/We have completed the Form of Tender and Particulars of Tenderer and have attached same.
- I/We have answered all questions relevant to this Tender on the required forms.
- I/We have read and understood all details in the General Information, Specification/Brief and General Conditions of Tender. If I/We required clarification regarding any item, _____ was contacted and clarification given on ____ / ____ / ____.
- I/We have examined all aspects of the obligations required in the Tender documents and have advised all information relevant to assess this Tender.
- I/We have included this checklist with our Tender documents to be returned to Council.

Have other documents been attached? YES / NO (if yes, please list)

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Signature of Tenderer/s: _____

Name of Tenderer/s _____

Full Postal Address: _____

Telephone No.: _____ Email: _____

Signature of Witness: _____

Name of Witness: _____

Witness's Postal Address: _____

Date: _____

GENERAL CONDITIONS OF TENDERING

"SALE OF COUNCIL LAND - CORP 5 – 13/14"

INTRODUCTION

Council invites Tenders in accordance with the Advertisement, Tender Specification and these Tender Conditions.

CONTRACT PERIOD

It is anticipated that a **30 day unconditional settlement period** will apply unless other specified. The standard REIQ Contract of Sale will be used. Tenderers not able to meet this timeframe are to provide details in the Form of Tender attached.

DEFINITIONS

In this document:

"**Closing Time**" means the time and date set out in the Advertisement and these documents;

"**Council**" means Fraser Coast Regional Council;

"**Specification**" means any Tender Specification provided as part of the Tender

"**Tender**" means any "**Tender**" lodged in response to the Tender Conditions;

"**Tender Conditions**" means the conditions of Tenders in this document, including, if applicable, the Tender Specification and annexures;

"**Tender Documents**" means all documents, including advertisement, Tender Specification and the Tender Conditions;

"**Tenderer**" means any person lodging a Tender.

ADDITIONS, CHANGES & DELETIONS

Council reserves the right, at any time, to amend the details for Lots during the Tender process should the need arise.

TENDER DOCUMENTS

All parts of the Tender Documents shall be read and construed together so that all parts are as far as possible consistent.

TENDERER TO FULLY INFORM ITSELF

By lodging a Tender, the Tenderer warrants to Council that it will have taken all necessary steps to fully inform itself of Council's requirements and that it has not relied on information provided by Council without independently verifying such information.

The Tenderer further warrants that any Tender lodged is accurate and that it complies in all respects with the Tender Documents and all relevant laws. Failure by the Tenderer to do any or all of the things it warrants to have done will not relieve the Tenderer of its liability.

CONTENTS OF TENDERS

Tenders must include:-

- The attached Form of Tender – completed as applicable
- The attached Particulars of Tender form – signed by Tenderer/s
- Purchase price – for the land (price must include GST)
- any other documentation or details required by Council

A Tender may not be considered as conforming if the Tenderer has failed to lodge the Tender in accordance with the requirements of these Tender Conditions by the Closing Time; or does not conform with any of the requirements of the Tender.

Tenders are to note that **Council may apply Special Conditions** to some of the properties listed for sale. These will be negotiated with relevant Tenderers, following assessment of Tenders received, and therefore Tenders are to be submitted on the basis of the Tenderer's understanding that this may be the case. Should negotiations result in the need for Special Conditions to apply to the sale of a particular property, Council acknowledges the Tenderer's right to withdraw the Tender.

LODGEMENT OF TENDERS

Three (3) hard copies of Tenders are to be provided in Word Processor format. Tenders must be marked "**SALE OF COUNCIL LAND - CORP 5 – 13/14**" and must be placed in Council's Tender Box at the Council Chambers, 77 Tavistock Street Torquay, Hervey Bay or be mailed to the Chief Executive Officer, Fraser Coast Regional Council, PO Box 1943, Hervey Bay Qld 4655 by the Closing Time.

NOTE: Emailed or faxed Tenders will not be accepted, nor will late tenders.

Tenders are to be lodged by **11.00am on Monday 23 December 2013** to:

Business address: 77 Tavistock Street, Torquay Qld 4655 or
Postal address: PO BOX 1943, Hervey Bay Qld 4655

Council may at any time before the Closing Time, by notice in writing to all prospective Tenderers, extend the Closing Time.

Tenders will be opened publicly and only the name of the Tenderer and the property/ies Tendered for will be disclosed.

CRITERIA

Tenders will be evaluated by reference to the principles outlined in the *Local Government Act*, (insofar as they apply to this Tender) as stated below:

- open and effective competition;
- value for money;
- encouragement of the development of competitive local business and industry;
- environmental protection;
- ethical behaviour and fair dealing.

as well as the proposed use of the land, any special conditions requested and any impact the sale will have on Council's resources.

FURTHER INFORMATION

The Tenderer must, if requested by Council, provide further information in relation to the Tender. The Tenderer must direct all requests for site inspections, additional information or other matters in writing to the Liaison Officer specified in the Tender Specification.

Any information provided to the Tenderer by or on behalf of Council is provided for the convenience of the Tenderer only and unless expressly incorporated into the Tender Documents shall not form part of the Tender Documents; and not warranted or held out by Council as accurate, correct or adequate.

ACCEPTANCE OF TENDERS

Council shall not be bound to accept the highest or any Tender, in its absolute discretion. Council shall not be obliged to consider any Tender which was not lodged in accordance with the requirements of these Tender Documents by the Closing Time; or does not conform with the requirements of the Tender.

EXPENSES OR LOSSES

Council shall not be responsible for, or pay for, any expenses or losses which may have been incurred by any person in the preparation of their Tender.

VERBAL ADVICE

Council shall not be bound by any verbal advice given or information furnished by any officer of the Council in respect of the Tender but shall be bound only by written advice or written information furnished by an authorised officer or other person/agent authorised by Council to do so.

PERSON SUBMITTING TENDER TO INFORM THEMSELVES FULLY

Each person submitting a Tender shall be deemed to have examined each and every aspect of their obligations under the Tender Documents, and the land included in the Tender. The Council shall not be held liable for any claim on the grounds of insufficient information.

TENDERS TO BECOME THE PROPERTY OF COUNCIL

All Tender documents lodged by the persons submitting Tenders shall become the property of the Council and shall not be returned to the persons submitting Tenders.

DISCLOSURE OF INFORMATION

Any information contained in documents supplied by the person submitting a Tender, which is considered to be of a confidential nature, is to be clearly marked "**Commercial in Confidence**". Information so marked will not be divulged to another party without the permission of the person submitting the Tender.

INTELLECTUAL PROPERTY

Any person submitting a Tender shall retain their right to intellectual property submitted with the Tender, including title thereto. However, the ownership of all intellectual property developed or otherwise derived from any contract formed from this Tender, or as a result of any work or activity undertaken directly or indirectly in association with the performance of any contract, shall be vested in the Council. The ownership of all intellectual property within the Tender shall be vested in the Council.

RESOLUTION OF INCONSISTENCIES

All parts of the Tender documents shall be read and construed together as a whole and so that all parts are as far as possible consistent with each other.

30 September 2015

T S Krait
PO Box 1241
Pialba QLD 4655

Dear Sir/Madam

PROPERTY NUMBER: 101463

PROPERTY LOCATION: 8-31 ROUND ISLAND ROAD WONDUNNA QLD 4655

In relation to the upcoming expiration of your lease on Round Island Road, Wondunna.

Council at its meeting on 9 September 2015 has resolved the following:-

That the Chief Executive Officer be requested to prepare a report on existing community organisation leases with Council including, but not limited to:-

1. Cost estimates to rectify any building issues at the TS Krait site;
2. Options for co-location and other sites for TS Krait;
3. Details on requests from other community organisations for premises; and
4. Undertake a cost benefit assessment on investing in developing a Community Hub to support the growing need for community organisations.

Council will continue to work on options and keep your needs in mind however cannot guarantee that another lease will be offered.

We will keep the committee update with the progress.

Should you have any queries please do not hesitate to contact Council on 1300 79 49 29.

Yours faithfully,

Sydney Shang
Acting Director Organisational Services

Contact: Dani Kostic
Phone: 4197 4321
Ref: DOCS#3016035

16 November 2015

TS Krait Unit Support Committee Inc
PO Box 1241
Pialba QLD 4655
(by hand)

Dear Sir

RE: Lease – holding over clause

I refer to Council's letter of 30 September, advising of Council's resolution regarding investigations into the possibility of establishing a community hub to support the growing need for leases for community organisations. As advised in that correspondence, Council will continue to seek options for TS Krait, however until the future of the Community Hub has been determined by Council, we cannot offer another lease over the existing site.

We are aware of how this uncertainty may affect the members of the group, so while the Community Hub investigation is being undertaken, the holding over clause of your lease will permit the ongoing occupation of the building post 29 March 2016, until such time as the lease is terminated by yourselves or by Council. During any holding over period, the lease will remain on the same terms and conditions as your existing lease, with the exception of those clauses not applicable to a holding over period.

As discussed in our meeting on site, in the short term, to ensure the safety of those on the premises, Council will undertake minor repairs to the facility to alleviate any immediate hazards. However, the areas considered hazardous that cannot be fixed will need to be cordoned off and made unavailable for use. We ask that the committee also ensures that the safety and welfare of the members is paramount in the use of this facility, and appreciate your cooperation in this regard.

I trust this clarifies the situation and will be in touch as the investigation into the Community Hub progresses. Please contact Emma Crabtree or myself if you have any questions.

Yours faithfully

Janet Campbell
EXECUTIVE MANAGER CORPORATE BUSINESS

Contact Officer: Emma Crabtree
Phone: 07 4194 8104
Ref 3033823

FRASER COAST REGIONAL COUNCIL
20 JULY 2018

CONFIDENTIAL BRIEFING NOTE

Subject:	TS KRAIT NAVAL CADETS
Author:	Executive Manager Property & Commercial Services, Janet Campbell
DOC NO:	#3598035

A meeting was held on 12 July with representatives of the TS Krait Naval Cadets to discuss Council's commitment to a new lease and how the issues identified in the recently obtained structural engineering report could be addressed. The report had confirmed that the facility should be demolished and that drainage issues on the land needed to be addressed.

Details within the report were discussed and copies of the photographs showing the structural deficiencies within the facility were provided to TS Krait representatives, so that they could refer this on to the Director - Australian Navy Cadets. Council officers confirmed that funding had been provided within the Property budget, but that it was not expected that these would cover the costs to demolish the existing facility, address the drainage issues and reconstruct a new facility. Options for joint funding between the Naval Cadets and Council, as well as the potential for the Cadets to share a new facility with other community groups who could contribute to constructing a new purpose built facility, were also discussed.

The Cadets were advised that once they had obtained advice from the Director - Australian Navy Cadets, a report would be presented to Council recommending a new lease be offered on terms similar to those offered to other groups who are seeking funding for the construction of new facilities i.e. with a period of 3 years allowed prior to commencement of the lease so that the group had security of tenure over the land to assist with funding applications, but was not committed to paying costs e.g. rates, insurance etc, until they had secured the funding required. The Cadets were pleased with this commitment.

On Monday this week I received a call from the Director - Australian Navy Cadets advising that the TS Krait representatives had provided feedback from the meeting together with the photos we had provided. The Director advised that a risk assessment would be undertaken and that an email would be forthcoming. To date I have not received any further advice from the Department. Therefore, as some Councillors have now been advised that the Naval Cadets have been 'evicted' from the facility, it is assumed that the Defence Department has undertaken its risk assessment and determined that the facility is not safe for occupation in its current state.

I will be contacting the Director - Australian Navy Cadets to obtain the details required to include in the report to Council regarding the proposed new lease.

LEASE/SUB LEASE

!@!

Stamp Duty Imprint

 701760070
 \$167.00
 15/01/1997 15:27
 MH 500 LEASE DUP

DUTY ACCOUNTED FOR ON ORIG LEASE

Commissioner of Stamp Duties, Queensland

DUTY PAID ON INSTRUMENT

Commissioner of Stamp Duties, Queensland

1. Lessor

COUNCIL OF THE CITY OF HERVEY BAY

Lodger Name, address & phone number

Lodger Code number

MORTON & MORTON
130 Wharf Street
MARYBOROUGH Q 4650
071 212236

005

ASL:TMD
960525

2. Description of Lot

Lot 158 on Crown Plan MCH3815

County

March

Parish

Urangan

Title Reference

17225203

3. Lessee

Given names

Surname/Company name and number

(include tenancy if more than one)

UNIT COMMITTEE T S KRAIT INC

4. Interest being leased

Fee simple

5. Description of premises being leased

Part of the land shown as area "E" as hached in black on the plan herein

6. Term of lease

Commencement date: 30/03/1996
*Expiry date: 29/03/2016
*not required for leases in a retirement village

7. Rental/Consideration

See schedule

8. Grant/Execution

The Lessor leases the premises described in item 5 to the lessee for the term stated in item 6 subject to the covenants and conditions contained in the attached schedule.

Witnessing Officer

Execution Date

Lessor's Signature

Linda Anne Gattagosa signature
LINDA ANNE GATTAGOSA full name
ATTORNEY GENERAL'S DEPARTMENT qualification
Reg. No. 10139
JP
as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

8 / 11 / 96
Frederick Harold Kleinschmidt, Mayor
James Kevin Atteridge
Chief Executive Officer

9. Acceptance

The lessee accepts the lease and acknowledges the amount payable or other considerations for the lease.

Witnessing Officer

Execution Date

Lessee's Signature

Chris John Mee signature
Chris John Mee full name
Justice of the Peace qualification
as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

21 / 10 / 96

Chris John Mee President
Chris John Mee Secretary
UNIT COMMITTEE T S KRAIT INC
THE COMMONS
766

Title Reference 17225203

RENTAL

1. (a) The Lessee will pay to the Lessor as and by way of rental for the demised premises the sum set out in Item 1 of the Schedule per annum for the first year of the said term such rental to be payable calendar monthly in advance on the first day of each successive calendar month the first of such payments to be made on the day set out in Item 2 of the Schedule and at a rental for subsequent years as calculated in accordance with the terms of the next following clauses hereof which rental shall also be payable monthly in advance.
- (b) Provided that where the Lessee has, to the satisfaction of the Lessor complied with each and every condition of this Lease the Lessee shall not be obliged to pay the rental pursuant to sub-clause (a) during the number of years set out in Item 3 of the Schedule.
2. (a) Where the Lessor has waived the payment of the rental pursuant to clause 1(b) the rental for the first year of the term that rent shall be payable shall be the sum set out in Item 4 of the Schedule.
- (b) The rental for each subsequent year of the term subsequent to the year specified in clause 1(a) or sub-clause (a) whichever is applicable shall be increased on the 1st July each year commencing on the 1st July 1996 and shall be calculated by applying the following formula:-

$$R = \frac{A \times C}{B}$$

WHERE

R = The rent for the year subsequent to the date of calculation

A = The All Groups Consumer Price Index published by the Commonwealth Statistician in relation to the City of Brisbane for the last completed quarter (being the three monthly period adopted by the Statistician for the purposes of compilation and issue of the Index) immediately preceding the date of calculation.

B = The (All Groups) Consumer Price Index published by the Commonwealth Statistician in relation to the City of Brisbane for the last completed quarter (being the three monthly period adopted by the Statistician for the purpose of the compilation and issue of the Index) immediately prior to the commencement of the term of this Lease).

C = The rent for the first year of the term.

Provided that the rental payable by the Lessee shall not be less than 108% of the highest rental payable by the Lessee immediately prior to the review thereof and until the amount of the rental payable for any year can be determined in accordance with the provisions of this clause, the Lessee shall pay to the Lessor on account hereof on the due dates the same rental as was payable during the preceding year, and on the determination of the rental for any subsequent year, any arrears shall be payable within fourteen days of request therefor by the Lessor. If on the date of calculation of the rental for any year there has been no increase in the Consumer Price Index, the rental for such year shall continue to be the amount payable immediately prior thereto. If the method of calculating the Consumer Price Index shall be altered, such Index shall apply notwithstanding the alteration. If the said Consumer Price Index shall be discontinued, the Consumer Price Index adopted in substitution therefor shall be used for the calculations and in the event of no Consumer Price Index being adopted in substitution therefor, the Consumer Price Index nominated by the Commonwealth Statistician at the request of the Lessor as being the most appropriate for calculations hereunder shall be used for such calculations. If the said Commonwealth Statistician shall decline to nominate the Consumer Price Index, the rental for such year and any subsequent year shall be the amount as agreed by the Lessor and the Lessee or failing agreement as determined by the President for the time being of the Commonwealth Institute of Valuers (Queensland Branch) or by a registered Valuer to be nominated by him (whose fees shall be paid as to one half by the Lessor and as to one half by the Lessee). In the event of determination by a registered valuer as hereinbefore set out being necessary, the Lessee shall pay to the Lessor on account of the rent for the subject year and on the due dates for payment thereof the same rental as was payable during the immediately preceding year, and upon the result of such determination any arrears shall be payable by the Lessee within fourteen days of request therefor by the Lessor. In the event of the determination of the registered valuer being less than the rent for the immediately preceding year, the rent for the subject year shall be the same as the rent for the immediately preceding year.

- (c) Notwithstanding sub-clause 2(b) the rental shall be increased whenever the unimproved capital value of the land is increased so that the rental shall always be the greater of 8% of the unimproved capital value of the land or the rental as calculated in sub-clause 2(b).

PAYMENT OF OUTGOINGS

3. In addition to the rent hereby reserved and any other monies payable by the Lessee to the Lessor hereunder the Lessee shall pay to the Lessor upon demand that percentage of outgoings set out in Item 5 of the Schedule outgoings shall mean all rates and taxes including water and sewerage rates and municipal rates and charges, charges, assessments, duties and fees of any Public Municipal Government or semi-Government Body, Authority or Department assessed or payable in respect of the demised premises the land and the building erected thereon or any of them or part of them or in respect of the Lessor's ownership of the same (excluding Income Tax and Capital Gains Tax).
4. The Lessee shall according to the meter readings punctually pay for all gas and electricity and excess water used or consumed on the demised premises during the said term and also all meter rents and in default thereof the Lessor may if the Lessor so thinks fit pay the same and the amount paid by the Lessor and all expenses incurred in connection therewith shall be payable by the Lessee to the Lessor on demand and the Lessee will also pay all charges for removal of garbage and trade refuse from the demised premises.

NON-PAYMENT OF RENT

5. If the rent hereby reserved or any part thereof shall be unpaid for the space of thirty days after any of the days upon which the same ought to have been paid although no formal demand shall have been made therefor or in case default is made in the fulfilment of any covenant, condition or stipulation expressed or implied in these presents and on the part of the Lessee to be performed or observed and without in any way waiving or prejudicing the generality of the foregoing or in case the repairs required by the terms of this Lease are not carried out in the time therein specified or if any form of execution be ordered, made or issued against the Lessee or the effects of the Lessee or if any order be made for the sequestration in bankruptcy of the estate of the Lessee or if the Lessee shall assign his estate or enter into a Deed of Arrangement for the benefit of creditors or any assignment shall be made of the Lessee's property for the benefit of creditors or if (the Lessee being a Company) a petition for the winding up of the Lessee be presented or a resolution be passed for the winding up of the same voluntarily or compulsorily except for the purposes of reconstruction or amalgamation then and in any of such cases, it shall be lawful for the Lessor at any time or times thereafter and notwithstanding the waiver of any previous breach to enter into and upon the demised premises or any part thereof in the name of the whole and the same to have again repossess and enjoy as of its former estate and thereby determine the estate of the Lessee but without releasing the Lessee from liability in respect of any breach, non-performance or non-observance of any covenant, provision or stipulation in these presents contained, expressed or implied and to any action, suit or other proceeding which the Lessee may bring against the Lessor by reason of any act, matter or thing arising out of or in connection with the exercise or attempted exercise by the Lessor of the powers and authorities in this and in any clause of this Lease contained and implied the Lessor may plead in bar thereto the Lease and license of the Lessee of which the production of these presents shall be conclusive evidence.

TERMINATION FOR BREACH OF LEASE

6. Beyond any and every remedy which the Lessor may have in respect of the premises, it is agreed that if the Lessee fails to pay the rent or to observe or perform any of the covenants on the part of the Lessee herein contained or hereby implied, the Lessor may by a notice in writing to the Lessee notwithstanding the Lessor may have waived any breach or breaches of a like nature at any time or times determine the said term and from the date of the delivery of such notice on the demised premises addressed to the Lessee the term hereby granted shall be determined and the Lessee shall from that date hold the premises from the Lessor as tenant from week to week at the rental hereinbefore reserved, adjusted where necessary on a weekly basis and upon the terms and conditions of these presents so far as they can be applied to a weekly tenancy.

USE OF PREMISES

7. The Lessee shall not use or permit to be used the demised premises or any part thereof for any purpose other than that set out in Item 6 of the Schedule.

USE OF FACILITIES

8. In addition to the tenancy of the demised premises the Lessee shall have the right to use such sanitary and lavatory accommodation as shall from time to time be provided by the Lessor for the use of the Lessee.
9. The Lessee shall not use or permit to be used the sanitary conveniences of which the Lessee shall have free use during the term of this Lease or any extension of same for any purpose other than those for which the said conveniences are intended and not to throw or place or permit to be thrown or placed in same or in the sewerage installation contained in same any sweepings, rubbish, rags, ashes or other unsuitable substances and to pay for any damage which may result to such conveniences or sewerage installation contained therein by the misuse thereof by his agents, employees, servants, invitees and licensees and shall keep the same clean at all times.

MAINTENANCE OF DEMISED PREMISES

10. The Lessee will during the said term well and sufficiently repair, maintain and keep in good and substantial repair the demised premises with the appurtenances and all fixtures, trade fittings, gas, electric and otherwise, locks and keys and things thereto belonging or which at any time during the term shall be erected and made by the Lessor therein or thereon when where and so often as need shall be reasonable wear and tear and damage by fire not attributable to any act or omission by the Lessee, his agents, servants or workmen, lightning, flood, tempest or war damage only excepted.

AIR CONDITIONING

11. The Lessee will at all times during the continuance of this Lease well and sufficiently repair, maintain and keep in good and substantial repair the air conditioning plant and equipment at the sole cost and expense of the Lessee including electricity charges, for the operating of the said air conditioning plant during the term hereof and any extension hereof.

DELIVERY UP AND MAINTENANCE OF FIXTURES & FITTINGS

12. The Lessee will at all times during the continuance of this Lease keep and at the expiration or sooner determination of the said term peaceably surrender and yield up unto the Lessor the demised premises with the appurtenances and all erections and fixtures erected or made by the Lessor thereon and all the Lessor's fixtures and fittings, gas, electric and otherwise, electrical fans, fire extinguishers, fire hose reels, locks and keys in good and substantial repair and condition having regard to the condition thereof at the commencement of this Lease reasonable wear and tear and damage by fire not attributable to any act of omission or commission of the Lessee its agents, servants or workmen, lightning, flood, tempest or war damage only excepted and provided further that the Lessee shall be responsible for the costs of repair, maintenance and/or replacement of any sprinkler and fire alarm systems, fire hose reels, fire appliances and extinguishers situated within the demised premises and otherwise shall comply with all statutory requirements at the Lessee's costs in relation to such sprinkler, fire alarm systems, fire hose reels, fire appliances and extinguishers.

PAINTWORK

13. The Lessee covenants to maintain the paint work internally in sound and presentable condition throughout the term of the Lease and to leave the demised premises in a clean and tidy condition prior to giving up possession of the demised premises, and if required by the Lessor, the Lessee shall re-paint the internal of the building once during the term hereof and if not so required during the term hereof the Lessee shall re-paint the interior of the premises at the expiration of the option period hereinafter referred to provided that any internal painting required by the Lessor or otherwise required under the terms hereof shall be completed by the Lessee using two coats at least of quality paint and in such colour or colours as shall be agreed to by the Lessor.

PLATE GLASS

14. The Lessee shall at the Lessee's own expense repair or replace as may be necessary any plate glass windows upon the demised premises (whether or not such plate glass windows form part of the external walls thereof) which shall during the said term become damaged or broken from any cause whatsoever other than neglect or default on the part of the Lessor, its servants or agents.

UTILITIES

15. The Lessee shall promptly pay all charges made by the suppliers for the supply of electricity and/or gas to the demised premises and required and used by the Lessee during the term hereof or any extension thereof.

TELEPHONE

16. The Lessee shall pay all rent and charges for or in connection with any telephone installed or to be installed in the premises upon the demised land and shall comply with all regulations relating to service and service fittings in the buildings on the demised lands.

DAMAGE TO DEMISED PREMISES

17. The Lessee shall not cause or permit any damage to be occasioned to the demised premises and shall pay for any damage done thereto (including accidental damage) caused by any act or omission on the part of his agents, employees, servants, invitees or licensees.

CLEANING

18. The Lessee shall at all times during the said term keep the demised premises in a good and clean condition and will not allow any accumulation of rubbish or any material on the demised premises contrary to the provisions or by-laws of the Local Authority in whose area the demised premises are situated or contrary to the provisions or conditions of any insurance policy effected or to be effected by the Lessor on the demised premises.

VERMIN & PESTS

19. (a) The Lessee will take all reasonable precautions to keep the demised premises free of rodents, vermin, borers, white ants, insect pests, birds and animals and in the event of the Lessee failing to do so the Lessee will if so required by the Lessor but at the Lessee's own cost employ from time to time or periodically a pest exterminator nominated by the Lessor.
- (b) The Lessee shall give immediate notice in writing to the Lessor of any accident to or defect in the demised premises or any fittings or services thereof upon the demised land or of any appearance of white ants or borers or other animals and vermin referred to in paragraph (a) hereof.

INSTALLATION OF MACHINERY

20. The Lessee will not without the previous consent of the Lessor install or use or permit to be installed or used in the demised premises any engine or machine which causes or in the opinion of the Lessor may cause unreasonable noise or vibration.

DANGEROUS CHEMICALS

21. The Lessee will not use or permit or suffer to be used chemicals, burning fluids, acetylene, gas or alcohol in lighting or heating the demised premises.

OVERLOADING

22. The Lessee shall not do or permit or suffer to be done upon the demised premises anything in the nature of overloading the floors thereof whereby the demised premises or any part thereof or any adjoining premises of the Lessor or part thereof may be strained or the walls or floors caused to sag or deflect from the right line or so as to damage the demised premises or any part thereof respectively.

SIGNS & ADVERTISING

23. The Lessee shall not without the consent of the Lessor first had and obtained (which consent shall not be unreasonably withheld or refused) inscribe, engrave, paint, erect, affix or annex any sign (electrical or otherwise), advertisement, notice, poster, placard, bill, sticker, writing, printing or any other advertising media to or on any

part of the demised premises including the windows thereof and on the expiration or sooner determination of the said term shall paint out or otherwise remove all signs, advertisements, notices and posters, placards, bills, stickers, writing, printing or other advertising media made on the demised premises to the reasonable satisfaction of the Lessor.

INSPECTION BY LESSOR

24. The Lessor or its agents may, after first giving notice thereof to the Lessee, may at any time during the said term at a reasonable time of the day enter upon the demised premises, in the company of a representative of the Lessee (otherwise than in the case of any emergency), and view the state of repair thereof and may serve upon the Lessee or leave at the last or usual place of abode of the Lessee in Queensland or upon the demised premises a notice in writing of any defect requiring the Lessee within a reasonable time to repair the same in accordance with any covenant expressed or implied in this Lease and that in default of the Lessee so doing it shall be lawful but not obligatory upon the Lessor from time to time to enter and execute and carry out the required repairs. All monies paid by the Lessor in connection therewith shall be payable by the Lessee to the Lessor on demand and the Lessor shall be entitled to recover such monies in the same manner as if the same had been rent in arrear reserved by this Lease and by action at law as a debt owing by the Lessee to the Lessor.

ALTERATIONS AND ADDITIONS

25. Subject to the provisions of Section 121 of the Property Law Act 1974 the Lessee shall not make any alterations or additions to the demised premises without the consent in writing of the Lessor first had and obtained and all alterations and additions shall at the end of the term (or sooner determination thereof) be the absolute property of the Lessor who shall not be bound to pay to the Lessee any compensation for such alterations; the Lessee will not without like consent mark, paint, cut, drill, drive nails or tacks into or alter, deface or injure any of the walls, partitions, timbers or floors of the leased premises.

COMPLIANCE WITH GOVERNMENT & STATUTORY AUTHORITIES

26. (a) The Lessee shall at the Lessee's own cost duly and punctually comply with and observe all statutes now or hereafter in force and all ordinances, regulations and by-laws thereunder and all requirements and orders of any authority statutory or otherwise in all cases in which the non-compliance therewith or non-observance thereof would or might impose some charges or liability or disability upon the demised premises or any part thereof or on the owner thereof PROVIDED HOWEVER that the Lessee shall not be liable for any expense occasioned by structural defects (if any) in the demised premises.
- (b) The Lessee shall duly and punctually comply with and observe all statutes now or hereafter in force and all ordinances, regulations and by-laws thereunder and all requirements and orders of any authority with reference to the sanitation of the premises upon the demised land and which ordinances, regulations and by-laws require an occupier to comply with except where such requirements shall imply the erection of any structure upon the demised lands or in any building upon the demised land.

NOTICE OF ACCIDENTS OR DEFECTS

27. The Lessee will forthwith on the happening thereof give to the Lessor or his agent or caretaker prompt notice in writing of any accident to or defect in the water pipes, gas pipes, lights or electrical or other fittings used in connection with the water, gas or electrical services in the demised premises.

INSURANCE

28. The Lessee will not bring into or store in the demised premises or any part thereof any goods, wares or merchandise which may render void or voidable any policy of insurance effected by the Lessor on the demised premises or be likely to increase the rate of insurance premium payable in respect of any such insurance policy but if the Lessee with the written consent of the Lessor shall bring into and upon the demised premises any such goods, wares or merchandise then the Lessee shall on demand pay to the Lessor an additional sum equivalent to the difference between the ordinary premium and any increased premium and subject thereto the Lessee will not at any time during the said term do or permit or suffer to be done any act, matter or thing upon the demised premises whereby any insurance in respect thereof and/or of the Lessor's said building of which the demised premises forms part may be vitiated or rendered void or voidable.

29. (a) The Lessee shall take out and keep current during the period of its lease a public liability insurance policy in a form approved by the Council, in the joint names of the Council and the Lessee insuring, for a minimum sum of FIVE MILLION DOLLARS (\$5,000,000.00), for Council and the Lessee against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against the Council or the Lessee or both arising out of or in relation to the granting of such lease.
- (b) The Lessee shall provide to the Lessor on request copies of any and all insurance policies and Certificates of currency obtained by the Lessee pursuant to the terms of this Lease.
30. The Lessee shall take out fire and storm insurance cover, including plate glass insurance cover for such amount and upon such terms and with an Insurance Office as shall be acceptable to the Lessor and the Lessee shall be responsible for payment of all the premiums payable in relation to such insurance.

INDEMNITY

31. The Lessee shall at all times during the said term and any extension thereof indemnify and keep indemnified the Lessor against and in respect of all actions, claims, proceedings, losses, costs and expenses arising directly or indirectly from death or injury to or loss or damage suffered by any member of the public in or about the demised premises and not arising from any neglect or default or act of the Lessor or his servants or agents.
32. The Lessee will indemnify and save harmless and keep indemnified the Lessor from and against all loss and damage to the demised premises or any part thereof and any air conditioning plant caused by the negligent use, misuse, waste or abuse of the water, sewerage, gas, electricity or other services connected or supplied to the demised premises or any of the mains, fixtures or fittings used in connection with the same by the Lessee or by any person or persons employed by or claiming or acting through or under the Lessee and further the Lessee will at the Lessee's own cost and expense pay for all damage or injury caused or arising to the Lessor or to any other person or persons in consequence of such negligent use or abuse.

COSTS

33. The Lessee shall pay all stamp duty and all other the Lessor's legal costs, charges and expenses of and incidental to the preparation, completion, stamping and registration of the Lease, calculated in accordance with the Queensland Law Society's Incorporated Conveyancing Scale (lump sum) of charges, and also the costs of survey or any other costs incurred in the preparation and completion of any plan or plans required and to be included in the said Lease and of any assignment, transfer or sub-letting and of any application for the Lessor's consent hereunder and the consent of any Local Authority or other authority required to the said Lease and the registration thereof and of any surrender or other termination hereof otherwise than by effluxion of time and in case of default by the Lessee in performing or observing any covenants herein contained or implied the Lessee shall pay to the Lessor all legal and other costs, charges and expenses for which the Lessor shall become liable in consequence of or in connection with such default.

REGISTRATION OF LEASE

34. The Lessee may require this Lease to be registered at any time during the term hereby granted or any extension or renewal under the provisions of the "Land Title Act 1994". The costs incidental to the registration shall be borne and paid by the Lessee.

LESSOR'S OBLIGATIONS

35. The Lessor shall pay during the term of this Lease or any extension of same all rates, taxes and other assessments, **SUBJECT ALWAYS** to the provisions of Clause 3 hereof, which might be issued in connection with the demised land and to keep the Lessee at all times indemnified against all proceedings, claims, demands and actions arising out of the non-payment of such rates, taxes and other assessments.
36. If the Lessor shall carry out any structural alterations or additions to the demised premises at the request of the Lessee or in accordance with the requisition of any Local Government, Industrial, Health or other competent authority on account of any extension or alteration of the purposes for which the said premises are used by the Lessee the Lessee shall pay to the Lessor from and after the completion of the same as an additional annual rental a sum calculated at the rate of Ten per centum per annum on the total amount expended by the Lessor in the erection of the said additions or alterations (including the cost of plans and supervision) and such annual rental shall be paid in the manner and at the time hereinbefore prescribed for the payment of the rent hereby reserved.

37. The Lessor shall not during the continuance of this Lease or any extension or renewal thereof sell assign or otherwise dispose of his interest in the demised premises or any part thereof or the said land of which the demised premises forms part of without first obtaining from the person in whose favour it is intended to make such sale, assignment or disposition the execution of a covenant whereunder such person covenants with the Lessee that he will be bound by the covenants on the part of the Lessor herein contained or implied including the options for renewal as though he were the Lessor named herein instead of the said Lessor first hereinbefore mentioned to the intent that the covenants upon the part of the Lessor herein contained or implied shall be binding upon him and enure for the benefit not only of the Lessee but also his successors in title. Such covenants shall be prepared by the Lessor's Solicitors and the Lessee shall pay all the Lessor's reasonable professional costs and outlays in connection with the preparation execution and stamping thereof.
38. The Lessor shall not be liable for any loss or damage to any stock-in-trade, merchandise, machinery, plant, tools, furniture, fixtures, fittings, goods, chattels or effects of any kind or description whatsoever of the Lessee or of any person which may at any time be in or upon or about the demised premises arising from the overflow of water, sewerage or other matter which may leak into or issue from any part of the demised premises or any roof or guttering or pipe attached or connected to or appurtenant to the demised premises or the Lessor's said building or to adjoining premises or buildings unless such loss or damage is caused by the negligence of the Lessor, its servants or agents.

PROPERTY LAW ACT

39. The covenants and powers implied in every Lease by virtue of the Property Law Act 1974, ss. 105 and 107 are hereby expressly negatived.
40. To the full effect of the covenants next hereinafter shortly noted as the same are set forth at length in Column Two of the Third Schedule to the Property Law Act 1974 and which shall bear the meaning ascribed to them by that Act as such covenants are hereinafter added to, excepted from or qualified or from which any words are struck out or omitted.
- (1) The Lessee covenants with the Lessor to pay rent PROVIDED ALWAYS that such rent shall be paid to the Lessor or otherwise as the Lessor may direct.
 - (6) The Lessor may enter and carry out requirements of public authorities and repair under Lease.
 - (16) That the Lessee will not carry on any offensive trade PROVIDED ALWAYS that this covenant shall be read and construed as if the words "or any sub-tenant" were struck out therefrom.
 - (20) The said Lessor covenants with the said Lessee for quiet enjoyment PROVIDED ALWAYS that this covenant shall be read and construed as if the word "hereinbefore" was struck out therefrom and the word "herein" was inserted in lieu thereof.
 - (21) And that the Lessee may remove his fixtures during the said term.

RELETTING

41. At all times during the last three (3) months of the said term the Lessee (unless he shall have obtained a fresh term) shall permit a "to let" notice to be placed on the demised premises and will allow inspection to any intending tenants and their agents.

HOLDING OVER

42. At the expiration of the said term hereby created or of any renewal thereof and in the absence of any contract, agreement or renewal in writing, the Lessee if permitted by the Lessor to continue in possession of the demised premises shall hold the demised premises from the Lessor as tenant from week to week at the same rental as hereinbefore expressed and upon the same terms and conditions of these presents so far as they are applicable to a weekly tenancy and such tenancy may be determined by one week's notice in writing given by either party to the other.

AMENDMENT OF LEASE

43. This Lease may be amended only by instruments in writing executed by the Lessor and Lessee.

ASSIGNMENT AND SUBLETTING

44. The Lessee shall not assign the benefit of this Lease or sublet the demised premises or any part thereof.

DESTRUCTION OF DEMISED PREMISES

45. If the demised premises or any part thereof shall at any time during the term hereof be destroyed or damaged by fire, lightning, storm, flood, tempest or otherwise by the act of God or by riots, explosion or the Queen's enemies or demolition or partial demolition by or pursuant to the order of any statutory authority having power in that behalf and without any default on the part of the Lessee the following consequences shall ensue:
- (a) If the said premises shall be totally destroyed as aforesaid or so damaged or destroyed as aforesaid as to render the same totally unfit for the occupation and use of the Lessee for the purpose for which the same shall be used by the Lessee immediately prior to such damage or destruction then payment by the Lessee of the rent hereby reserved and all or any remedies for the recovery thereof shall be suspended from the time of such destruction or damage until the Lessor shall have rebuilt or restored the said premises so destroyed or damaged and such premises are made fit for the occupation and use of the Lessee for the purpose for which the same were used by the Lessee immediately prior to such destruction or damage **PROVIDED ALWAYS HOWEVER** that notwithstanding anything herein contained in this clause the Lessor or the Lessee may by notice in writing to the other of them at any time within a period of two calendar months after such destruction or damage as aforesaid terminate this Lease and thereupon this Lease and everything herein contained shall determine and become void but without prejudice to the antecedent rights of the parties acquired prior to the determination of the Lease;
 - (b) If the said premises shall be partially destroyed or damaged as aforesaid and so that the same shall not be rendered totally unfit for the use and occupation of the Lessee for the purpose for which the same shall be used by the Lessee immediately prior to such damage or destruction then a fair and just proportion of the rent hereby reserved according to the damage sustained and the loss of income incurred by the Lessee in consequence thereof shall be suspended and cease to be payable until such premises shall be restored or reinstated by the Lessor so as to be fit for the use by and occupation of the Lessee for the purpose for which the same were used immediately prior to such damage or destruction;
 - (c) The Lessor shall not be liable to recoup the Lessee for any loss sustained by the Lessee by reason of the demised premises or any part thereof being destroyed or damaged as aforesaid or any of the Lessee's property being destroyed or damaged in consequence thereof or by reason of the restoration or reinstatement of any part of the said premises destroyed or damaged as aforesaid **PROVIDED HOWEVER** that the provisions of this paragraph shall not relieve the Lessor of any liability which may accrue by reason of any failure on the part of the Lessor to reinstate or restore any part of the demised premises wholly or partially destroyed or damaged; and
 - (d) In the event of any dispute arising between the Lessor and the Lessee as to what is a fair and just proportion of the rent to be suspended under the provisions hereinbefore contained the same shall be referred to arbitration.

LESSOR AS ATTORNEY

46. In consideration of the Lease hereby granted the Lessee does hereby irrevocably make, nominate, constitute and appoint the Lessor by its Chief Executive Officer the true and lawful attorney of the Lessee to make, sign, seal and execute and deliver all and every such instrument or instruments, deed or deeds or other documents as the Lessor may in the absolute discretion of the Lessor see fit for further assuring to the Lessor the power, rights and privileges hereinbefore conferred and also in the name and on behalf of the Lessee to execute and procure the registration of a surrender of this Lease without any payment or compensation whatsoever to the Lessee and from time to time to appoint a substitute or substitutes and such appointment at pleasure to revoke and another or others to appoint and generally to do, execute and perform all acts, matters and things whatsoever relating to the premises as fully and as effectually to all intents and purposes as the Lessee could do the Lessee hereby ratifying and confirming and covenanting to ratify and confirm all and whatsoever the Lessor shall lawfully do or cause to be done in and about the demised premises and also agreeing not to revoke the powers hereby conferred or any of them **PROVIDED ALWAYS** and it is hereby agreed and declared that the powers conferred by this clause shall not be exercised by the Lessor unless default shall have been made by the Lessee in the observance, performance and fulfilment of some one or more of the covenants, provisions, conditions and agreements herein contained or implied and unless this Lease shall be determinable or determined under the provisions hereof and sufficient proof of such default or determination shall for all purposes be a statutory declaration by any authorised person acting on behalf of the Lessor.

OPTION

47. This Lease is subject to and conditional upon the land being rezoned to Special Facilities/Naval Cadet Base by the Council of the City of Hervey Bay. Notwithstanding Item 6 the term of the Lease shall commence on the date that the land is gazetted as being rezoned to Special Facilities/Naval Cadet Base.
48. Provided that the Lessee provides to the Lessor notice in writing at least two (2) years prior to the expiration of the term of the Lease the Lessor shall give favourable consideration to granting to the Lessee a further Lease on terms and conditions to be negotiated.
49. The Lessor covenants and agrees with the Lessee that if at any time during the continuance of this Lease and before the Lessee shall have exercised the option of renewal hereinbefore contained the Lessor shall sell the demised premises than the Lessor will at the expense of the Lessor obtain from the purchaser and hand to the lessee a covenant by the purchaser that the purchaser shall be bound by the provisions of this Lease including the option or options of renewal hereinbefore contained and also that the said sale is subject to such option of renewal hereinbefore set out in these presents and that such option of renewal shall be binding on the purchaser and that upon the valid exercise of the said option of renewal by the Lessee the purchaser will execute a further Lease in favour of the Lessee in accordance with the covenants on the part of the Lessor hereinbefore contained as if the name of the purchaser had been inserted in these presents in place of the name of the Lessor and that if the purchaser shall sell the said land the purchaser shall be bound to obtain from the new purchaser a similar covenant as hereinbefore contained.

DISCLAIMER OF PARTNERSHIP

50. Nothing in this Lease contained shall be deemed or construed (by the parties hereto or by any third party) as creating the relationship of principal or agent or of partnership or of joint venture between the parties hereto, it being understood and agreed that no provision contained herein nor any acts of the parties hereto shall be deemed to create any relationship between the parties hereto other than the relationship of Lessor and Lessee.

REPRESENTATIONS

51. The Lessee acknowledges and declares that no promise, representation, warranty or undertaking, express or implied, has been given or made by the Lessor in respect of the suitability of the demised premises for the Lessee's purposes or for any business to be carried on therein or in respect of the fittings, finishes, facilities and amenities of the demised premises.

IMPROVEMENTS AND BUILDINGS

52. The Lessee covenants with the Lessor:-
- (a) To lodge with the Lessor on or before the 30th day of March 1997 a concept plan for the construction of a multi-purpose building on the land for the purpose of accommodating the Lessee ("the building");
 - (b) To lodge with the Lessor on or before the 30th day of September 1997 a management plan for the management and development of the land;
 - (c) To lodge with the Lessor on or before the 30th day of March 1997 a building application for the construction of the building;
 - (d) To commence construction of the building on or before the 30th day of March 1998;
 - (e) To comply with the conditions of the Lessor's consent to the rezoning application;
 - (f) That this clause 52 is a condition or a fundamental term of the Lease and the Lessor shall be entitled to terminate the Lease without payment of any compensation to the Lessee where the Lessee is in breach of this clause 52.

OWNERSHIP OF BUILDINGS

- 53.1 In this clause:-
- (a) "improvements" means the improvements constructed on the land by the Lessee; and

- (b) "the value of the improvements" means the value of the improvements as agreed between the Lessor, the Lessee and failing agreement as determined by a qualified valuer nominated by the Hervey Bay City Council from a panel of three qualified valuers provided by the Lessee.

53.2 Where the Lessor:-

- (a) Is in substantial breach of the lease or is in breach of a fundamental term of Lease; or
- (b) unlawfully terminates the lease;
- (c) gives notice of its intention to resume the lease or gives the Lessee written notice that the Lessee is required to relocate;

then the Lessee may within thirty (30) days of the breach or unlawful termination or delivery of notice deliver a notice ("payment notice") to the Lessor requiring the Lessor to pay to the Lessee an amount equal to the value of the improvements.

- 53.3 Where the Lessor gives notice in writing to the Lessee disputing any alleged breach of a substantial breach or breach of a substantial term or unlawful termination then the date on which the Lessee may deliver the payment notice shall be the date of judgment against the Lessor in any action in relation to the alleged breach or unlawful termination or the date on which the Lessor acknowledges in writing the alleged breach or unlawful termination.

- 53.4 Notwithstanding the terms of this clause the improvements shall become and remain the property of the Lessor.

MISCELLANEOUS

54. The Lessee will not use the demised premises or any part thereof or permit the same to be used by any person as a dwelling or sleeping place and will not permit or allow any animals or birds to be kept in or about the demised premises.
55. The Lessee will store all garbage, refuse and rubbish in the demised premises and attend to the expeditious disposal thereof in the manner designated by the Lessor.
56. The Lessee will not permit or allow any rubbish, refuse or waste at any time to be burnt upon the demised premises or in or upon the unbuilt area or any part thereof.

DEFINITIONS

57. Where not inconsistent with the context:-

- (a) The expression "the Lessor" shall include the executors, administrators and assigns of the Lessor and where two or more persons are Lessors shall include the Lessors and each of them and their respective executors, administrators and assigns. Where the Lessor is a Company it shall include its successors and assigns. If two or more persons are Lessors the covenants on the part of the Lessors (whether express or implied) shall be joint and several.
- (b) The expression "the Lessee" shall include the executors, administrators and assigns of the Lessee and where two or more persons are Lessees shall include the Lessees and each of them and their respective executors, administrators and assigns. Where the Lessee is a Company it shall include its successors and assigns. If two or more persons are Lessees the covenants on the part of the Lessees (whether express or implied) shall be joint and several.
- (c) Words importing persons shall extend to and include corporations and words importing the masculine gender shall extend to and include the feminine or neuter gender respectively (as the case may require) and words importing the singular or plural number shall extend to and include the plural and singular number respectively.

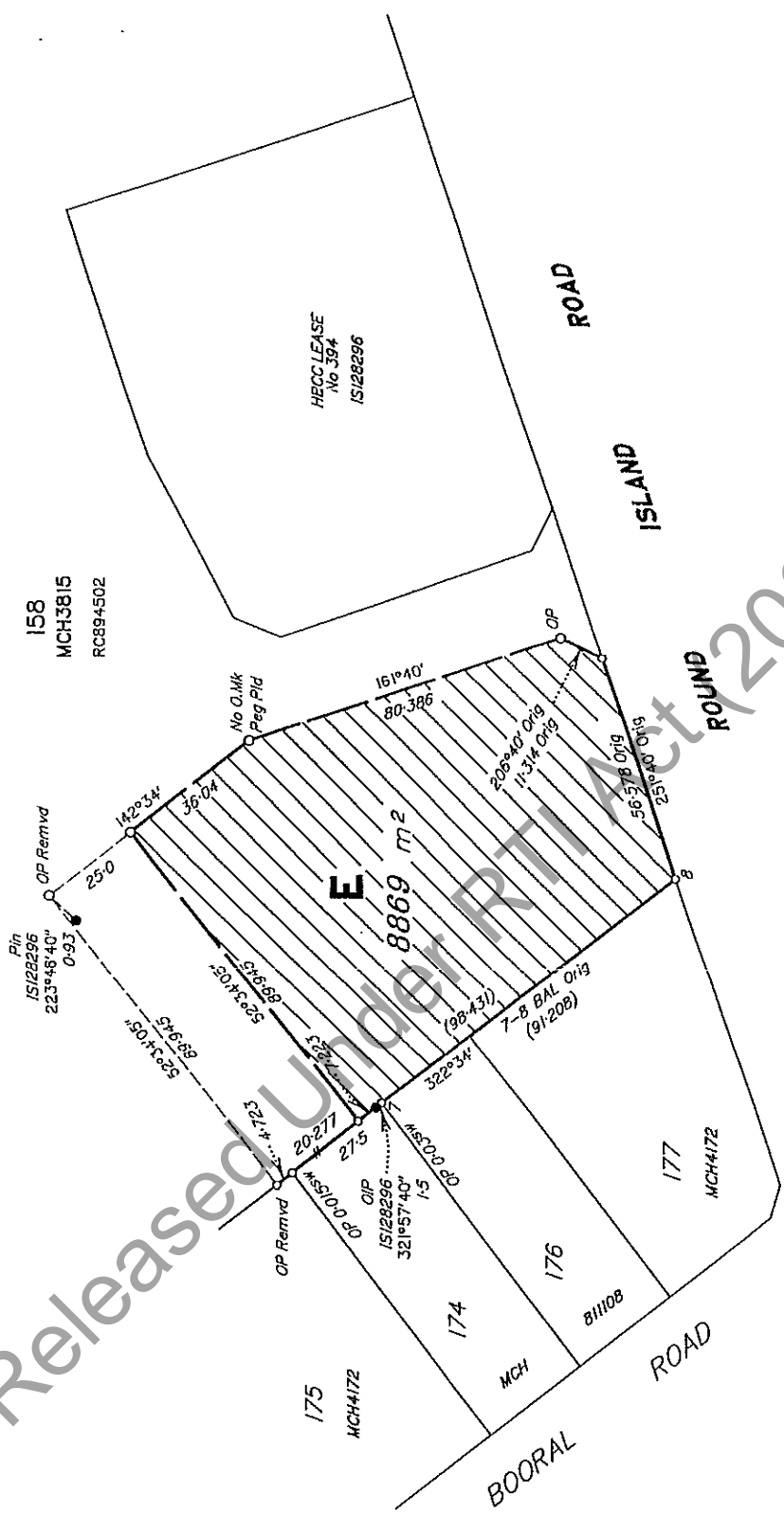
SCHEDULEITEM

1. Rental:- 8% of the unimproved capital value (currently calculated at \$5,752.00 per annum)
2. Date of first rental payment:- 30th March 1996
3. Rent free period:- Nil
4. Post Rent free period rental:- N/A
5. Percentage of outgoings:- 11.98% (8869 square metres ÷ 7.4 ha.)
6. Use of Premises:- Naval Cadet Base

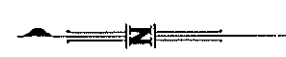
Released Under RTI Act (2009)

Original information compiled from
 15128296 in the Department of Natural
 Resources.
 Branded peg placed at all new corners.

NOTE: LEASE AREA SHOWN
 HATCHURED IN BLACK

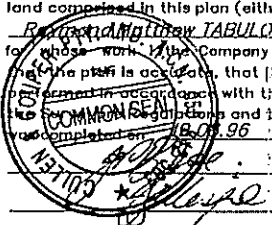


Released Under RMA Act (2009)



PLAN OF LEASE E being part of the land contained in Lot 158 on MCH3815

CULLEN & COUPER PTY LTD A.C.N. 050 842 503
 hereby certify that I/the Company have surveyed the
 land comprised in this plan (either personally or by
Rodney Mark Cullen TABULO, Survey Graduate
 for whose work the Company accept responsibility),
 that the plan is accurate, that the said survey was
 performed in accordance with the Surveyors Act and
 the COMMON REGULATIONS and that the said survey
 was completed on 13.07.96



Licensed Surveyor/
 Director
 Director Date 23.8.96

PARISH URANGAN	
COUNTY March	
SCALE 1:1250	
REF 960939	F.BOOK HB108
DWG No. 960939-01	



CULLEN & COUPER
PTY LTD
 ACN 050 842503
CONSULTING SURVEYORS

Office : 466 Boat Harbour Drive, Torquay 4655
 Postal Address : P.O. Box 540, Paluba 4 4655
 Telephone : (071) 255055 Fax : (071) 255060
 Directors : Rodney Mark Cullen B.Surv. M.I.S. L.S.
 Adrian Charles Couper B.Surv. M.I.S. L.S.
 John Patrick Broe B.Surv. M.I.S. L.S.



ORDINARY MEETING NO. 10 WEDNESDAY 5 JUNE 2013

Councillors Gerard O'Connell (Chairperson), James Hansen, Phil Truscott, Chris Loft, Daniel Sanderson, Rolf Light, Trevor McDonald, Darren Everard, Robert Garland, Stuart Taylor, George Seymour.

Councillors are advised that an **ORDINARY MEETING** will be held in the Fraser Coast Regional Council Chambers, Tavistock Street, Torquay, Hervey Bay on **WEDNESDAY 5 JUNE 2013 at 9.30AM.**

Desmond

**LISA DESMOND
CHIEF EXECUTIVE OFFICER**

30 May 2013

Fraser Coast Regional Council acknowledges the traditional owners of the land upon which we meet today.

ITEM NO.	BUSINESS	PAGE NO.
ORD 1	OPENING PRAYER Reverend Allan Paulsen St. John's Anglican Church	
ORD 2	APOLOGIES	
ORD 3	DISCLOSURE OF INTERESTS In accordance with the provisions of the <i>Local Government Act 2009</i> , Councillors are required to declare a "Conflict of Interest" or "Material Personal Interest" that may exist on any item on the agenda of the Council or Committee Meeting.	
ORD 4	MAYORAL MINUTES	

ITEM NO.		PAGE NO.
ORD 5	CONFIRMATION OF MINUTES OF MEETINGS	
ORD 5.1	Ordinary Meeting No. 9– 15 May 2013	5 - 15
ORD 6	ADDRESSES/PRESENTATIONS	
ORD 6.1	Community Champion Awards	
ORD 7	DEPUTATIONS	
ORD 8	PUBLIC PARTICIPATION	
ORD 9	PETITIONS	
ORD 9.1	Receipt of Petitions	
ORD 9.2	Open Petitions Register	16
ORD 9.3	Petition Response Report – Bauple RV Site	17 - 40
ORD 9.4	Petition Response Report – Parking at Rear of Xavier College	41 - 48
ORD 9.5	Petition Response Report – Drainage Issues – Boronia Drive, Poona	49 - 50
ORD 10	COMMITTEES' AND DELEGATES' REPORTS	
ORD 10.1	Mayor Monthly Report (Councillor O'Connell)	51 - 53
ORD 10.2	Primary Production & Rural Infrastructure Portfolio Report (Councillor Hansen)	54 - 60
ORD 10.3	Community Health, Education & Training Portfolio Report (Councillor Garland)	61 - 66
ORD 10.4	Small Business, Manufacturing & Service Industry Portfolio Report (Councillor Loft)	67 - 70
ORD 10.5	City & Town Centre Development Portfolio Report (Councillor Sanderson)	71 - 78
ORD 11	OFFICERS' REPORTS	
ORD 11.1	Application for New Lease – Burrum and District Community Men's Shed Inc and Burrum and District Heritage Society Inc.	79 - 82
ORD 11.2	Application for New Trustee Lease – Hervey Bay Archers Inc.	83 - 85

ITEM NO.		PAGE NO.
ORD 11	OFFICERS' REPORTS (CONTD.)	
ORD 11.3	Application for Development Permit – Reconfiguring a Lot – Three (3) Lots into 529 Lots and Operation Works – Vegetation Removal	86 - 158
ORD 12	MATTERS/MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN	
	Nil	
ORD 13	QUESTIONS ON NOTICE	
ORD 13.1	Questions on Notice Register	159 - 162
ORD 14	CONSIDERATION OF ITEMS PLACED ON THE AGENDA WITH THE CONSENT OF THE MAYOR	
ORD 15	GENERAL BUSINESS	
ORD 16	CONFIDENTIAL	
	Council resolves that under the <i>Local Government Regulation 2012</i> the Meeting be closed to the public in accordance with:	
	Section 275(1)(h) – other business for which a public discussion would be like to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage for the purpose of considering:	
ORD 16.1	Draft Waste Management Strategy 2013-2020	165 - 211
	Section 275(1)(e) – contracts proposed to be made by Council for the purpose of considering:	
ORD 16.2	Council Land	212 - 244
ORD 16.3	Council Property Matter	245 - 281
ORD 16.4	Resumption of Land – Toogoom Cane Road	282 - 284
ORD 16.5	Resumption of Land – BBRC Project	285 - 287
ORD 16.6	Brolga Theatre Tenders	288 - 291
	Section 275(1)(h) – other business for which a public discussion would be like to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage for the purpose of considering:	
ORD 16.7	Maryborough Area Transport Study	292 - 293

**FRASER COAST REGIONAL COUNCIL
PUBLIC PARTICIPATION
PROCEDURAL GUIDELINES**

Please switch off mobile phones. The use of mobile phones is not permitted in the Council Chamber during meetings.

Taping of Committee or Council Meetings by the public is not permitted unless the Chairperson has been notified and approval given by a majority of Councillors present at the meeting.

Public Participation is a Fraser Coast Regional Council initiative to provide an opportunity for the Community to bring important issues directly before Council.

Specifically, Public Participation addresses the following key issues:

- ◆ To ensure Council is accessible and open to all members of the Community.
 - ◆ To encourage the Community to take an interest in the welfare of the City.
 - ◆ To provide a forum for the Community to present opportunities and ideas that could benefit the City and Council's operations.
 - ◆ To provide a final opportunity for presenters to bring issues, objections or appeals before Council.
1. At each Ordinary Meeting a period of time is allocated for Public Participation to be conducted.
 2. The presentation during Public Participation must be restricted to **five (5) minutes**. At the discretion of Council an extension of time may be granted.
 3. At the discretion of the Chair, where a participant has previously addressed Council during Public Participation on an issue, subsequent addresses by the participant on the same issue/s will not be heard.
 4. Participants must **state their name and address** for the purpose of recording the minutes which will be published on Council's web-site.
 5. **Issues arising from Public Participation are not to be debated**, however Councillors may make statements to the Meeting or ask questions. The presenter is allowed to provide brief answers, and if necessary, Council may invite additional information to be submitted to the relevant Councillor/s. Matters arising from Public Participation that Council wishes to address may be referred to the appropriate Department/Director.
 6. Public Participation **is not a venue to voice complaints or personal statements against any individual Councillor or Officer; speakers must refer to Council and not individual Councillors or Officers.**
 7. The Chairperson may order a person to cease speaking if he considers the presentation to be disrespectful, abusive, outside these procedural guidelines or otherwise not in the public interest.
 8. If a person continues to have disregard for protocols of Public Participation, the Chairperson may decline the speaker's attendance at any subsequent Council meetings.

ITEM NO.: ORD 5.1



**MINUTES OF THE ORDINARY MEETING NO. 9
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS,
MARYBOROUGH CITY HALL, KENT STREET, MARYBOROUGH
ON WEDNESDAY 15 MAY, 2013 COMMENCING AT 9.30AM.**

PRESENT: Councillor Gerard O'Connell (Chairman)
Councillor James Hansen
Councillor Phil Truscott
Councillor Chris Loft
Councillor Daniel Sanderson
Councillor Rolf Light
Councillor Trevor McDonald
Councillor Darren Everard
Councillor Robert Garland
Councillor Stuart Taylor
Councillor George Seymour

STAFF IN ATTENDANCE: Chief Executive Officer, Ms Lisa Desmond
Director Community & Development Services, Mr Peter Smith
Director Organisational Services, Ms Alexis Hill
Executive Manager Works & Services, Mr Bryan Hart
Executive Manager Development & Planning, Mr Jamie Cockburn
Media & Communications Officer, Mr Lincoln Bertoli
Meeting Secretary, Mrs Julie Schoonderwoerd

ORD 1 OPENING PRAYER

The Opening Prayer was delivered by Pastor Stephen Berry from the Maryborough Baptist Church.

ORD 2 APOLOGIES

Nil

ORD 3 DISCLOSURE OF INTERESTS

Nil

ORD 4 MAYORAL MINUTES

Nil

ORD 5 CONFIRMATION OF MINUTES OF MEETINGS

ORD 5.1 Ordinary Meeting No. 8 – 1 May, 2013

RESOLUTION (Truscott / Everard)

That the Minutes of Ordinary Meeting No. 8 held on 1 May, 2013, be confirmed.

Carried Unanimously
Ord 9/1521/05/13

ORD 6 ADDRESSES/PRESENTATIONS

ORD 6.1 Community Champion Awards

Refer Page 4.

ORD 6 ADDRESSES/PRESENTATIONS

ORD 6.2 Customer Service and Recognition Awards – April 2013

The Mayor congratulated all recipients of the April 2013 Customer Service and Recognition Awards. Award winners present at the Meeting were:

- Megan Kernke – (Customer Service Officer) Customer Service Excellence Award (Office)
- Stephanie Ellis (Planner) – Service Champion Award (Office)
- Graeme Darroch (IT Support Coordinator) – Service Innovation Award (Office)

Councillor O'Connell said unable to attend today was:

- Sally Raub (Planning Technical Officer) – Customer Service Excellence Award (Office)
- David Hardman (Plant Operator) – High Achiever Award (Field)

ORD 7 DEPUTATIONS

Nil

ORD 8 PUBLIC PARTICIPATION

- (a) Mr Graham Wode (28 Hoffman Street, Maryborough) distributed documentation to Councillors regarding the inclusion of additional equipment/data to better manage flooding at the Mary River.
 - (b) Mr Stephen Keevil (13 Treasure Street, Maryborough) addressed Council referring to the recently held rates summit, and a proposal from the summit forwarded to Councillors regarding abolishing the minimum general rate which is a burden on low income households.
 - (c) Mr Alan Fuary (195 Old Coach Road, Oakhurst) addressed Council in relation to the rates summit held at the Brolga Theatre. He said another meeting would be held following the adoption of the budget and the Mayor and all Councillors would be invited to attend.
 - (d) Mr Mark Bromet & Ms Yolande Bromet (Bauple) jointly addressed Council regarding tourism in Bauple and a petition was presented to Council to make Bauple an RV friendly town.
-
-

ORD 6 ADDRESSES/PRESENTATIONS (CONTD.)

ORD 6.1 Community Champion Awards

Councillor O'Connell said today saw the second presentation of Community Champion Awards and he welcomed the recipients. Awards were presented to:

Noela Da Forno for her great and varied community service in the township of Aldershot.

The Plymouth Brethren Christian Church for the exceptional assistance to the Maryborough community during the floods earlier this year. The Award was accepted on behalf of the Church by Trevor Jensen and Ben Eade.

ORD 9 PETITIONS

ORD 9.1 Receipt of Petitions

Bauple RV Site

Councillor Truscott tabled a petition signed by many attendees at the recently held 27th CMCA Rally at Maryborough saying more would call into Bauple if Council was to allow the use of the pre-existing conditions at the Bauple District Recreation Grounds, provide a dump point and provide appropriate signage on the Bruce Highway.

RESOLUTION (Truscott / Loft)

That the petition be received and referred to the Chief Executive Officer for a report to Council.

Carried (10/1)
Ord 9/1522/05/13

ORD 9 PETITIONS

ORD 9.2 Open Petitions Register

RESOLUTION (Everard / Sanderson)

That the Open Petitions Register report be received and noted.

Carried Unanimously
Ord 9/1523/05/13

ORD 9 PETITIONS

ORD 9.3 Petition Response Report - Request for Traffic View Mirror

RESOLUTION (Light / McDonald)

That the chief petitioner be advised as follows:

1. That installation of a convex mirror at this location is not supported as it does not comply with the Traffic and Road Management Manual;
2. That Council Officers will undertake the removal of vegetation restricting sight distance from the verge in consultation with the affected property owner; and
3. That minor improvement works will be carried out to formalise the T-junction with the installation of a Stop Sign and associated pavement holding lines on Wuruma Street.

Carried Unanimously
Ord 9/1524/05/13

ORD 9 PETITIONS

ORD 9.4 Petition Response Report – Crows

RESOLUTION (McDonald / Sanderson)

That the report be noted and that the information contained within the report be made available to the chief petitioner.

Carried Unanimously
Ord 9/1525/05/13

ORD 10 COMMITTEES' AND DELEGATES' REPORTS

Nil

ORD 11 OFFICERS' REPORTS

ORD 11.1 Open Resolutions Register - April 2013

RESOLUTION (Sanderson / Hansen)

That the Open Resolutions Register – April 2013 report be received and noted.

Carried Unanimously
Ord 9/1526/05/13

ORD 11 OFFICERS' REPORTS

ORD 11.2 Stillwater Complex Entrance/Exit

RESOLUTION (Seymour / Everard)

That a "No Standing at Any Time" restriction on the western side of Elizabeth Street for a distance of 40m south of the driveway identified within the Holland Traffic Consulting report be adopted.

Carried Unanimously
Ord 9/1527/05/13

ORD 11 OFFICERS' REPORTS

ORD 11.3 Fraser Coast Regional Council Performance Report - Period Ended 30 April 2013

RESOLUTION (Light / Everard)

That the performance report for the period ended 30 April 2013 be received and noted.

Carried Unanimously
Ord 9/1528/05/13

ORD 12 MATTERS/MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

ORD 13 QUESTIONS ON NOTICE

ORD 13.1 Questions on Notice Register

RESOLUTION (Sanderson / Seymour)

That the Questions on Notice Register report be received and noted.

Carried Unanimously

Ord 9/1529/05/13

ORD 13 QUESTIONS ON NOTICE

ORD 13.2 Response to Question on Notice – Delegation of Council Powers to the Position of Chief Executive Officer

RESOLUTION (Garland / Seymour)

That:

1. in accordance with the requirement in s257(4) of the *Local Government Act 2009*, Council confirms that an annual review of the powers delegated by Council to the Chief Executive Officer was undertaken at the Councillor and Executive Briefing Meeting held 29 April 2013; and
2. the timing of the review of the Chief Executive Officer's delegated powers be set annually at 1 July and a report presented to Council.

Carried Unanimously

Ord 9/1530/05/13

ORD 14 CONSIDERATION OF ITEMS PLACED ON THE AGENDA WITH THE CONSENT OF THE MAYOR

Nil

ORD 15 GENERAL BUSINESS

ORD 15.1 Toaan Toaan Creek Drainage Catchment

Referring to the Toaan Toaan Creek drainage catchment that ran from Torquay and Scarness into the Toaan Toaan Creek, as a question on notice Councillor Taylor requested a report be provided in relation to the frequency of sand clearing at the mouth of the creek and the impact of the flow of the drainage catchment.

ORD 15 GENERAL BUSINESS

ORD 15.2 Council Meetings in Outlying Areas

Councillor Hansen said that further to the recent newspaper article he supported meetings in outlying areas and as a question on notice asked that this be investigated.

ORD 15 GENERAL BUSINESS

ORD 15.3 Mobility Corridor "Missing Link"

As a question on notice Councillor Seymour requested a report on the progress towards the design for the construction of the "missing link" in the mobility corridor between Elizabeth Street and the pier, and any options available for funding it.

ORD 15 GENERAL BUSINESS

ORD 15.4 Development Assessment Determinations

As a question on notice Councillor Sanderson asked for a report on the proportion of development assessment determinations that were not made within the statutory timeframes over the past twelve months and whether any policy change could be made to improve development timeframes.

ORD 15 GENERAL BUSINESS

ORD 15.5 Requirements for Establishment/Continuance of Food Premises and Businesses

Councillor Sanderson asked as a question on notice for a report on the local laws and state laws relevant to the establishment and continuance of food premises and businesses and whether there were any opportunities to make the requirements more flexible and easy to follow, as well as a breakdown on the relevant costs and what flexibility there was to meet the individual circumstances of the businesses.

ORD 15 GENERAL BUSINESS

ORD 15.6 Road Realignment – River Heads Road

Councillor Everard requested, as a question on notice, for a report on the progress of the works for the realignment of the section of River Heads Road from to the top of the hill to the car park at River Heads Point, ie the development of the plan and the status works, and also the timeframe of the works.

ORD 15 GENERAL BUSINESS

ORD 15.7 Erosion - Poona

As a question on notice Councillor Truscott requested a progress report regarding the repair of the erosion of the foreshore near the Poona Toilet block and the septic tank.

ORD 15 GENERAL BUSINESS

ORD 15.8 Budgets – Maryborough Light up the City/Maryborough, Hervey Bay and Tiaro Carols

Councillor Truscott requested, as a question on notice, a full budget of the last two (2) Maryborough Light up the City events, and the last two (2) Maryborough, Hervey Bay and Tiaro Carols.

ORD 16 CONFIDENTIAL

RESOLUTION (Light)

Council resolves that under the *Local Government Regulation 2012* the Meeting be closed to the public for the purpose of discussing the following items:

ORD 16.1 – **Fraser Coast Structure Planning Project – Granville, St. Helens and Nikenbah** - Section 275(1)(h) (other business for which a public discussion would be like to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage)

Carried Unanimously
Ord 9/1531/05/13

RESUMPTION OF ORDINARY COUNCIL MEETING

RESOLUTION (Taylor)

That the Meeting resume in open Council.

Carried Unanimously
Ord 9/1532/05/13

ORD 16 CONFIDENTIAL

ORD 16.1 Fraser Coast Structure Planning Project – Granville, St. Helens and Nikenbah

RESOLUTION (Loft / Light)

That Council endorses the Draft Granville, St. Helens and Nikenbah Local Plans for the purposes of further stakeholder consultation.

Carried Unanimously
Ord 9/1533/05/13

Motion of Condolence

The Meeting was advised of the sudden and sad passing this morning of Council employee, Donald Mears.

RESOLUTION (Seymour / Everard)

That Council acknowledges with great sadness the death today of longstanding and valued employee Donald Mears. The Council offers its deepest sympathies and condolences to his family, friends and colleagues. Mr Mears was held in the highest regard and will be fondly remembered.

Carried Unanimously

Ord 9/1534/05/13

There being no further business, the Meeting closed at 11.20am.

Confirmed at Ordinary Meeting No. 10 of the Fraser Coast Regional Council held at Hervey Bay on 5 June, 2013.

.....
MAYOR

ITEM NO.: ORD 9.2**OPEN PETITIONS REGISTER**

Meeting Date	Petition Subject/Petition Docs #	Action Request (Officer)	Progress
06/03/13	Parking at Rear of Xavier College (#2327388)	cp0901215 (Neville Lavey)	Refer Item ORD 9.4
03/04/13	Flooding Problem – Boronia Drive, Poona (#2335322)	cp0901231 (Wayne Sweeney)	Refer Item ORD 9.5
15/05/13	Bauple RV Site (#2353923)	cp0901264 (Toni Souvlis)	Refer Item ORD 9.3

RECOMMENDATION

That the Open Petitions Register report be received and noted.

ATTACHMENTS:

NIL

ITEM NO: ORD 9.3**FRASER COAST REGIONAL COUNCIL
ORDINARY MEETING NO. 10****WEDNESDAY 5 JUNE 2013****PETITION RESPONSE REPORT**

Petition Tabled	
Meeting/Date:	Ordinary Meeting No. 9 – Wednesday, 15 May, 2013
Councillor:	Cr. Phil Truscott
Petition Details	
Subject:	Bauple RV Site
Chief Petitioner:	Marc Bromet
Action Request	cp0901264
Responsible Officer	Chief Executive Officer – Lisa Desmond
Author	Chief Executive Officer – Lisa Desmond
DOCS NO.	#2354779

BACKGROUND

A petition signed by participants in the CMCA Rally (approximately 328 persons) held in Maryborough was tabled at Council's Meeting held on 15 May, 2013, as follows:-

"The Bauple Community have shown a warm welcome to RV's prior to the 27th CMCA Rally at Maryborough and more would call into Bauple if Council were to allow the use of the pre-existing conditions at the Bauple District Recreation Grounds and

1. Provide a dump point – there is no dump point between Gympie and Maryborough (CMCA has offered equipment and grant), and
2. Relocate the RV Site to the pre-existing site at the Recreation Grounds to facilitate future infrastructure development as requested by the majority of the community, and
3. Provide appropriate signage on the Bruce Highway and in Bauple.

We therefore petition Fraser Coast Council to initiate the above."

RESPONSE:**1. Dump Point**

As part of a review of RV Friendly Sites across the region, Council on 16 March 2011, endorsed the policy that due to the costs associated with the installation of dump points, including holding tanks and ongoing operational servicing costs, that future dump points would only be supported if connected to reticulated sewers.

Council has existing dump points connected to reticulated sewerage at the Maryborough Airport, Maryborough Equestrian and Showgrounds and Council owned Caravan Parks.

To assist campers, signage at all overnight RV camp sites will reference the nearest public dump points. Signage at the Bauple Site is currently being completed that provides details relating to dump points in the Region.

2. Relocate the RV Site to the pre-existing site

a) Bauple Recreation Ground Lease

The previous Hervey Bay City Council, Maryborough City Council, Tiaro Shire Council and Woocoo Shire Council were amalgamated in March 2008 to form the Fraser Coast Regional Council. The four previous Councils had a variety of methods for Community Leasing and since amalgamation the Fraser Coast Regional Council has been formalising arrangements with Community Groups that lease Council land.

Council receives numerous requests from Community Groups to lease Council owned or controlled land and has established a procedure for requesting a Community Lease.

Under the s185 Local Government (Finance, Plans and Reporting) Regulation 2010 Council is able to dispose of a valuable non-current asset including "disposing of an interest in land" without calling for tenders or auction if the disposal is to a community organisation.

The Bauple & District Recreation Ground Association Inc. was managing facilities and activities at the Bauple Recreation Ground under an agreement to manage made with Tiaro Shire Council in 1994. During the intervening period the Association has been active in promoting the use of and maintaining the facilities at the recreation ground.

The Bauple and District Men's Shed had recently constructed a shed on the site and a new Recreation Club building was to be constructed on the Grounds under the Q150 Legacy Infrastructure program.

The Bauple Recreation Ground is a public access site, used by the general public as well as by the Bauple State School. The mowing of the oval had been undertaken by Council to date and there is a public toilet block located at the site. Because of this, the Association at the time was only seeking tenure over the Recreation Club building, the Bar, the Scout Hall/Playgroup building, the storage shed and the Men's shed facility.

The Bauple Men's Shed Group, who was not an incorporated body, operated under the auspice of the Bauple & District Recreation Ground Association Inc. The Group indicated that they were agreeable to the Bauple Men's Shed building being included within the lease area of the Bauple & District Recreation Ground Association Inc.

A Land/Lease Assistance for Community Groups Application Form was completed by the Bauple & District Recreation Ground Association Inc. seeking a lease over the buildings detailed above.

Council at its meeting resolved 1 July 2009 resolved -

"That a ten (10) year lease be drawn between Council and the Bauple & District Recreation Ground Association Inc. for the lease of buildings located within the Bauple Recreation Grounds Reserve R. 429 described as Lot 401 N25503 Parish of Gundiah as detailed on the attachment appended to this report (DOCS #913748)."

Subsequent to the Council resolution of 1 July, 2009, the signing of the lease agreement between Council and the Bauple & District Recreation Ground Association Inc., was put on hold pending advice from the Bauple Community Shed Inc. (men's shed) relating to its desire for a separate lease. Council subsequently resolved to offer a separate lease to the Bauple Community Shed Inc. a lease area measuring 30m x 50m within the Bauple Recreation Grounds Reserve.

Following this decision, contact was again made with the Bauple and District Recreation Ground Association Inc. in order to progress the completion of a new Lease Agreement, which was prepared in accordance with Council's decision of 1 July, 2009, but excluded the area now to be leased to the Bauple Community Shed Inc.

In response, the Bauple and District Recreation Ground Association Inc. considered leasing the whole of the Reserve, but raised concerns regarding public liability and grounds maintenance. However, following discussions with relevant staff, the Group indicated that they sought to apply to Council to lease the entire Bauple Recreation Grounds Reserve excluding the 30m x 50m lease area recently granted to the Bauple Community Shed Inc.

As the Bauple and District Recreation Ground Association Inc. had managed the facilities and activities at the Bauple Recreation Ground under an agreement to manage made by the Tiaro Shire Council in 1994 and had continued to do so since amalgamation, it was considered that a lease over the Reserve, but excluding the 30m x 50m Bauple Community Shed Inc. lease area, would continue existing arrangements for the Group to manage and administer access, on behalf of Council, to the grounds.

In order to facilitate existing arrangements relating to the grounds, the following additional considerations and conditions were included in the lease agreement:-

- a) Council's continued commitment to mowing the Bauple Recreation Grounds Reserve.
- b) Council's continued commitment to the management and maintenance of the public toilet facilities located on the grounds.
- c) The continuance of existing arrangements for use of the site by Education Queensland for sporting events etc.

Following receipt of a number of opposing petitions and community concerns regarding the appropriateness of the use of the Bauple & District Recreation Ground as an RV Overnight Camping Site, at the same meeting held on 16 March 2011, Council considered a report on "Parks and Reserves - Overnight RV Camping" which recommended that the Bauple Sport and Recreation Grounds was not appropriate for use as an RV Overnight Camping (Docs#2006212).

However as a result of 9 individuals presenting during Public Participation with opposing views on the issue and the tabling of a petition signed by 263 petitioners stating that they support and petition for an overnight free campsite within the Bauple Community Recreation Grounds the:

Council at its meeting 16 March 2011 resolved -

Item 11.9: (a) a ten (10) year lease be entered into between Council and the Bauple & District Recreation Ground Association Inc. for the lease of land described as the Bauple Recreation Grounds Reserve R. 429, Lot 401 N25503 Parish of Gundiah, but excluding the 30m x 50m Bauple Community Shed Inc. lease area, as outlined in the report (DOCS 2008222).

- (b) *Any lease document includes conditions for amendment subject to the outcome of public consultation on the RV overnight camping at the Bauple Recreation Ground”.*

Item 11.6: 2. *The following Bauple locations be referred for further community consultation and a report back to Council.*

<i>Location</i>	<i>Recommendation</i>	<i>\$</i>
<i>Bauple Sport and Rec Ground</i>	<i>No. Result of public feedback on the appropriateness of this site and investigation of alternative site at Rosendale Park.</i>	<i>NA</i>
<i>Bauple Woolooga Road – Rosendale Park</i>	<i>Yes.</i>	<i>6,000</i>

Finalisation of the lease with the Bauple & District Recreation Ground Association Inc. was placed on hold pending the outcome of the public consultation on the RV overnight camping at the Bauple Recreation Ground.

b) Bauple RV Site

(i) Process of review RV Sites across Fraser Coast

Council undertook a review of the use of Council controlled lands for the purpose of overnight camping which is subject to the provisions of the Land Act, Local laws and policy. The policies of the four (4) former Councils amalgamated into Fraser Coast Regional Council currently differed in their approach and provision regarding this matter.

Land Act

The Land Act 1994 vests the management and maintenance of state land with Council where the land is held in trust by Council.

In general terms, a trustee local government governs the activities on trust land via the preparation and implementation of Local laws. Local laws and the rights conveyed on each particular trust lot should be consistent with, or not diminish the purpose of the reserve.

Discussions with officers of the Department of Environment and Resource Management (DERM) confirmed that overnight camping is consistent with most reserves provided that the camping meets a simple test including but not limited to –

- Non exclusive in that the use of an area for camping prohibits either access to or the safety of the primary users of a trust lot;
- The operation of a camping area on certain public reserves is not for commercial gain or is anti competitive where commercial camping is available; and
- The use of the land would not result in the detriment or the erosion of value of any elements or features of state significance.

Council Local law's implemented across all of the Fraser Coast Regional Council area states under restricted activities that:

Camping or sleeping overnight is permitted only where—

- (a) a sign indicates that camping or sleeping overnight is allowed; or*
- (b) the place is located on the Queensland Heritage Trails Network; or prior written authorisation of an authorised person has been obtained.*

To ensure that the objectives of the Land Act 1994 and primary purpose of a reserve are not compromised by the use of part of a reserve for the purpose of overnight camping, an assessment of the proposal against the site and a set of objectives was conducted.

To assist with the development of a suitable evaluation tool for this purpose, existing overnight RV camping area scenarios were reviewed.

Non RV Camping on a Reserve- Sites not approved for Camping

Requests for camping are received from time to time from individuals or groups wishing to camp on a reserve as part of events (circus, security, animal husbandry etc.), for group activities (scouts sports carnivals etc.). These activities are regulated through Council's Local Laws and subject to formal assessment against the objects of the reserve and Council's Local Laws. Any formal application should be subject to formal assessment and any approval granted should be in writing.

Criteria Assessment

The following methodology was developed having regard to the provisions of the Land Act and Council's Local Laws resulting in a strategic assessment framework.

- Stage 1** - Define reserve purpose and primary management objectives;
- Stage 2** - Spatially define the reserve purpose and facilities/amenities;
- Stage 3** - Establish thresholds/ capacity statements for reserve including amenities;
- Stage 4** - Design and delineate preferred camp areas having regards to the limitations/ thresholds/constraints of the subject land. In this regard, for complex sites, master planning may be required;
- Stage 5** - Assess the camp areas and capacities against the objectives/intent of the reserve utilising the following criteria:
 - a) provide for appropriate public access to parks and reserves for active and passive recreation; and
 - b) protect the health and safety of persons using parks and reserves; and
 - c) preserve features of the natural and built environment and other aspects of the amenity of parks and reserves; and
 - d) regulate activities in parks and reserves and ensure appropriate standards of conduct.
 - e) Control activities and access to facilities to ensure the continued operation of the park within the current budget and resource allocations.

Stage 6 - For each reserve or camp site area:

- Define a set of camp ground rules
- Establish minimum development standards
- List of improvements
- Operational conditions and
- Signage requirements

Stage 7 - Prepare implementation plan including capital estimates for future budget deliberations

Overnight camping is an activity that Council as trustee allows to occur on public reserves as set out in the relevant local laws.

To evaluate the suitability and functionality of both existing approved sites and future possible sites, an assessment was carried out utilising the methodology above. This assessment identified operational conflicts, management issues and infrastructure deficiencies.

The methodology as detailed above was applied to 11 sites and the outcome of the assessment and recommendations were tabled in a report to Council. Based upon this assessment, internal discussion with operational maintenance staff who work on the subject sites, feedback from user groups and the general public, a position was developed regarding RV Overnight Camping and improvements required (including costs) were finalised.

However as a result of 9 individuals presenting during Public Participation with opposing views on the issue and the tabling of a petition signed by 263 petitioners stating that they support and petition for an overnight free campsite within the Bauple Community Recreation Grounds the:

Council at its meeting 16 March 2011 resolved -

Item 11.6: The following Bauple locations be referred for further community consultation and a report back to Council.

<i>Location</i>	<i>Recommendation</i>	<i>\$</i>
<i>Bauple Sport and Rec Ground</i>	<i>No. Result of public feedback on the appropriateness of this site and investigation of alternative site at Rosendale Park.</i>	<i>NA</i>
<i>Bauple Woolooga Road - Rosendale Park</i>	<i>Yes.</i>	<i>6,000</i>

(ii) Consultation on Bauple RV Site

Council previously received Two (2) petitions and individual submissions both for and against the use of the recreational grounds for RV camping. In order to provide direction, the grounds raised by the petitioners and submitters having regard to the implications of Council's Local laws and management obligations as Trustees of the Bauple Sport and Recreation Grounds were assessed.

Bauple Sport and Recreation Ground Management Assessment Subject land

The subject land is a 2.63 ha Recreation Reserve situated at Forestry Road Bauple. The subject land is rectangular in shape fronting a bitumen road to the north and east, unconstructed road to the west and adjoins the Bauple State Primary School to the east.

The topography of the site has been significantly altered through the provision of a level sports oval constructed within the general north east half of the site.

The balance of the site is generally level across the oval then falls to the west. The site contains a Q150 funded community hall, small public amenities block, scouts facility, day care centre, public playground, car park, men's shed, BMX track and remnant vegetation.

The subject land is serviced by a rural standard bitumen road with sealed access to FCRC standards and has no reticulated water or sewer is available at Bauple. All services are provided on site. In this regard, potable water and toilet servicing is supplied via on site water storage with the toilets serviced by a domestic scale septic system. Electricity and telecommunications are available to the land.

Current known primary user groups include but are not limited to:

- Bauple and District Recreation Ground members and participants of programs;
- Men's Shed members and visitors;
- Scouts group;
- Play group;
- School children-formal use as part of school operations
- Participants in organised events and functions;
- Local community members; and
- Visiting Campers (RV)

In considering the use of reserves for camping it was important to note that this land is a Reserve for Recreation. There are formally described Reserves for Camping, Reserves for Landing and Camping Purposes and Reserves for Caravan Park Purposes. This differentiation clearly defines the primary function of the subject land as being for recreation and accordingly, camping would be considered to be supplementary or subordinate to the recreational use of the site sanctioning stop over camping provided the activity did not compromise the use of the site for the primary purpose of recreation.

Community Consultation 16 May 2011

Subsequent to the Council resolution of the 16 March 2011, Council undertook further community consultation on a suitable long term solution for an RV Stopover area in Bauple. In order to find a suitable solution an option was developed which included the provision of a stopover area at the Rosendale Reserve supplemented with directional/ tourism signage and short term day parking in the centre of the Bauple Township. This proposal was presented to the public at an information day held on Saturday 16 May at the Bauple Band Hall.

At this meeting the public were presented with plans detailing the Rosendale Reserve as the primary overnight stop area. Feeling and comment from the community was mixed and there was significant concern regarding the ability of the Rosendale site to deliver the community's objectives of an RV site due to its close proximity to the highway as compared to the actual township. Councillors and Officers present through discussion with residents (that visited the information day) concluded that the only majority acceptable solution was to canvass a central Bauple location and that if it was available, general community support may be achieved.

In an attempt to find alternatives, discussion identified support for the proposed day parking area at the intersection of Bauple Drive and Main Street as a possible location for overnight stays.

Community Group Meeting held 18 May 2011

Subsequent to the public open day on 16 May 2011, Bauple Community Group Representatives and Businesses were invited to a meeting arranged to discuss five alternative layouts for a central Bauple Township RV Stopover site which were prepared and presented at a meeting on Wednesday 18 May at the Q150 Shed.

Community Group Representatives at this meeting included Bauple P&C, Scouts, Bauple Recreation Ground Inc., Band Hall, Museum, QCWA, local Church, Men's Shed and Macadamia House (Mr Marc Bromet and Ms Yolande Bromet).

At this meeting the options were refined to two preferred options with all groups present offering unanimous support for the central location.

The Mayor, Chief Executive Officer and Executive Manager Environment & Open Space who attended the Community Group Meeting reported back to Councillors at a briefing meeting to discuss the outcome. Councillors supported Officers progressing the central RV Stopover site option.

The two preferred options were subject to further refinement following feedback at this meeting and were forwarded on to all of the directly affected residents of Bauple. In this regard, thirteen (13) property owners received a copy of the two preferred options with a covering letter seeking comment on the proposal. In response to the letters, Council received six (6) responses generally in support and one letter of objection. Comments received including recommendations for the physical form and function contained differing views on both the layout and site facilities. The following represents a list of recommendations/comments received both for and against:

- That the RV stop over area shall be for overnight only;
- That all proposed roads be sealed to prevent dust during drier times;
- That the area not be expanded in the future;
- Bollards be installed as detailed;
- That the area including the intersection be adequately landscaped;
- Maintain a suitable distance from directly adjoining property boundaries;
- Fully self-contained campers only;
- Council must enforce any rules or regulation in place including signage;
- Bus shelter must be large enough to protect children from inclement weather;
- Provide as level area as possible;
- BBQ's could be an optional addition;
- Rubbish removal point;
- RV Parking day parking spaces not required;
- Main Roads signage;
- Naming and Official Plaque;
- Consider Room to expand;
- Provision of Toilets;
- Incorporation of Public Art ;
- Coin donation infrastructure with money raised to go to local community groups;
- Sightlines for traffic and general traffic safety and parking for heavy vehicles;
- Adequate facilities at the Recreational grounds and Museum including toilets and BBQ's;
- Landscaping requires maintenance.

Council Report 15 June 2011 – "Parks and Reserves – Bauple Overnight RV Camping"

Subsequent to the Community Consultation and Feedback above Council considered the Report on 15 June 2011. The use of the land for the purposes of overnight camping had been the subject of significant discussion and opinion within the Bauple and greater district (via formal presentation at Council, dialog, media and written submission) with varying degree of support and opposition being presented. Whilst it is important to note the degree of support or opposition, Council as trustee must consider the grounds for submission against the purpose of the reserve and object of the local law when making a decision on the function, use and tenure of the subject lands.

Council Report 15 June 2011 – "Parks and Reserves – Bauple Overnight RV Camping" a copy of which is attached, details the assessment, evaluation and comments in respect to community submissions with respect to camping on the Bauple Recreation Ground.

As a result Council resolved at its meeting on 15 June 2011:

That:

- 1 *Council endorse the attached Bauple Rest Area including self-contained RV/caravan 24hr Camping generally as depicted on the attached plan;*
- 2 *until such time as the site is operational, RV's be allowed to continue to camp at the carpark area of the Bauple Sport and Recreational Grounds;*
- 3 *the Chief Executive Office be authorised to implement recommendations 1 & 2 above; and*
- 4 *the Community at Bauple be advised accordingly.*

c) Finalisation Bauple & District Recreation Ground Association Lease

Following the Council Resolution of 15 June 2011, Council commenced finalisation of the lease of the Bauple Recreation Grounds with the Bauple & District Recreation Ground Association Inc. incorporating the conditions as per Council resolution of 15 June 2011 namely that *"until such time as the site is operational, RV's be allowed to continue to camp at the carpark area of the Bauple Sport and Recreational Grounds"*. A special condition was also included within the lease that *"The Reserve is to be made available for Public Events, in this regard organised RV and Caravan chapter visits are considered to be an event....."*.

d) Existing use of Bauple & District Recreation Ground for RV Chapters

As outlined in 3. Above, the Lease with the Bauple & District Recreation Ground Special Condition 10 allows the Grounds to be utilised for organised RV and Caravan Chapter Visits: *Special Condition No. 10. The Reserve is to be made available for Public Events, in this regard organised RV and Caravan chapter visits are considered to be an event....."*

The Bauple & District Recreation Ground have hosted a number of RV and Caravan Chapters which consist of up to 12 to 30 vehicles and utilize the Oval through agreement with the Association.

Council's decision has resulted in 3 Sites within Bauple for RV Overnight Camping with the following capacity:

- Central Bauple RV Overnight Camping Area: capacity 5 – 6 RV Sites
- Rosendale Park: capacity 5 – 6 RV Sites
- Bauple Recreation Ground Reserve: utilised for RV Chapters – capacity > 25 RV Sites

Queensland Ombudsman Office Review

The Queensland Ombudsman Office has also undertaken a review of this matter following representations made to the Queensland Ombudsman Office.

The Queensland Ombudsman Office resolved that in their view, there is no evidence to base a finding that, in acting as a delegate of the Council, the Chief Executive Officer acted improperly in relation to the implementation of Council's resolutions, or in executing the lease. A copy of the Queensland Ombudsman decision is attached.

3. Provide Appropriate Signage on the Bruce Highway and in Bauple

As the Bruce Highway is a State Controlled Road, the Chief Petitioner will be advised to contact the Department of Transport and Main Roads relating to signage on the Bruce Highway.

RECOMMENDATION:

That the Chief Petitioner be advised as follows:-

1. Dump Point

In accordance with existing Council Policy, dump points, including holding tanks and ongoing operational servicing costs, are only installed if the facility is connected to a reticulated sewer. As there is no reticulated sewer system within Bauple, Council has no plans to install a dump point at this site.

2. RV Site

Council confirms the continuation of the current lease over the Bauple Recreation Grounds on the terms and conditions contained within the lease. 3 Sites are available within Bauple for RV Overnight Camping with the following capacity:

- Central Bauple RV Overnight Camping Area: capacity 5 – 6 RV Sites
- Rosendale Park: capacity 5 – 6 RV Sites
- Bauple Recreation Ground Reserve: utilised for RV Chapters only – capacity > 25 RV Sites

3. Signage – Bruce Highway

As the Bruce Highway is a State Controlled Road, contact should be made with the Department of Transport and Main Roads relating to signage on the Bruce Highway.

ATTACHMENTS:

- 1. Council Report 15 June 2011 – "Parks and Reserves - Bauple Overnight RV Camping"**
- 2. Qld Ombudsman Office Decision Letter**

ORD 9.3 - ATTACHMENT 1
Council Report 15 June 2011 – "Parks and Reserves
Bauple Overnight RV Camping"

168

168



ITEM NO: ORD 11.4

FRASER COAST REGIONAL COUNCIL
ORDINARY MEETING NO. 11

WEDNESDAY 15 JUNE 2011

SUBJECT: PARKS AND RESERVES- BAUPLE OVERNIGHT RV CAMPING

DIRECTORATE: INFRASTRUCTURE AND ENVIRONMENT

RESPONSIBLE OFFICER: DIRECTOR INFRASTRUCTURE AND ENVIRONMENT, Wayne Sweeney

AUTHOR: EXECUTIVE MANAGER ENVIRONMENT AND OPEN SPACE, Jamie Cockburn

DOC NO: #2006212

1. PURPOSE

To present a proposed Bauple Central Rest Area and Overnight RV camping area as an alternative solution to those previously considered by Council.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

2.1 At the ordinary meeting No. 5 of 16 March 2011 Council considered the officers recommendation for Item 11.6 *Parks and Reserves- Overnight RV Camping* and resolved as follows:

2. The following Bauple locations be deferred for further community consultation and a report back to Council.

Location	Recommendation	Costs \$
Bauple Sport and Rec Ground	No. Result of public feedback on the appropriateness of this site and investigation of alternative site at Rosendale Park	
Bauple Woolooga Road - Rosendale Park	Yes	6,000

Petitions lodged with Council at the above mentioned meeting sought the retention of the Bauple Sport & Recreation ground as the primary location for the RV stop over area in lieu of the Rosendale Reserve due to concerns that the recreational grounds provided a higher net community benefit.

15 JUNE 2011

169

169

2.2 Council received Two (2) petitions and individual submissions both for and against the use of the recreational grounds for RV camping. In order to provide direction, the grounds raised by the petitioners and submitters having regard to the implications of Council's Local laws and management obligations as Trustees of the Bauple Sport and Recreation Grounds were assessed.

2.3 Bauple Sport and Recreation Ground Management Assessment

Subject land

The subject land is a 2.63 ha Recreation Reserve situated at Forestry Road Bauple. The subject land is rectangular in shape fronting a bitumen road to the north and east, unconstructed road to the west and adjoins the Bauple State Primary School to the east.

The topography of the site has been significantly altered through the provision of a level sports oval constructed within the general north east half of the site.

The balance of the site is generally level across the oval then falls to the west. The site contains a Q150 funded community hall, small public amenities block, scouts facility, day care centre, public playground, car park, men's shed, BMX track and remnant vegetation.

Services

The subject land is serviced by a rural standard bitumen road with sealed access to FCRC standards.

No reticulated water or sewer is available at Bauple. All services are provided on site. In this regard, potable water and toilet servicing is supplied via on site water storage with the toilets serviced by a domestic scale septic system.

Electricity and telecommunications are available to the land.

Current User Groups

Current known primary user groups include but are not limited to:

- Bauple and District Recreation Ground members and participants of programs;
- Men's Shed members and visitors;
- Scouts group;
- Play group;
- School children-formal use as part of school operations
- Participants in organised events and functions;
- Local community members; and
- Visiting Campers (RV)

Camping as an Activity

Council as trustee of the reserve have allowed part of the land to be used for the purpose of Stop Over camping until a formal assessment and RV strategy/ position has been developed. At the Ordinary Meeting of March 16 Council considered recommendations and resolved that the matter of the Bauple Recreational Grounds use as a stop over RV camp site be deferred to allow further consideration and consultation.

170

170

In considering the use of reserves for camping it is important to note that this land is a Reserve for Recreation. There are formally described Reserves for Camping, Reserves for Landing and Camping Purposes and Reserves for Caravan Park Purposes. This differentiation clearly defines the primary function of the subject land as being for recreation and accordingly, camping would be considered to be supplementary or subordinate to the recreational use of the site sanctioning stop over camping provided the activity did not compromise the use of the site for the primary purpose of recreation.

Trustee Management

In general terms, a trustee local government governs the activities on trust land via the preparation and implementation of Local laws. Local laws and the rights conveyed on each particular trust lot should be consistent with, or not diminish the purpose of the reserve held in trust.

Camping is consistent with most reserves provided that the camping meets a simple test including but not limited to:

- Non exclusive in that the use of an area for camping shall not prohibit either access to, or the safety of, the primary users of a trust lot;
- The operation of a camping area on certain public reserves is not for commercial gain nor is it anti competitive where commercial camping is available; and
- The use of the land would not result in the detriment or the erosion of value of any elements or features of state significance; and
- The use of the land for camping does not compromise achievement of the object of the Local law applicable

The current Local law for trustee management of the land is the Tiaro Shire Council Local Law No. 15 Parks and Reserves. Whilst the local law contains no specific provisions regarding Camping, Council as trustee may approve, restrict or prohibit use of the land having regard to the primary purpose of the reserve, rights and obligations as trustees under the Land Act 1994 and the Object of the Local Law controlling the use of the land.

The primary object of Local Law 15 Parks and Reserves is to;

- (a) provide for the establishment of parks and reserves on land within the Area under the Local Government's control; and
- (b) provide for appropriate public access to parks and reserves for active and passive recreation; and
- (c) protect the health and safety of persons using parks and reserves; and
- (d) preserve features of the natural and built environment and other aspects of the amenity of parks and reserves; and
- (e) regulate activities in parks and reserves and ensure appropriate standards

Trustee management and decision making should be guided by the above criteria and decisions should be made having regard to the criteria provided.

Community Comment Technical Assessment

The use of the land for the purposes of overnight camping has been the subject of significant discussion and opinion within the Bauple and greater district.

171

171

Via formal presentation at Council, dialog, media and written submission, varying degree of support and opposition has been presented. Whilst it is important to note the degree of support or opposition, Council as trustee must consider the grounds for submission against the purpose of the reserve and object of the local law when making a decision on the function, use and tenure of the subject lands.

To achieve this, the following assessment attempts to differentiate, evaluate and assess the grounds as presented to Council against the relevant criteria. It is important to note that the grounds both for and against utilised varying descriptions and terminology. The author has attempted to accurately consolidate and categorise the grounds as follows;

1.1 Proximity to School and Other organised Activities including Scouts and the general safety to persons

Comment

There exists concerns' regarding a reduction of perceived safety resulting from the existence of itinerant campers within the recreation grounds.

A commonly applied tool to evaluate and quantify such concerns is the 'Crime Prevention Through Environmental Design' (CPTED) principles. Whilst predominantly created as a design tool, it has a role to play in assessment of current space and place.

A primary CPTED principle is Surveillance

The site and its attributes have limited natural or passive surveillance. By providing the perception of surveillance, the user feels safer and the offender feels at greater risk of exposure. The Recreation Grounds have limited passive surveillance due to the geographic layout, locations and configuration of buildings, obstructed view lines from use areas, limited adjoining uses, activities and a low level of public presence.

The concerns raised regarding campers could be considered both positively and negatively in that the encouragement of campers brings in users and therefore activity which in turn generates surveillance. The alternative which would seem to be the background of the perceived safety concerns is that the low use of the area could result in the promotion and protection of those carrying out unwanted surveillance. In this regard, the legitimacy of presence at a particular location should be considered having regard to the purpose, and preferred activities of that location.

Actions necessary to manage this concern and the capacity to implement are critical to the satisfactory management of this design element.

Council does not have the resources to implement a 7 day a week presence and surveillance of the site. Based upon information provided to Council the men's shed does not operate 7 days a week. It would be difficult to introduce management to offset the legitimacy of presence through a registration/ booking system for campers.

This ground is a legitimate concern for this reserve without the campers and when in small numbers with the campers.

15 JUNE 2011

172

172

Council in considering the validity of this ground should do so having regard to objectives (c) and (e) of the local law and determine whether by allowing camping at the reserve Council is *protecting the health and safety of persons using parks and reserves?* And
Can the activity be regulated in the reserves to ensure appropriate standards?

1.2 Traffic Safety and Conflict with Parking

Grounds of submission against the use of this site are concerned by the potential conflict between campers and those parking for purposes relating to the use of the Recreation grounds. Grounds of submission for an RV site raise the need to improve the site to make it more comfortable and accommodating. Further comments relating to this issue evolve around the topography and the possible cut and fill of the site to provide a level site for RV's and camper vans.

Comment

The dedication of an area to the sole purpose of camping is inconsistent with the existing developed recreational use of the site and could be considered to be inconsistent with the primary purpose of the land.

The geometry, layout of the area, slope and conflict of use is a safety concern to both Reserve users and campers alike.

The area of the reserve set aside for car park and stop over camping area is approximately 1375m² having dimensions of approximately 25m x 55m. The car park surface ranges from a sealed access to road base and grassed areas. The land slopes from the NE to SW with a fall of approximately 1.5m across the site. The geometry, slope and surface of the dual purpose area has limitations. These limitations include; inability to delineate safe and effective movement areas, limitations to turning and manoeuvrability as well as a basic capacity limit. Officers of Council have witnessed the difficulties associated with navigating the site.

One solution advocated was the removal of the BMX track and extension of the parking area. Whilst the BMX track constitutes a small quantity of soil that could easily be moved to another site, the vacated area is very steep having approximately 2 m of fall, has a clay based soil that is very slippery and presents as a potential hazard to vehicles that may try to navigate such.

Management of the mix of use between campers and cars and the potential conflict is not an easy task. Who is going to regulate the number of campers on the site to ensure satisfactory functioning? Who will be installing signage advising of up and coming events or meetings and the need to leave parking available for recreation ground users?

Actions to address the matter could be implemented in the form of rules and regulations regarding use and priorities of use.

It is recommended that if the use is allowed at the site then at minimum the following conditions of use are imposed and that the rules be detailed on regulatory signage.

15 JUNE 2011

173

173

- That the site is limited to (X) caravans/ campers per night;
- That the area is primarily a car park and that during organised events, camping will be prohibited unless carried out as part of the event.
- Campers are to give way to car park users; and
- The location of campers should not interfere with access to or from the site or buildings contained within the site.

1.3 On Site Services

Grounds for use of the site stipulate that campers need to be near 24 hour amenities, need access to the showers and that a dump point should be provided.

Comment

The current toilet facility is a domestic scale treatment tank with processing limitations. A review of both the Petrie Park and Memorial park camp sites have revealed that camping places a significant loading on facilities and that if not properly designed and of a satisfactory capacity, the long term costs of managing and upgrading the system can be very high. Further problems occur when campers of self contained campers dump chemical toilet waste into the system. This has already occurred at Bauple causing the system to either overflow or fail due to enzyme dieback.

Water supply to the amenities has been maximised via the interconnection of the Q150 roof drainage into the toilet holding tanks.

The hot water system is limited to a 100lt system installed for use by parties or groups utilising the oval. It does not have the operational capacity to cater for continuous use by campers and the current users. Supply control infrastructure to limit times etc is not installed and would be necessary to control waste water flows.

Council and the RV industry peak bodies do not support dump points that are not connected to reticulated sewerage. The high costs of installation, management and maintenance could not be sustained.

Action to address concern- The site be limited to fully self contained campers only. Signage be installed that depicts same and directs the users to the nearest dump points both north and south. This would need to be regulated.

Full access to showers and amenities would require a full upgrade of both the toilet block and effluent disposal facility.

1.4 Community Benefit Resulting from the increased visitors to the area attracted by the free camping

Including but not limited to;

- Increased business at local commercial operations;
- Increased visitations to the Bauple Museum;
- Participation in organised events at the QCWA, Recreational Grounds Church Services and Band Hall;
- Participation at the Men's Shed;
- Investment attraction and
- The benefits of social interaction and diversity.

15 JUNE 2011

174

174

Comment

The above mentioned are recognised social and economic benefits to the community as concluded by a number of academic and industry studies. Many local authorities and communities have implemented programs and are striving to achieve a RV friendly status.

The community' support of the establishment of a permanent Stop over camping area is demonstrated through the inclusion of free camping with facilities to promote and attract "Grey Nomads" and "RVs" as a Bauple Sustainability Strategy developed as part of the Bauple Vision and Community Development Plan.

Whilst there is some confusion regarding the status of the plan as compared to a Community Plan pursuant to the Local Government Act 2009, it is in itself recognition of the ground swell of support. However, general support and recognition of the benefits to the community for the site at question must be considered having regards to the fact and circumstance of the site and in this particular case, the Bauple Recreation Ground.

1.5 Alternative Sites

Council at its meeting of 16 March were presented with an alternative site known as the Rosendale Reserve that is not supported by the general community as it is too close to the highway. The concern is that campers would pull off of the Bruce Highway, stay at the reserve then continue on along the Highway and bypass Bauple. The benefits of the Bauple Recreational Ground out way the Rosendale Reserve

Comment

The Reserve at Rosendale was nominated by operational maintenance staff as a suitable site as part of the development of a list of possible camp sites. The site has high aesthetic qualities, limited use, limited conflict and provides a tranquil retreat from the main highway. The categorisation as an alternative was assigned when the original assessment of the Bauple Recreation Ground identified potential conflict.

The proposal for Rosendale includes the installation of tourist signage that will clearly depict the attractions and things to do at Bauple as well as other locations in the surrounding area. It is evident that the Bauple Recreational Ground would provide greater benefit to the Businesses and community centres in the township of Bauple.

Further discussion and more recent submission have targeted the large unused sections of the road reserves through the centre of Bauple. When first gazetted, several roads were delgned having a width of 3 chains being 66 yards or in metric terms, 60m wide.

Suitable area exists at this location, however, the local retail business, church and residences are in close proximity and would need to be consulted.

Another option would include the provision of day parking within the road reserve at this location.

15 JUNE 2011

175

175

1.6 Commercial Competition

Representatives of the Caravan Park owners have expressed strong concern that Council is establishing free camping areas within 30 minutes drive of Commercial Caravan Parks.

Comment

Two (2) arguments exist regarding the impact of free camping upon commercial operations.

Proponents of free camping insist that those utilising free camp sites do not normally stop at caravan parks and accordingly there is limited economic impact to the caravan park industry and that the local economy will not be at a loss due to local spending.

Objections to free camping generally centre on the loss of income due to the unfair competition. In a tough economic climate, the Qparks members seek Councils support. As a regional Council, decisions should be made having regard to the businesses and the local business community.

The use of Reserve Land for an activity that creates an anti competitive camping scenario is in conflict with State land management policy. Trustees need to carefully consider this element and be certain that by providing free camping they are not promoting an anti competitive marketplace.

1.7 Campground Needed for the Sustainability of Bauple

The flow of visitors through the township provides the community groups and businesses increased patronage that help to ensure a long term existence and potentially growth.

Comment

There are no doubts that a solid stream of campers through Bauple would deliver on the sustainability front. However, with regards to the current situation, there is a succinct difference between 'sustainability of product' and 'sustainability of function' and one cannot be achieved without the other.

Current restrictions and primary function of the recreational reserve has limitations. Limitations that will affect the sustainability of function of Bauple as a free stopover camp destination.

Currently, the site accommodates a small number of campers continuously trickling through the site and town. With increased recognition of the qualities of the town by word of mouth and direct target advertising, the numbers travelling through will undoubtedly increase as has been witnessed at other free camp sites. The restrictions of function would result in an imbalance of supply and demand resulting in unavoidable conflict and possible misuse of the area. Solutions being advocated include increasing the area for camping by displacing the BMX track, or making the car park area exclusive for campers. Both of these are in direct conflict with the primary purpose of the Reserve and council as trustees need to recognise their obligations prior to considering implementation of such.

15 JUNE 2011

176

176

- 1.8 Bauple Recreational Ground would promote greater community interaction benefiting the whole of the region through promotion.

Comment

The community through passive interaction with travellers have the opportunity to point out the sites and attractions of the area/ region. The 'unhook and look' term is found within several submissions where visitors are encouraged to unhook their caravans and drive around the area.

The benefits of good promotion and general public role in promoting an area is well recognised and whilst signage will go some way towards achieving this goal, the vast personal interests and priorities of what is referred to as a grey army could not be captured by a sign. The provision of at minimum dedicated parking in close proximity to business centres and community facilities would help to promote this matter.

The 'unhook and look' promotion is concerning where free stop over camping is involved. Council and the crown should not be liable for the protection and management of absentee owners. Due to the need to manage and maintain the subject lands, this activity is one that should be approached with caution.

Conclusion

- 1 As a reserve for recreation, camping should not be considered to be a primary use and accordingly, function should have due regard to both the uses and users of the reserve for recreational pursuits.
- 2 The use of the site for stop over camping is not inconsistent and provided that the management of the land satisfactorily addresses the use and function of the site, limited use of the site for stop over camping could continue to occur.
- 3 Should the site be progressed for the purpose of stopover camping, a Land Management Plan would be required to manage the competing interests and conflict within the community. The Land Management Plan should be prepared in accordance with the State guidelines with the intent of achieving the statutory obligation of "Duty of Care" as trustee pursuant to the Land Act 1994. Recent discussions with Officers of DERM concluded that, due to the level of public conflict and opinion regarding the use of the reserve, it is important that Council adopt a strategic view to the use of the land.
- 4 An alternative approach to draw travellers through Bauple would be the establishment of the Rosendale stop over with directional/promotional signage supported by a dedicated parking area for car caravan units or RVs within the town ship. In this regard, suitable road reserve exists which would provide a suitable outcome.

15 JUNE 2011

177

177

- 2.4 Conclusion of the assessment is that the recreational ground is not a suitable long term solution for a RV Stopover area. In order to find a suitable solution an option was developed which included the provision of a stop over area at the Rosendale Reserve supplemented with directional/ tourism signage and short term day parking in the centre of the Bauple township. This proposal was presented to the public at an information day held on Saturday 16 May at the Bauple Band Hall. At this meeting the public were presented with plans detailing the Rosendale Reserve as the primary overnight stop area and a plan detailing a day parking area on the intersection of Bauple Drive and Main Street. Feeling and comment from the community was mixed and there was significant concern regarding the ability of the Rosendale site to deliver the community's objectives of an RV site due to its close proximity to the highway as compared to the actual township. Councillors and officers present through discussion with residents that visited the information day concluded that the only majority acceptable solution was a central Bauple location and that if it was available, general community support could be achieved.

In an attempt to find alternatives, discussion identified support for the proposed day parking area as a possible location for overnight stays.

Five alternative layouts were prepared and presented to community groups at a meeting on Wednesday 18 May at the Q150 Shed. At this meeting the options were refined to two preferred options with all groups present offering unanimous support for the central location.

The two preferred options were subject to further refinement following feedback at this meeting and were forwarded on to all of the directly affected residents of Bauple. In this regard, thirteen (13) property owners received a copy of the two preferred options with a covering letter seeking comment on the proposal. In response to the letters, Council received six (6) responses generally in support and one letter of objection. Comments received including recommendations for the physical form and function contained differing views on both the layout and site facilities. The following represents a list of recommendations/comments received both for and against:

- 1 That the RV stop over area shall be for overnight only;
- 2 That all proposed roads be sealed to prevent dust during drier times;
- 3 That the area not be expanded in the future;
- 4 Bollards be installed as detailed;
- 5 That the area including the intersection be adequately landscaped;
- 6 Maintain a suitable distance from directly adjoining property boundaries;
- 7 Fully self contained campers only;
- 8 Council must enforce any rules or regulation in place including signage;
- 9 Bus shelter must be large enough to protect children from inclement weather;
- 10 Provide as level area as possible;
- 11 BBQ's could be an optional addition;
- 12 Rubbish removal point;
- 13 RV Parking day parking spaces not required;
- 14 Main Roads signage;
- 15 Naming and Official Plaque;
- 16 Consider Room to expand;
- 17 Provision of Toilets;
- 18 Incorporation of Public Art ;

15 JUNE 2011

178

178

- 19 Coin donation infrastructure with money raised to go to local community groups;
- 20 Sightlines for traffic and general traffic safety and parking for heavy vehicles;
- 21 Adequate facilities at the Recreational grounds and Museum including toilets and BBQ's;
- 22 Landscaping requires maintenance

3. PROPOSAL

Analysis of the proposal having regard to the general RV Strategy as considered at the meeting of the 16th March as well as comments from the community, residents and Councils design office, a preferred solution has been prepared. This solution builds upon the option of a single drive through RV and Visitor parking area adjoining a small public rest area serviced with two (2) small covered tables and Signage-Information station. A bus stop reorientated to face the north serviced by a sealed road and support landscaping. Distinct areas are to be separated utilising bollards to prevent encroachment as well as to clearly delineate vehicle areas.

No toilets are to be provided at this site and only self contained RV's Caravans are to utilise the area for overnight (24 hr) camping. In this regard, suitable signage detailing the rules and regulations regarding use of the area will need to be installed.

The resultant layout provides not only an area suitable for overnight RV camping, it includes a safe sealed centrally located bus stop for both children and other transit users and a central rest area.

4. FINANCIAL & RESOURCE IMPLICATIONS

The treatment and embellishments as detailed on the proposed layout shall be financed from the 2011/12 capital program.

5. POLICY & LEGAL IMPLICATIONS

The area is to be managed under Council's Local Laws.

6. CRITICAL DATES & IMPLEMENTATION

Design can commence at such time as a formal resolution to proceed is received from Council with construction commencing in July 2011.

7. CONSULTATION

Consultation on a Bauple solution has involved the following:

- Public Information day;
- Community Group Meeting
- Correspondence to directly affect residents;
- One on One meeting where requested by residents or groups;
- Internal referral with Councils engineering and environmental health departments.

15 JUNE 2011

179

179

8 CONCLUSION

That the result of detailed review and consultation has resulted in a proposed RV/Caravan stopover in the centre of the township of Bauple that has a high level of public support for the overall concept of a Rest Area suitable for use as a stop over for self contained RV's and caravans.

9. RECOMMENDATION

That:

- 1 Council endorse the attached Bauple Rest Area including self contained RV/caravan 24hr Camping generally as depicted on the attached plan;
- 2 until such time as the site is operational, RV's be allowed to continue to camp at the carpark area of the Bauple Sport and Recreational Grounds;
- 3 the Chief Executive Office be authorised to implement recommendations 1 & 2 above; and
- 4 the Community at Bauple be advised accordingly.

ATTACHMENT:

1. Bauple Rest Area Sit Plan

Released Under RTI Act (2009)

15 JUNE 20:1

ORD 11.4 - ATTACHMENT 1
Baupile Rest Area Site Plan



 <p>Fraser Coast REGIONAL AUTHORITY</p>	<p>CONCEPT PLAN ONLY THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION PURPOSES. SERVICE LOCATIONS HAVE NOT BEEN VERIFIED. FINAL DESIGN MUST BE APPROVED BY THE LOCAL GOVERNMENT.</p>		<p>LEGEND SOLID COLOURS ARE TO BE USED TO INDICATE THE LOCATION OF THE PROPOSED DEVELOPMENT.</p>	<p>SCALES</p> 	<p>BAUPILE RV & CARAVAN PARKING AREAS OPTION 3</p>	<p>CHECKED: _____ DATE: _____ APPROVED: _____ DATE: _____</p>	<p>PROJECT NO: R0023-C0 SCALE: 1:1000 DATE: 13 JUN 2011</p>
---	---	---	---	--	---	---	---

ORD 9.3 – ATTACHMENT 2
Queensland Ombudsman Office Decision Letter

Level 17, 53 Albert Street, Brisbane QLD 4000
 GPO Box 3314 Brisbane QLD 4001
 www.ombudsman.qld.gov.au

Your ref: Docs#2251146
 Our ref: 2012/17005

27 February 2013

Ms Lisa Desmond
 Chief Executive Officer
 Fraser Coast Regional Council
 PO Box 1943
 HERVEY BAY DC QLD 4655

FRASER COAST REGIONAL COUNCIL	
To: Lisa Desmond	<input type="checkbox"/> Make Record
File: FO 14622	<input type="checkbox"/> Legal
Retention:	<input type="checkbox"/> Restricted
4 MAR 2013	
Plan - Lot:	
Comments: cc Access Hill	
	Officer: 15



Dear Ms Desmond

I refer to a complaint lodged with this office by Mr Marcus Bromet about the Fraser Coast Regional Council (Council) concerning the decisions of the Council in response to his complaint about the relocation of RVs from the Bauple Recreation Grounds.

I also refer to our telephone and email contact with Ms Toni Souvlis between 27 November 2012 and 27 February 2013.

As a delegate of the Ombudsman, I have decided not to further investigate Mr Bromet's complaint. In my view, there is no evidence to base a finding that, in acting as delegate of the Council, you acted improperly in relation to the implementation of Council's resolutions, or in executing the lease.

I have communicated the decision to Mr Bromet. Subject to any review of my decision, this office's inquiries of the Council are concluded.

Thank you for the Council's assistance in providing relevant information.

Yours faithfully

Craig Allen
 Assistant Ombudsman
 Investigation and Resolution Unit

ITEM NO: ORD 9.4**FRASER COST REGIONAL COUNCIL
ORDINARY MEETING NO. 10****WEDNESDAY 5 JUNE 2013****PETITION RESPONSE REPORT**

Petition Tabled	
Meeting/Date:	Ordinary Meeting No. 4 – Wednesday 6 March 2013
Councillor:	Councillor Trevor McDonald
Petition Details	
Subject:	Parking – Xavier College - Endeavour Way
Chief Petitioner:	H Kronemeyer
Action Request	cp0901215
Responsible Officer	Director Infrastructure Services – Wayne E Sweeney
Author	Executive Engineer Planning & Design – Neville Lavey
DOCS NO.	#2340488

BACKGROUND

A petition signed by 20 people, was tabled at Council's Ordinary Meeting No. 4 held on Wednesday 6 March 2013, as follows:

"A proposal to use the grass area between the Xavier College back fence and Endeavour Way will be presented. This will show a "loop" road and extra parking spaces in this area to remove the waiting cars from the dangerous corners of endeavour way behind the Xavier College."

RESPONSE:HISTORIC ARRANGEMENTS

Xavier College was constructed prior to the development of the Eli Waters residential area. Residents have purchased their homes in the knowledge that the school was operating.

Xavier College was developed with its access from Dundowran Road. It was conditioned to provide a large parking area at the front of the School and more than 97 formal car parking spaces were constructed to accommodate parental pick-up and drop-off as well as school buses. Parents park informally on grassed areas adjacent the formal parking within school grounds. No conditions set special arrangements were required for car parking on the Eli Waters side of the school.

Yarrilee School is situated on the opposite side of Dundowran Road and also contributes to traffic flows on Dundowran Road. Xavier College has constructed a footpath/bicycle path linking Yarrilee School via the school crossing on Dundowran road with the footpath/bicycle path system at the rear of Xavier College on Endeavour Way, to assist all student pedestrians and cyclists.

Some time ago Council permitted parents to access that part of the park on the Eli Waters side near the Xavier College boundary via a sewer pump station access at the western end of the Park. The area west of the pump station was sheeted with crusher dust for the purpose. As well as the pick-up parking and traffic the area found usage for all day parking for some students (old enough to drive cars).

Usage of this area as carpark proved to be problematic for residents immediately adjoining the park, who had issues with dust, noise and night time usage of the area as well as the daily school pick-up activity. It was decided to close the park to all vehicles.

Those parents who wish to deliver their children to Xavier School from the Eli Waters side now utilise Endeavour Way for the purpose of parking for the short time required to drop-off or pick-up their children.

PARKLAND STATUS

The grass area referred to in the petition is Lot 606 SP185051 being 2.229 Ha and known as the A. E. Fielding Park. This land is reserved for Park Purposes under Council's care and control. It has a sound grass surfacing in good condition with constructed mounds on the residential side of it and an open grassed swale along the southern boundary. There is a Sewer Pump Station and sealed access at the western end of the park.

TRAFFIC

A site inspection was carried out on 18/04/13 between 2.45pm to 3.15pm, attended by Cr Trevor McDonald, Mr Kerry Swan, Principal Xavier College, Wayne Sweeney, Director Infrastructure and Environment and Neville Lavey, Executive Engineer Infrastructure Planning and Design.

Observations were that drivers behaved in a responsible manner, generally arriving a little before school ended for the day and finding a spot to park. Drivers were observed to travel at safe speeds and took care in parking safely whilst waiting. In general, once the sealed parking bay (10 bays) was full, drivers parked on-street with one wheel on the verge and one wheel on the road. This reduced the available road width but allowed sufficient space for traffic to move slowly along the street.

The "rush" period for vehicles appeared to start about 2.45pm but the students did not appear until 3.00pm to about 3.20pm. At the height of this demand around 40 cars were parked on Endeavour Way.

In order to gain a better understanding of the traffic behaviour in the area, week-long tube traffic counts were undertaken at 3 locations in the area. These were: Site 1; On Endeavour Way 200m west of the park area, Site 2; On Lady Nelson Drive opposite No 10, and Site 3; On Endeavour Way immediately south of the Wongala Way intersection.

At the most heavily trafficked site (Site 3) the peak hour traffic volume was greatest in the morning peak at 210 vph. This was almost matched by the afternoon peak where the peak volume reached 165 vph. These figures are well below the maximum desirable environmental flows that are permitted in residential development of 750vph in residential access streets. The 85% traffic speed measured over the 3 sites was 48kph.

PETITION PARKING OPTION

The proposal included in the petition, as shown on the sketch (refer Attachment 1) was to provide a narrow road within the Park (Lot 606) running south from Endeavour way towards the College boundary, then across the lot in a westerly direction and exiting via the Sewer Pump Station access path. It was proposed parking would be permitted on the grassed parkland adjacent this track.

Whilst the suggestion would provide significant extra parking it would come at a significant cost including financial, aesthetic, amenity and recreational.

This is considered to be unacceptable given the very short term need for the parking each day and the adverse impact the track and parking would have on the use of the Parkland, as there is little alternative available parkland space in the area for use by residents. Previously, when car parking had been permitted on a section of the park, there was considerable adverse reaction from adjoining residents to issues that arose from longer term parking.

OTHER OPTIONS CONSIDERED

1. The use of the road verge for parking along Endeavour Way. This is the current situation and is constrained by the existence of a bicycle path on the verge along the full frontage of Endeavour Way on the school side and by property driveways elsewhere. Parking should remain clear of the bicycle path as it would prevent the use of it for its intended purpose. Cars also park on the opposite verge and this relies on the vigilance of drivers, parents and children to ensure safe crossing of the street. Some issues may arise from property owners dissatisfied with the impact of parked vehicles on their verges.
2. The use of an off-street set-down and pick-up within the Park area on Endeavour Way near the existing car parking area. This is not favoured as it would destroy a section of park land and amenity nearest residences where it is most needed. This is considered to be unacceptable given the impact the sealed parking area would have on the reserved use of the land as Parkland, and the adverse issues that arose previously when parking was permitted on the parkland.

DISCUSSION

It is understandable that some residents may find the short-term increase in traffic and parking that occurs on Endeavour Way at school drop-off and pick-up times each day annoying, considering the area is generally, relatively quiet and peaceful.

For this relatively short period of time, the amenity of the residential area is affected, giving rise to some dissatisfaction amongst residents and potentially increasing traffic safety risk. This busy situation lasts at most only about a half hour in the morning and a half hour in the afternoon drop-off and pick-up time each day.

Having undertaken traffic counts in the area, and observed the situation first hand on 18 April 2013, it is considered that parents and other drivers accessing Endeavour Way generally travel at safe speeds and exercise due care appropriate to the residential access street and "near to school" environment.

A concern expressed in the petition was to "remove parked cars from the dangerous corners of Endeavour Way".

The existence of these curves actually has the opposite effect. Such curvilinear alignment causes drivers to slow to negotiate the bends. When there are other vehicles around this effect is increased as drivers travel more slowly and exercise more caution when they perceive the area as being potentially hazardous.

Whilst waiting most drivers park for a short time with one set of wheels on the verge and one set on the roadway.

This narrows down the available road space for other vehicles to move along which has the effect of slowing drivers down. The "side friction" from vehicles parked partly on the verge, plus other vehicle manoeuvring through the area, the occurrence of children and other pedestrians at school finishing time and the existence of the curves in Endeavour Way, ensures drivers do drive in a highly "alert" state and exercise additional care.

It is understood that some property owners would like to see drivers stopped from parking on their grassed verges. The potential wear of grass, rutting during wet weather, the potential to damage roof-water discharge pipes near the gutters and being unable to egress from their properties during the peak times are cited as reasons for this.

It is notable that not all affected residents have signed the petition. Refer to Attachment 3 for a distribution of the petitioners residences. Two petitioners live elsewhere and do not appear on the map.

It is considered that the current situation is within environmentally tolerable limits and does not warrant adversely affecting the very valuable public parkland amenity with an impervious track and car parking areas. The cost of properly constructing a fully sealed access road and car park within the park construct is about \$0.5M and is not warranted for 45 minutes per week day of use. The situation appears no worse than is normally found around most schools.

The School predated the construction of Eli Waters estate and accordingly all residents purchased their properties in the full knowledge that a school existed.

RECOMMENDATION:

That Council receive and note the report and the Chief Petitioner be advised of the information as detailed in this report (DOCS # 2340488).

ATTACHMENTS:

1. **Petition Map**
2. **Real Property Survey Plan 185051**
3. **Petitioner Locations**
4. **Traffic Data Summary**

**ORD 9.4 - ATTACHMENT 1
Petition Map**

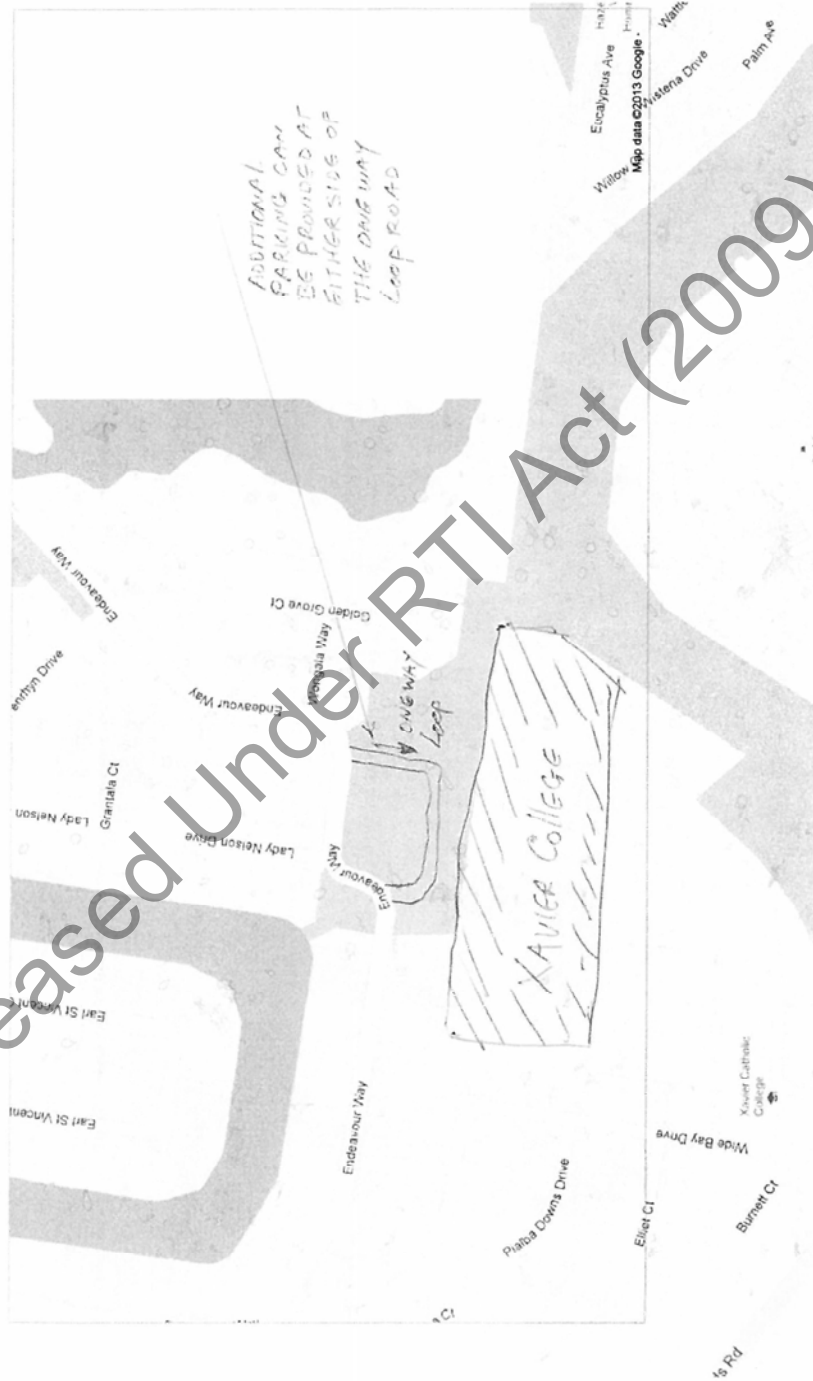
OPTION No. 1

Page 1 of 1

To see all the details that are visible on the screen, use the Print link next to the map.

Endeavour Way, Eli Waters, Queensland - Google Maps

Google

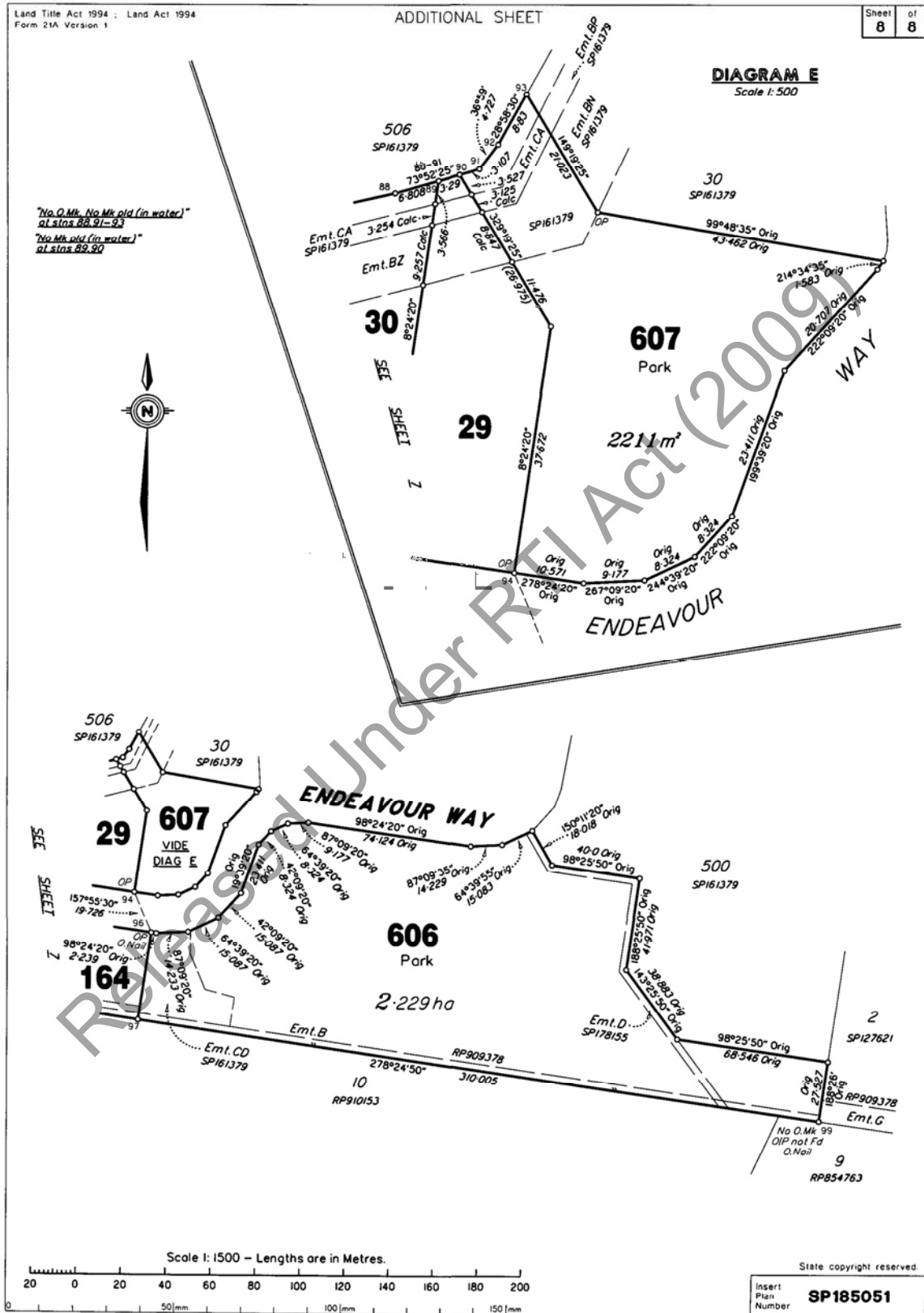


4/03/2013

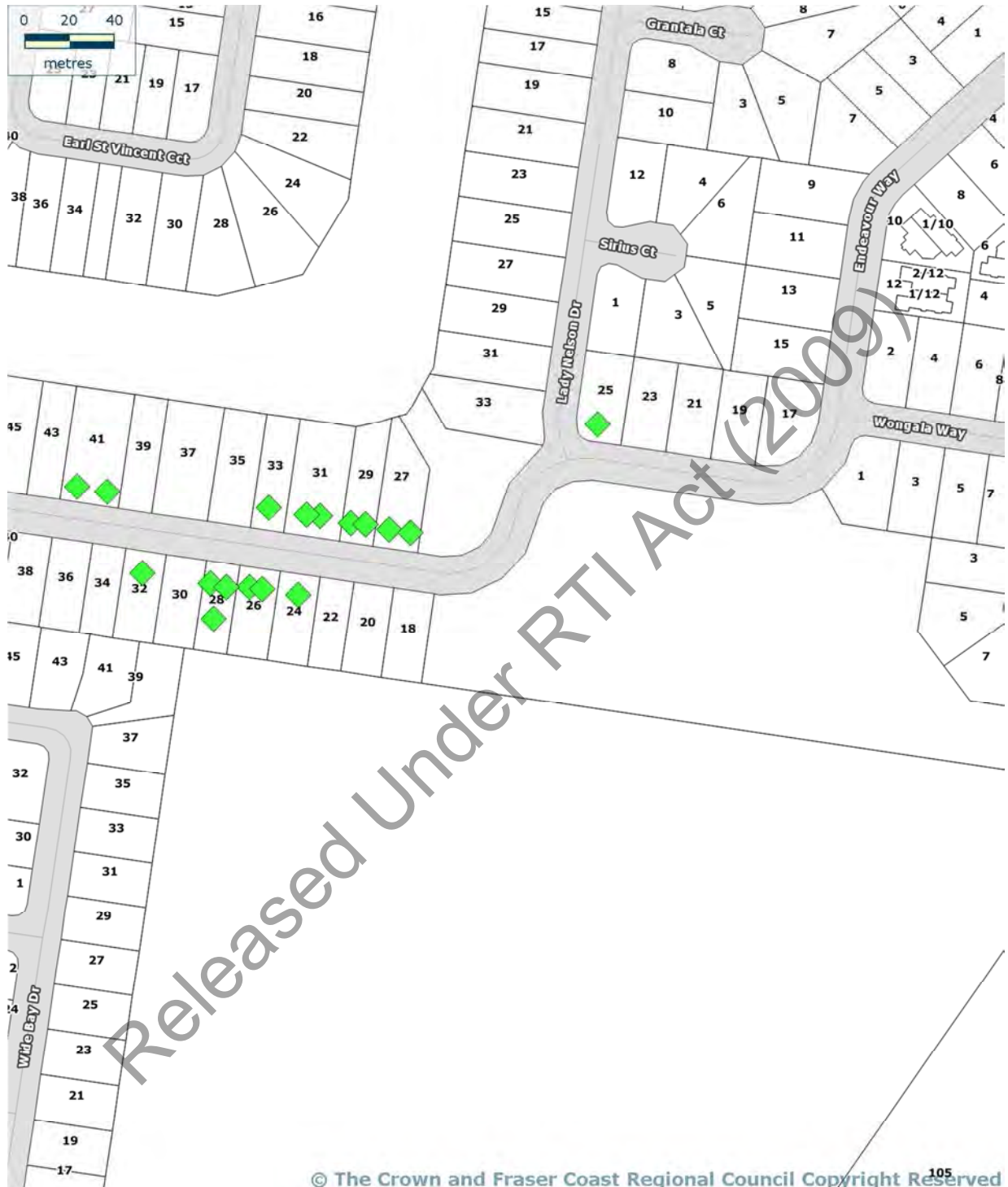
<http://maps.google.com.au/maps?ie=UTF-8&hl=en&tab=wl>

Released Under RTI Act (2009)

ORD 9.4 - ATTACHMENT 2
Real Property Survey Plan 185051



ORD 9.4 - ATTACHMENT 3
Petitioner Locations



SUMMARY OF TRAFFIC COUNTS TAKEN AT ENDEAVOUR WAY NEAR XAVIER COLLEGE

Period 5th May to 12th May 2013

16 th May 2013

**ORD 9.4 - ATTACHMENT 4
Traffic Data Summary**

TRAFFIC CHARACTERISTICS

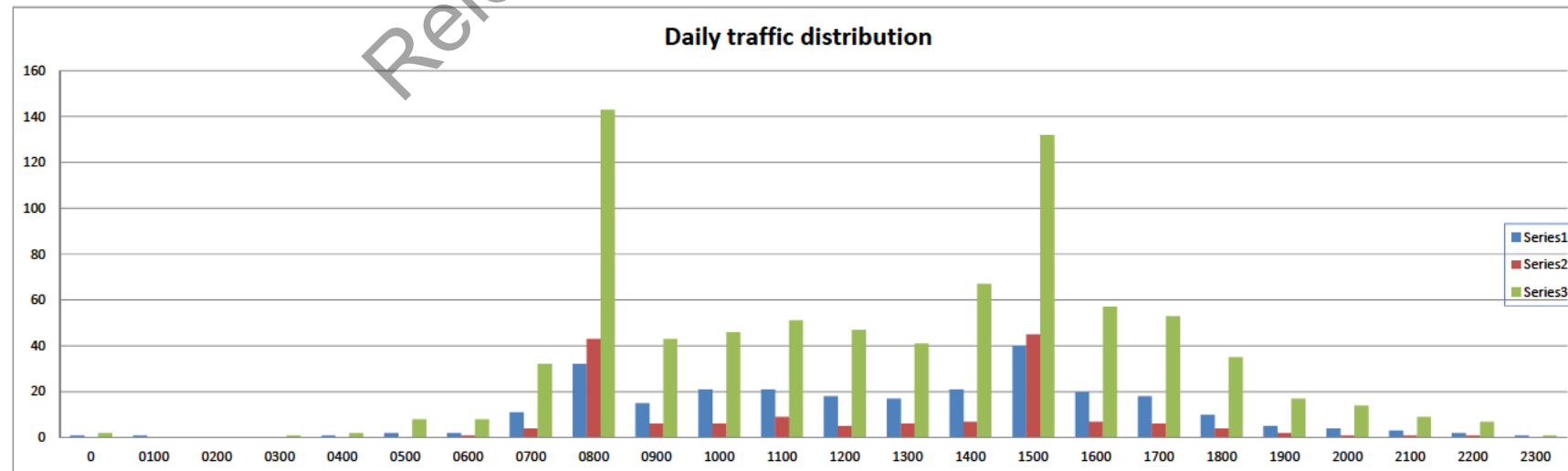
	Total Vehicles in 7 days	Posted Speed	% Exceeding posted speed	Mean Speed Exceeding Kph	Max Speed Exceeding	Minimum Speed Kph	Mean Speed Kph	85% Speed Kph	95% Speed Kph	Median Speed Kph	15 km/hr pace	% in pace	Variance	Std Dev Kph
site 1 Endeavour Way 200m west of area used for parking	2183	50	17.96	54.97	72.7	10.8	41.8	50.8	56.5	42.1	34-49	60.88	90.9	9.53
site 2 Lady Nelson Drive Opp No 10 North of Endeavour Way	1297	50	10.02	53.21	61.7	10.3	39.8	48.2	52.6	41	33-48	63.92	76.37	8.74
site 3 Endeavour Way Immediately South of Wongala Way	6771	50	2.95	52.95	61.9	10.3	38.6	45	48.6	38.9	32-47	77.3	45.66	6.76
All Traffic Average	10251	50	53.71	65.43	10.47	40.067	48	52.57	40.67					

PEAK HOUR VOLUMES

		Mon 7-May	Tue 8-May	Wed 9-May	Thu 10-May	Fri 11-May	Sat 12-May	Sun 13-May
site 1	AM Peak Vol	21.5	47.5	41	46	40	29	24
	PM Peak Vol	40.5	45	45	43	51	30	26
site 2	AM Peak Vol	32.5	62	64	55	66	12	8
	PM Peak Vol	60	60	59	52	49	13	11
site 3	AM Peak Vol	105.5	188.5	216	204	210	78	59
	PM Peak Vol	164.5	150	161	151	155	61	64

DAILY DISTRIBUTION

	0	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
site 1 Series 1	1	1	0	0	1	2	2	11	32	15	21	21	18	17	21	40	20	18	10	5	4	3	2	1
site 2 Series 2	0	0	0	0	0	0	1	4	43	6	6	9	5	6	7	45	7	6	4	2	1	1	1	0
site 3 Series 3	2	0	0	1	2	8	8	32	143	43	46	51	47	41	67	132	57	53	35	17	14	9	7	1



Released Under RTI Act (2009)

ITEM NO.: ORD 9.5**FRASER COST REGIONAL COUNCIL
ORDINARY MEETING NO. 10****WEDNESDAY 5 JUNE 2013****PETITION RESPONSE REPORT**

Petition Tabled	
Meeting/Date:	Ordinary Meeting No. 6 / Wednesday 3 April 2013
Councillor:	Councillor Phil Truscott
Petition Details	
Subject:	Address Drainage Issues 177 to 195 Boronia Drive Poona
Chief Petitioner:	Mr John F Hand
Responsible Officer	Wayne Sweeney Director Infrastructure and Environment
Author	Senior Investigations Officer - Andrew Welsh
A/R	cp0901231
DOCS NO.	#2350904

BACKGROUND

The purpose of this report is to present to Council the outcome of an investigation in response to a petition tabled by Councillor Phil Truscott at Ordinary Meeting No. 6 – Wednesday 3 April 2013. This petition requested consideration is given to addressing drainage issues between 177 and 195 Boronia Drive Poona.

RESPONSE:

An onsite meeting with chief petitioner and other residents identified four (4) clear issues to be considered:

1. Increase pipe capacity and redesign two (2) culvert outlets under Boronia Drive;
2. Reconstruct table drains and driveways on the high side and low side of Boronia Drive between 177 and 195;
3. Regrade outlet drains to the sea;
4. Reshape foreshore to allow for longitudinal drainage.

The request is to reduce the amount of overland flow overtopping the high side of the table drains and entering properties on the low side of the road.

Table drains are not designed to convey the amount of water as experienced by the region during the recent heavy rain events. They are designed to remove water away from the road surface as quickly as possible so that the road does not fail under traffic.

The drainage conditions being experienced in Boronia Drive are similar to other coastal areas across the region where the land is relatively flat and the water tables are high during intense wet weather events. Experience has demonstrated that ad hoc maintenance and improvements works are ineffective in providing any real or noticeable difference to overall drainage outcomes.

Prior to any works being undertaken a detailed survey and minor drainage design check needs to be undertaken to ensure that the requested works will improve the drainage in the area without compromising the overall drainage integrity.

Proposal

The estimated cost of the requested works is \$140,000.

Financial Implementations

This work is not listed as a project in the current Ten (10) Year Forward Works Program.

Consultation

Onsite meeting with Chief petitioner and other residents.

RECOMMENDATION:

That the Chief Petitioner be advised that the requested drainage improvement works have not been included in Forward Works Program. However, Council will undertake a detailed survey and minor design check of the drainage in this section of Boronia Drive.

ATTACHMENTS:

NIL

ITEM NO: ORD 10.1

MAYOR MONTHLY REPORT

COUNCIL REPORT

COUNCILLOR GERARD O'CONNELL

Report Period: April - May 2013

Community and Stakeholder Engagement

- Dinner for the Comfort Kitchen – Gold Star Events
- Meeting with Wide Bay Water & Water Advisory Committee
- Teleconference - REDAC Regional Marketing and Branding Initiative
- Brolga Board Meeting
- Tiaro and District Chamber of Commerce Meeting
- Attended Anzac Day Ceremonies
- Imagine our City Community Jury
- Red Shield Appeal Meeting
- Maryborough QUOTA International Changeover Dinner
- Official Opening of Extensions – Surf Life Saving Club Hervey Bay
- Joint FCRC and UDIA Committee Meeting
- Bendigo Bank Board Meeting
- Attended Council Budget Meetings
- Reception for CMCA Rally
- Yoorana Remembrance Day Breakfast
- Animal Management Working Group Meeting
- Maryborough Young Professionals Breakfast
- St Stephens Hospital - Public Launch - Building Partnerships in our Community Strategy
- CMCA 27th Anniversary Rally - Local Government Get-Together - Presentation - Light Luncheon and Guided Tour of the Rally Site
- Meeting with CQMS
- Opening of Exhibition – Gatakers Artspace
- BUGS Ride at Hervey Bay
- Presentation of Trophies - Hervey Bay Triathlon
- Ergon Energy Meeting
- Qld Fire & Rescue Service Medal Ceremony
- Maryborough Chamber of Commerce Breakfast Meeting
- Science and Engineering Challenge
- Attended Fire Volunteers Thankyou
- Department of Local Government Training
- VE Commemoration Day Service Maryborough
- Opening of Australian Women's Pilots Conference
- Hervey Bay Housing Affordability Scheme Meeting
- Attended Showcase 2013 Awards for Excellence in Schools
- 10km Run/Walk with Jeanette Maynes
- Point Lookout Croquet Club Tournament
- Opening 2013 Poker Run
- Red Shield Appeal
- Official Opening – Granville State School Fete
- USQ Graduation Luncheon

- Australian Women Pilots Association - Annual Conference Presentation Dinner
- Love Mary Day – Petrie Park
- Meet with UDIA Members – Development Works Policy
- Stocklands turning of Sod Ceremony
- Special ROC Meeting Teleconference
- Shared Service Arrangement Committee Meeting
- Local Disaster Management Group Meeting
- Harmony House Morning Tea
- Meeting – Future of St Stephens Maryborough
- Welcome to Bike Riders for Alzheimer
- Meet with Whale Watch Operators
- WBWC Board Meeting Observers Induction
- Coastal Community Forum
- Prize Presentation – Burrum District Garden Club
- Hervey Bay RSL Sub-Branch Anniversary Dinner
- Queensland Government Rise & Shine Concert
- Hervey Bay RSL Sub-Branch – Memorial project meeting
- Launch of the Maryborough Police, Neighbourhood Watch & Crime Stoppers Crime Prevention Trailer
- Orchid House – Biggest Morning Tea
- Tourism Fraser Coast Board Meeting
- Maryborough Youth Achievement Awards
- Official Opening Fraser Coast Show
- Civic Reception - Li Cunxin (Lee Schwin Sing) - Artistic Director
- TS Krait Annual Inspection

Government Liaison

- Met with Mayor of Lismore Council
- Attended Queensland Plan Summit in Mackay
- Meeting with Minister David Crisafulli
- Meet with Disaster Recovery Co-Ordinator
- Meet with Members of State Development

Economic Development

- Fraser Coast Opportunities Ltd Interim Board Meetings
- Fraser Coast Opportunities Board Meeting and Workshop
- Appointment of General Manager to Fraser Coast Opportunities

Council has appointed David Spear, who has 15 years' experience in the public and private sector in Victoria. David has a strong track record of high performance creating jobs and economic development outcomes. He will take up the position on 1 July, 2013.

- Meeting to discuss the progress and development of the Urangan Harbour. (State Government Reps, Hervey Bay Chamber of Commerce, Seymour Watpac, Hervey Bay Boat Club).
- Continual Budget Workshops – preparation for the 2013/14 Budget.
- Wide Bay Water – Water Advisory Committee meetings.

Released Under RTI Act (2009)

ITEM NO: ORD 10.2**PRIMARY PRODUCTION & RURAL INFRASTRUCTURE PORTFOLIO****COUNCIL REPORT****COUNCILLOR JAMES HANSEN**

Report Period: March - May 2013

Community and Stakeholder Engagement

- Attended a number of flood debriefings throughout the region,
- A meeting with The Burrum community centre in relation to them losing their Kindergarten,
- Attended an Infrastructure recovery group meeting,
- Held a number of community chats,
- Had a number of meetings with Anne Maddern in relation to divisional and portfolio issues,
- Attended a number of progress association meetings,
- Attended a number of Burrum chamber of commerce meetings,
- Gave the wildlife preservation society a day tour of my farm,
- Attended the fire area group meeting,
- Attended Hervey Bay rural fire brigade group meeting,
- Met with David Skeels from the Bendigo Community Bank to secure funding for the Tiaro sustainable farming day,
- Numerous meetings with Tiaro land-care and the Tiaro chamber of commerce to help organise the farming field day,
- Numerous meetings with residents in relation to road and drainage issues,
- On site meetings with divisional residents relating to the draft town plan issues,
- Attended a number of meetings with representatives from St Helens school in relation to the condition of their car park,
- Toured the Northern section with Director Wayne Sweeny to show him issues first hand,
- Met with Bryan Hart to discuss Southern section road maintenance issues,

- Wrote to the Minister of agriculture inviting him to attend the Tiaro sustainable farming day, which he has accepted,
- Met with delegates from the Chinese Australian chamber of commerce and talked to them about what the Fraser Coast has to offer in the way of primary produce. Also went to Urangan fisheries with them. Have agreed to have them come back and have a full on tour of the farming areas of the region,
- Have had phone discussions with my " PROGRESSING AGRICULTURE" committee to tee up another meeting as soon as possible,

Projects

CAPITAL PROGRAM STATUS – SOUTHERN DISTRICT RURAL

TIDS projects are currently underway on Tinnanbar Road, Old Gayndah Road and Boobyjan Road. Old Gayndah and Boobyjan Road projects will be complete by the end of May with Tinnanbar Road due for completion by the end of June.

The concrete footpath project in Forgan Terrace, Tiaro has been completed with work now commenced on the kerb and channel works in John Street, Tiaro.

NDRRA Projects

Packages 2 and 3 are not yet complete due to the effects of wet weather. Council has requested an Extension of Time from the Queensland Reconstruction Authority with that request still being considered. Given favourable weather conditions, the packages should be complete by the end of July.

Damage to Council roads due to the January 2013 event has been assessed by Council officers with five (5) submissions for funding forwarded to the Queensland Reconstruction Authority. The number of roads within the submission exceeds 70.

Council has also submitted an application for betterment to a number of roads within the South District. Currently the following roads are being assessed for the available funding:

1. Poona Road
2. Cherry Tree Road
3. Boundary Road
4. Glenbar Road and
5. Thinoomba Road

Unsealed Roads

Maintenance of the unsealed road network has been restricted to one grader crew due to commitments with emergent works on flood damaged roads in March and April and the recent concentration on capital works.

Many unsealed roads are still moisture affected by the recurrent wet weather with maintenance being limited to gravel patching and debris removal from drainage structures as required.

Sealed Roads

The sealed road network continues to be affected by the wet weather. Pothole patching is a priority with pavement repairs being undertaken where conditions and resources allow.

Road Maintenance Performance Contract (RMPC)

Minimal work has occurred on the actual contract with crews concentrating on emergent works for the Department of Transport and Main Roads. Specific priority has been directed to the Maryborough Hervey Bay Road, however all roads within the classified road network have received considerable treatment with regards to emergent works.

The emergent works period has now ceased and crews will be available to recommence works on the RMPC.

Bitumen Reseals

The bitumen reseal program has been significantly affected by the wet weather. Approximately 30% has been completed with completion of the program highly dependent on suitable weather conditions.

Bridge Construction

This program has also been weather affected – currently replacement timber components for the St Mary's Road Bridge are being sourced with work scheduled for June/July.

The timber bridge inspection program is on-going with 50% of bridges being reported on by Roadtek.

CAPITAL PROGRAM STATUS – NORTHERN DISTRICT RURAL

NDRRA

The NDRRA approved works are complete in rural areas. Council has received an extension of time until the end of 2013 to complete Main Street and Urraween Road as the only two remaining projects in the Northern area.

Application for funding has been submitted to QRA for flood damage works from the January 2013 event.

Bitumen Resealing Program

The following roads have been resealed recently in the rural areas as part of the 2012/2013 program.

Nikenbah	Main St	Between BOORAL RD and FERMOYLES RD
Dundowran	Dundowran Rd	Between CRAIGNISH RD and GREENACRES RD
Dundathu	Ramsey Ct	Between PRAWLE RD and END
Aldershot	Colton Rd	Between ALDERSHOT ST and HERRENBERG ST
Aldershot	Dunn St	Between ALDERSHOT ST and HERRENBERG ST
Aldershot	Aldershot St	Between COLTON RD and SHIPLICK ST
Aldershot	Smelter St	Between VAUGHAN ST and MURRAY ST
Aldershot	Smelter St	Between HERRENBERG ST and VAUGHAN ST
Torbanlea	Hartley St	Between ROBERTSON RD and OLD MARYBOROUGH RD

Torbanlea	Old Maryborough Rd(Madders Rd)	Between HARTLEY ST and BRUCE HWY
Torbanlea	Eglinton St	Between HUNTER ST and ROBERTSON ST
Torbanlea	Branch St	Between HUNTER ST and GEORGE ST
Torbanlea	Crawford St	Between KENT ST and HUNTER ST
Torbanlea	Gladstone Rd	Between BURGOWAN RD and ROBERT ST
Torbanlea	Robert St	Between GLADSTONE RD and END
Burrum Town	Government Rd	Between OLD BRUCE HWY and KNOWLANDS ST
Howard	William St	Between HURLEY ST and GREGORY ST
Burrum Heads	Miller Cr	Between ROSSLYN DR and END
Burrum Heads	Hoffman St	Between BURRUM HEADS RD and ROSS ST
Burrum Heads	Boronia St	Between BURRUM HEADS RD and ROSS ST
Burrum Heads	Cassia St	Between BURRUM HEADS RD and ROSS ST
Toogoom	Moreton St	Between TOOGOOM RD and END
Toogoom	Delrose Ct	Between TOOGOOM RD and END
Toogoom	O'Regan Creek Rd	Between TOOGOOM RD and TOOGOOM CANE RD
Toogoom	Toogoom Rd	Between O'REGAN CREEK RD and LORIKEET AV
Poona	Cockatoo Cr	Between POONA RD and END
Poona	Westringia Dr	Between COCKATOO CR and TERAGIN TCE
Poona	Cockatoo Cr	Between SNAPPER DR and SUGAR GLIDER CL
Poona	Themeda Way	Between COCKATOO CR and END
Poona	Snapper Dr	Between BORONIA DR and COCKATOO CR
Poona	Outridge Av	Between BORONIA DR and END
Poona	Pelican Pl	Between ROAD 525 and END
Poona	Emperor Ct	Between PELICAN PL and END
Poona	Hakea Tce	Between BORONIA DR and COTTONWOOD CT
Maaroom	Granville Rd	Between MADDICK RD and ESPLANADE 10
Maaroom	Esplanade 10	Between NEWPORT ST and GRANVILLE RD
Maaroom	Newport St	Between VENTNOR ST and ESPLANADE 10
Maaroom	Ryde St	Between VENTNOR ST and ESPLANADE 10
Maaroom	Eliza St	Between ALFRED ST and OSBORNE ST
Maaroom	Ventnor St	Between ALFRED ST and SHANKLIN ST
Magnolia	Bidwill Rd	Between Ch 1564 and LANGER'S RD
Magnolia	Bidwill Rd	Between Ch 13068 and WEIR RD
Magnolia	Perry Rd	Between BIDWILL RD and Ch 383
Magnolia	Smith Rd	Between BIDWILL RD and Ch 97

Bus Shelters

Old shelters already installed in bus routes in Maryborough and outer areas:

- North Aramara Road – Upper bowling green road
- Maryborough- Iindah Road at Koala Cr
- Maryborough - Iindah Road at Springvale Rd
- Glenwood – Corner of Devron and Beckmans Rd
- Glenwood – Corner Varley and Hervey Rd
- Bauple – Corner Darwin and Van Hensbrook Rd
- Tinana – Eatonvale Rd near Lamerton Rd

Other locations in Maryborough that will be completed by May 2013:

- North Aramara – opposite 597 Old Gundiah Rd
- Boonooroo – Levinge and Davis Road

Road Maintenance

Maintenance works is continuing in various roads and drainage assets in rural areas.

Parks and Open Space

Parks operational staff are continuing to maintain the regions parks and reserves and the break in wet weather has allowed them to catch up on programmed maintenance activities. Restoration works have started in some areas following the Australia Day storm event and flooding.

Fire break maintenance work is still occurring in key areas. Staff are working in with both the rural fire brigades and DNRM to effectively coordinate activities.

The capital works teams are making sound progress in delivering the Parks capital budget. Recent completed works include:

- A new toilet constructed at River Heads Reserve,
- Toilet upgrades at Tuan, Tinana, City Hall and Davies Car park,
- Works at Monica Hodges Park, Aramara,
- The park upgrade at Woo Koo Park is nearing completion.

Community Environment Activities (CEP) in Poona include a walking trail along the Poona Esplanade, grant funding for interpretative signage and planting firebreak offsets. In Maaroom, coastal fence and signage funding has been received. The model coastal garden in Poona and Burrum Heads has been established and continues to be maintained by the volunteers. The butterfly garden at Bauple has also proved to be successful.

The volunteer plant propagators have been donating plants for Landcare projects at Tiaro and the greater Mary River region.

Strategies

SPRAYING OF DECLARED WEEDS ON COUNCIL ROADS

During this period, spraying program activities have been carried out on Council roads in the localities of:

- Glenwood
- Craignish
- Grahams Creek
- Burrum Town
- Doongul
- Maryborough
- Duckinwilla
- Torbanlea

- Maryborough West
- Aramara
- North Aramara
- Walkers Point
- Dundowran
- Yengarie
- Burgowan

Customer requests for weed control outside of the above mentioned localities are:

- Main St drains
- Pt Vernon bikeway
- Eli Waters drains
- Urangan
- Burrum Heads
- Gundiah – hymenachne
- Maryborough Show Grounds

Element 5, a Transport and Main Roads contract for managing pests on State roads, has been implemented with surveying for the detection of pests completed, and spraying of found pests carried out on the following roads:

- Bruce Highway
- Maryborough-Cooloola Road
- Maryborough-Biggenden Road
- Booral Road
- Burrum Heads Road
- Torbanlea – Pialba Road
- Bauple – Woolooga Road
- Mungar Road
- Brooweena – Woolooga Road
- Pialba – Burrum Heads Road

Reseals, spray vegetation in the kerb & channel and bitumen surface to numerous roads in Poona and Maryborough.

The kerb and channel spraying program has continued with spraying carried out on roads in Maryborough, Urangan, Torquay, Pt Vernon, Torquay and Scarness.

DECLARED WEED AND ANIMAL SURVEY PROGRAM

The Pest Survey Program covered the Bidwill, Gootchie, Walkers Point, Ferney, Mt Urah, River Heads and Wondunna areas, with notification letters sent to landowners with awareness information on identification, control and their impacts for the following declared weed species:

- Salvinia
- Water hyacinth
- Mother of millions
- Groundsel bush
- Rat tail grasses

A collaborated monitoring program for feral animal activity with Hardwoods Queensland Plantations, QPWS and FCRC was undertaken in Wongi State Forest, St Marys State Forest and Wongi National Park to establish the abundance of feral animals, namely wild dogs. This was done due to the impacts of wild dogs and feral pigs to adjoining freehold land.

A baiting program has now been planned for early May with landowners and State agencies participating.

A further collaborated monitoring program will occur on Bauple Mountain to assist small property owners that are ineligible to use 1080 to control wild dogs.

EDUCATIONAL AND AWARENESS PROGRAM

Presentations on the identification of weed pests, control and their impact, were given to the following community groups, with healthy numbers of people attending these forums:

- Lower Mary River Land and Catchment Care Group on Round Island
- Bromeliad Society
- Orchid House (Botanical Gardens- Greatest Morning Tea)

Services

Weed and Vector control services implemented include:

- Pest Animals – some individual landowners/managers have baited their properties to control wild dogs and feral pigs. Traps have been supplied for wild dogs in areas where baiting is not permitted and fox traps are continually in high demand and traps are being supplied when available for feral cats. Rat bait stations in parks and Council depots have been regularly checked and re-baited where required. Reports of Indian mynas are still being received from the public in locations that have already been reported. Nine (9) feral pigs were trapped and euthanized from properties in the Beaver Rock locality, feral pig sightings are being reported across the region with traps being issued where requested. Further feral cat traps are being sourced for an upcoming feral cat trapping program.
- Vector - mosquito treatment controls are being implemented where mosquito breeding is occurring.

A spray trailer has been loaned out to landowners wanting assistance in controlling declared weeds.

RECOMMENDATION:

That the Primary Production & Rural Infrastructure Portfolio report be tabled.

ATTACHMENTS:

NIL

ITEM NO: ORD 10.3**COMMUNITY HEALTH, EDUCATION & TRAINING PORTFOLIO****COUNCIL REPORT****COUNCILLOR ROBERT GARLAND**

Report Period: March 2013 – May 2013

Community and Stakeholder Engagement

Animal Management Working Group - monthly meetings
Let's Get Fraser Coast Working Group - quarterly progress meeting
Fraser Coast Jobs and Careers Expo - 2013 event preparation monthly meetings
Fraser Coast Education Alliance - monthly meetings
"Beat It" sessions - weekly health and fitness training
Aldridge State High School - quarterly council meeting
Water and Wastewater Committee - various strategic planning meetings
USQ - various community engagement meetings

Community Engagement

Resident ideas and concerns - processing multiple enquiries and meetings
Brolga Theatre - board meetings
Hervey Bay Housing Affordability Incentive Scheme road contracts - various community and business consultation
Maryborough and Hervey Bay Chambers of Commerce - general consultation
Botanic Garden - nursery tours
Q Mulching - Nikenbah field day and tour
Ulysses Club AGM - showground tour
Launch of Maryborough Open House 2013 - Heritage Council informal meeting and city tour
Draft Planning Scheme - various meetings Hervey Bay Community Kitchen - fund-raising and anniversary celebration

Projects

Get Fraser Coast Working Reference Group

The last quarterly meeting was completed in April 2013. The group continues to meet on a quarterly basis in alternate locations within Hervey Bay and Maryborough. Currently 18 participants have been placed within various areas of Council and feedback continues to be positive.

Recruitment Coordinator, Billy Gumburd completed a speed interviewing session with several clients of Uniting Caring as part of their Project 40 program. Feedback from the Program Organiser was that the session was very successful, and the participants were very thankful of the advice given to them, 2 participants of the program have since been successful in obtaining work experience with Council.

A working group meeting was completed in April with some key stakeholders, the group coordinated a standardised document to outline the areas in which the program participants are looking to gain work experience at Council. The document will assist in quicker turnarounds from when Council receives a resume to when the participant is placed in work experience.

Council commits to placing up to twenty (20) participants during every four (4) month period to reach the target of up to sixty (60) placements per year.

External providers continue to work closely with Council as the program builds momentum.

Education Precinct

Council continues to engage with the Fraser Coast Education Alliance in relation to the establishment of a Trade Training Centre. An application is to be submitted to the Federal Government by the Alliance for a Centre located on the Hervey Bay High School site. The application is anticipated to be lodged prior to August 2013.

Animal Management Working Group

The Animal Management Working Group continued to meet on a monthly basis.

The group has formed a Terms of Reference and has established its core membership.

The group is currently looking at many issues; of particular note is the issue surrounding desexing of pets, particularly cats and how this can be written for inclusion in the new Local Laws.

Other areas to be considered at future meetings are feral animal control including feral and un-owned urban cats and foxes.

Fraser Coast Jobs and Skills Expo

This year's 2013 Job and Skills Expo organising committee has been hard at work planning for the event coming up on the 25th of July. In an effort to create its own identity in the community the group decided to establish a new logo and branding.

The Brolga Theatre will host the expo this year, which is an ideal space as we will utilise all areas of the building including the theatre itself. We are excited about the level of interest from the "Try a Trade" and have also successfully secured DEEWR funding to create one minute video segments promoting the occupations within this great region.



Strategies

Live Life Healthy (Healthy Communities Initiative)

Additional activities commenced or completed as part of this Initiative during the reporting period include:

- Delivery of Men's Beat it Session
- Delivery of HEAL at Maaroom
- Delivery of 8 week Community Exercise Program
- Community walk at Miva
- Summative Report to DOHA
- 3 AustCycle courses
- 1 Live Cycle program
- Interpretive signage installed along Hervey Bay Esplanade



Miva Community Walk

In addition, the Life Live Healthy team have attended the following community events to promote the program and engage with the target group.

- Maryborough Show
- Endeavour Foundation
- Maryborough Neighbourhood Centre

Construction plans for the Halcro Street Community Garden are being finalised.

Commencing 18 March, an 8 week free community exercise program delivering 20 free exercise classes per week. Classes were delivered by qualified fitness trainer in the Fraser Coast. The program was positively received by the Community.



Community Exercise

The Healthy Communities Coordinator continues to establish networks, attend meetings and deliver presentations to various community groups.

Waste Education Program

The design of the new Education Facility at the Cleanaway MRF (Material Recovery Facility) is underway. This facility will allow school groups and members of the community to see firsthand what is done with the material from their kerbside recycling bin. It will be fitted with hands on interactive activities to educate on the importance of recycling.





The viewing platform will provide a safe space to view the Cleanaway workers and equipment in action, sorting plastics, glass, paper, cardboard, aluminium, steel and contaminants. This facility should be up and running by August for an official launch.

Educational visits are still occurring at childcare centres and schools within the region with schools lining up to book into a tour at the new MRF Educational Centre once open.

Waste Services and Council's CEP Officer, Tina Raveneau, are getting on board with the 'Compost Revolution'. This program is a platform to assist in educating members of the community about the art of composting and worm farming. It is aimed to assist in diverting organic waste from landfill and eliminating the spread of weeds. The program hosts a Fraser Coast website for residents to participate in an online workshop on either composting or worm farming, complete a quiz and have the opportunity to purchase a compost bin or worm farm online that gets delivered right to their door. We have added another element to the program by contacting local businesses that stock compost bins and worm farms and getting them on board to promote the use of their products through the 'Compost Revolution'.

Food Safety Education Program

The Environmental Health Section provides accredited training courses to the industry in both basic food safety and also food safety supervisor training. Training is provided on an as needed basis with a new program to be offered in the near future. Non accredited training is also offered at times to community based groups and organisations that participate in and food based fund raising events.

Services

Immunisation

Immunisation clinics are a joint service provided by Council and Queensland Health. The vaccines are issued in accordance with the current immunisation schedule as set by the National Health & Medical Research Council and Queensland Health.

Immunisation Clinics were held during March 2013 to May 2013 at -

- The Village, Community Health Centre, Torquay Road, Pialba, and
- Bauer Wiles Complex, Winston Noble Drive, Maryborough

Total Number of Clinics-

		Schools & catchup clinic	Number Immunised	Baby Clinic	Number of babies immunised	Number of adults immunised
March	Pialba	6 schools 2 catch-ups	431 61	2	51	2
	Maryborough	4 schools 2 catch-ups	372 57	2	51	0
	Total	10 school 4 catch-ups	918	4	102	2
April	Pialba	1	10	2	57	2
	Maryborough	1	13	2	51	4
	Total	2	23	4	108	6
May	Pialba	3 schools	572	2	34	0
	Maryborough	2 schools	227	2	53	0
	Total	5 schools	799	4	87	0

Note - Data calculated on 22/5/13 Baby clinic held on 23/5/13

In addition to the above, Round 1 of the School Immunisation Program was started on 18 February (data entered for one school only) across various public and private schools in the Fraser Coast Region:

Round 1 2013 School Program

School	Vaccine				Total Vaccinations	Number of students
	dTpa	Hep B	HPV	Varilrix		
FCAC	54	43	72		169	116
Agnew	6	4	6		16	10
MSS	3	2	3		8	5
RCC	38	44	66		148	91
St James	16	27	38		81	46
HBSS	6	3	8		17	9
HBCA	4	8	9		21	14
Glendyne	8	4	7		19	12
Xavier	104	82	149		335	211
Urangan High		216	242		458	249
Urangan High	232		99		331	234
Aldridge High	124	116	194		434	266
St Mary's	59	53	81		193	124
Maryborough High	81	103	144		328	192
Hervey Bay High	111	129	209		449	261
Hervey Bay Catch-up Clinic	24	20	35		79	47
Maryborough Catch-up Clinic	19	30	41		90	52
Hervey Bay Catch-up Clinic Feb		7	6	3	16	9
Maryborough Catch-up Clinic Feb		4	3	1	8	4
Maryborough Catch-up March	3	2	5		10	5
Hervey Bay Catch-up March	4	9	14		27	14
Maryborough Catch-up April	6	5	9		20	13
Hervey Bay Catch-up April	6	3	6		15	10
	908	914	1446	4	3272	1994

The types of vaccines issued in accordance with the Qld Schedule at the above clinics were:

Diseases we immunise against (babies)	Diphtheria, Tetanus, Pertussis (Whooping Cough), Polio, Hepatitis B, Haemophilus Influenzae type B Pneumococcal Infection Rotavirus Mumps Measles Rubella Varicella (Chickenpox)
Diseases we immunise against (school students)	Diphtheria, Tetanus, Pertussis (Whooping Cough) Hepatitis B Varicella (Chickenpox) Human Papillomavirus

Development Applications Lodged

The following applications were received during 18 February 2013 to 18 May 2013:

MCU-131024 - Code Assessment - Material Change of Use - Retirement Village (Extension to Aged Care Facility) - 12 Banksia Street, Point Vernon

MCU-131014 - Code Assessment - Material Change of Use - Community Facility (Education Facility) - 23 Royle Street, Maryborough West

Development Approvals issued

The following development approvals were issued during 18 February 2013 to 18 May 2013:

MCU-131014 - Code Assessment - Material Change of Use - Community Facility (Education Facility) - 23 Royle Street, Maryborough West

RECOMMENDATION:

That the Community Health, Education & Training Portfolio report be tabled.

ATTACHMENTS:

NIL

ITEM NO: ORD 10.4

**SMALL BUSINESS, MANUFACTURING & SERVICE INDUSTRY
PORTFOLIO**

COUNCIL REPORT

COUNCILLOR CHRIS LOFT

Report Period: March 2013 – May 2013

Community and Stakeholder Engagement

Discussions with:

- Epic Employment Agency
- Many & varied town planning discussions with owners of commercial properties
- Local opportunities – Meeting with private engineers
- Fraser Coast Opportunities Board Members
- Maryborough Hospital administrative staff
- Many & varied meetings with Anne Maddern MP Member for Maryborough, including “Buy Local” campaign
- Building Bio opportunities
- Marketing discussions with local business people
- Local Town Planning Consultants
- Young Entrepreneurs
- “Imagine this City” Project
- Caravan Park owners in Maryborough
- Wide Bay Water Directors
- Local Developers
- Local Fraser Coast small business operators
- Seabird Aviation owners
- Mary Harbour owners
- AIMnet
- Australian/Chinese Chamber of Commerce representatives
- Cooktown Council representatives
- TAFE Maryborough – new business opportunity
- Local Gun Clubs – reopening of range
- Local Government Ministers Crisafulli & Stuckey
- Original Surveyors of Maryborough
- Ted Sorensen MP State Member for Hervey Bay
- Local media
- UDIA Executives
- Australian Defence Department - relocation preparations
- Enterprise Connect staff
- Council staff – preparation for Business Festival in July

Attendance at:

- Maryborough Chamber of Commerce Breakfast
- Hervey Bay Chamber of Commerce Breakfast
- Transformations Board Meeting
- Brolga Board Meetings
- Opening of Recycling Facility Maryborough
- Community Meetings - draft Fraser Coast Planning Scheme

Maryborough City Heart Meeting
Maryborough Gym Annual Meeting
Heritage Taskforce (Wharf St)
Bridgestone Maryborough – Prison Tyre Fitters course
First Eleven Lunches
10th Anniversary Celebrations – Maryborough Prison
Ulysses AGM Event
Heritage Council Meeting (Maryborough)
Citizenship Ceremony
CMCA Rally
DLGP Training Session
Maryborough Prison Community Meeting
St Pauls bell ringing demonstration
Launch of Fraser Coast Business Awards - Discovery Centre
MCRA Monthly Meeting
2013/14 Draft Budget Sessions
Glenwood Cricket Game
Bank of Queensland Financial discussion
Rockhampton Business Innovation Day
Audit Committee Meeting
2013 Fraser Coast Show
Heritage Markets

Projects

Maryborough Industrial Estate

Discussions/negotiations are currently underway with officers of DSDIP in relation to gaining access to the proposed Council development through the existing Moonaboola Industrial Estate. Once these negotiations are finalised, the Development Application is ready for submission.

Airport Industrial Estate

Electrical installation finalised for Stage 3 with "On Maintenance" documentation being submitted for approval. Survey Plans and Easement documentation also nearing completion. Electrical parts/items have now been ordered for Stage 4 and installation will commence in the near future.

Business Festival

The month of July is being marketed as Celebrate Business Festival. Council has co-ordinated, in liaison with local businesses and service providers/organisations, an extensive list of workshops, activities, information sessions and business tours that are particularly focussed on business.

Strategies

Boost Your Business

Current offers through Council's Boost your Business initiative total 49.

Fraser Coast Opportunities

A General Manager has been appointed to take control of Fraser Coast Opportunities – the new group that will drive the region’s economic development, marketing, events and tourism.

Council has appointed David Spear who has 15 years’ experience in the public and private sector in Victoria. David will commence on 1 July 2013.

Services

Business Enquiries

As part of the Fraser Coast Opportunities Initiative, Development Assessment advice has been provided for five (5) projects which relate to uses such as a Service Centre within the Wide Bay Industrial Estate, Outdoor Camping Goods Store, Airpark, Retirement Village (independent living through to a high care facility) and an Outdoor Recreation Facility (Water Play).

Wide Bay Industrial Estate

Council continues to work with the owners of the Estate to attract businesses and investors. An extensive marketing campaign has been undertaken by the owners in an endeavour to highlight the opportunities the Estate provides.

Maryborough Marine Industry Precinct

Council has progressed amendments to existing development agreement arrangements with a view to facilitating the attraction of a new developer.



Economic Flood Recovery Activities

Economic flood recovery activities are now undertaken on a needs basis. Liaison with officers of DAFF and DSDIP is continuing with a view to picking up any programs that are still available.

Development Applications Lodged

The following applications were received during 18 February 2013 to 18 May 2013:

MCU-131003 – Impact Assessment – Material Change of Use – High Impact Industry (Demolition & Recycling Yard) – 3 Hopper Street, Tiaro

Development Approvals issued

The following development approvals were issued during 18 February 2013 to 18 May 2013:

MCU-131007 – Code Assessment – Material Change of Use – Industry A – Additional Warehouse, Office and Amenities – Activity Street, Maryborough West

MCU-121088 – Impact Assessment – Material Change of Use – Caravan Park – 26 Shell Street, Urangan

MCU-121102 – Impact Assessment – Material Change of Use – Outdoor Sales Premises and Restaurant – 77 – 87 Old Coach Road, Torbanlea

RECOMMENDATION:

That the Small Business, Manufacturing & Service Industry Portfolio report be tabled.

ATTACHEMENTS:

NIL

Released Under RTI Act (2009)

ITEM NO: ORD 10.5

CITY & TOWN CENTRE DEVELOPMENT PORTFOLIO

COUNCIL REPORT

COUNCILLOR DANIEL SANDERSON

Report Period: March – May, 2013

Community and Stakeholder Engagement

- Imagine this City Consultation Process
- Maryborough Chamber of Commerce Executive Committee
- Hervey Bay Chamber of Commerce Executive Committee
- Maryborough Neighbourhood Centre
- Maryborough Young Professionals
- Maryborough Safety Network Committee
- Hervey Bay Safety Network Committee
- Foreshore Taskforce
- Maryborough CBD Revitalisation Plan Executive Committee
- Maryborough Ratepayers Association Meeting
- UDIA Fraser Coast
- Community Chats
- LEDA Group Developments (Stakeholder Engagement)
- Precinct Property Group (Stakeholder Engagement)
- Concord Built (Stakeholder Engagement)
- CT Management Group (Maryborough CBD)
- GHD
- Brisbane City Council
- Townsville City Council
- Knight Frank Fraser Coast
- Fraser Coast Development Update
- Member for Maryborough Anne Maddern
- Quest / Central Prime Group
- Fraser Coast TESS
- Global Manufacturing Group
- Wide Bay Transit
- RWL Chrome Engineering
- Maryborough State Schools (Granville, Tinana)
- Maryborough Base Hospital Auxiliary
- Maryborough Correctional Centre
- Granville Community Coordination Committee (GCCC)
- Maryborough High Schools (St Mary's, Aldridge and Maryborough High)
- Riverside Christian College
- Wide Bay Institute of TAFE
- Holmes McLeod
- Queensland Ballet
- Shamrock Hotel Maryborough
- BDM Academy
- RATS (Regional Artists and Tutors Fraser Coast)
- Maryborough Youth Achievement Awards

- Uniting Care Community
- Strategic Nous
- Stockland Hervey Bay (Turning of the Sod)
- Draft Planning Scheme Submissions and Discussions
- SeaFM and Southern Cross Ten
- Granville Community Kindergarten Committee

Projects

Car Park in the Maryborough CBD (Possible Urban / Commercial Development)

No Expressions of Interest were received at the time of closing. Council is now proceeding with the preparation of a short development prospectus to be utilised in marketing the property for potential development.

Mary River Walk Project

Works at the Brolga Viewing Deck & connecting pathways have been commenced and are well advanced. The Deck and pathways will be complete by the end of June.

Replacement of Mary River Rowing Pontoon

Tenders are currently being called from suitably qualified marine infrastructure specialists to provide Design & Construct Services relating to the proposed replacement of the Mary River Rowing Pontoon. Tenders close for this project 30 May, 2013.

Maryborough Floods and Redevelopments

Flood recovery programs and initiatives are now being investigated and implemented on a needs basis.

MB City Heart Campaign

A Maryborough City Heart campaign was implemented in partnership with APN during February to May. The campaign was supported by a Facebook competition which increased activity on the Maryborough City Heart page and raised awareness of this resource as a free cooperative promotional tool for CBD business.

Additional place making and branding activities have been carried out during the period to reinvigorate the city during the Ulysses and CMCA visits. These included:

- Installation of City Heart Banners to Parking Signs in Adelaide and Kent Streets;
- Coordination of Maryborough City Heart promotional T shirts for purchase by CBD businesses and interested public.

Use of empty shopfronts

A number of initiatives have been implemented to improve presentation of empty shopfronts within the CBD. Decals featuring historical photographs of the CBD have been applied to some shop windows in Kent, Adelaide and Bazaar Streets. This initiative was supported and assisted by Maryborough Wide Bay & Burnett History Society Inc., the building owners and CBD Real Estates.

Maryborough Regional Artists and Tutors (RATS) proactively worked with Council and CBD Real Estates to create temporary art galleries within a number of empty CBD shopfronts. The project adds energy and life to the CBD, keeping the shops looking presentable while showcasing the talents of local artists.

Heritage Markets Discussion and Changes to layout and Presentation

Heritage Market Day Advisory Committee meeting was held on the 2 May to discuss feedback to date regarding proposed changes to the markets. The consultation period is continuing with final report to Council proposed for July 2013.

Portside Heritage Precinct

The Portside Task Force has been established and has met monthly to discuss current projects and future opportunities relating to the Portside precinct. The Portside Heritage Gateway project has commenced with a three year plan to establish an integrated tourism attraction for the city. Initial cooperative marketing and ticketing trials were implemented for Ulysses and CMCA groups – proving a successful way to increase visitation and dispersal throughout the precinct.

Urangan One Way Proposal

Further assessment of effects of one way traffic on intersections will be undertaken to understand the impact before the proposal can be fully considered.

Lennox Street and Ann Street Upgrade

The Lennox Street and Ann Street Upgrade project was completed in March, 2013.

Potential Urban and Residential Developments in Maryborough and Hervey Bay

Recent approvals have included rural residential subdivisions in Tiaro and Poona. Whilst potential new residential developments in Maryborough and Hervey Bay have been slow, holders of existing permits continue to maintain currency of the permits in preparation for future commencement.

A development application has been made by Council for Reconfiguring a Lot to subdivide One (1) Lot into 89 Lots at George Street, Maryborough. This application is currently in the Request for Information phase.

Plan sealing has been finalised for Linwood Estate on Teddington Road, Tinana.

Development applications for the final stages of development in the Tinana Greens Estate are expected to be submitted this year.

Station Square Update

The expansion to the west of Station Square is still under consideration. A draft Council report has been prepared and is under review. The target date for Council consideration is June 2013.

The expansion to the north is also still under consideration. Public notification completed on the 11 February and the application has now entered the decision stage. Draft conditions are being prepared for review by the Applicant. The target date for Council consideration is June 2013.

St Stephens Hospital Hervey Bay Update

Construction on the new \$100M facility commenced on 7 January 2013 which will include a day hospital with two operating theatres that will provide a wide range of surgical specialities.

Stocklands Hervey Bay Update

Construction has commenced for Stage 2 of the planned extension.

Council staff continue to liaise with Stocklands to progress the development.

Release of Draft Fraser Coast Planning Scheme

The draft Fraser Coast Planning Scheme closed on Friday 12 April, 2013. Submissions received relating to the Scheme are now being assessed by Council.

Streetscape Scheme Incentive

The streetscape scheme is ongoing and a letter to all Maryborough CBD businesses was forwarded with information included about this scheme. Applications are assessed on a case by case basis.

Commissioning of Urban Designers for MBRO CBD

A new project "Imagine our City" has recently been commenced with consultant Strategic Nous being commissioned by Council to pull together and review all previous and existing urban planning and streetscape schemes.

It is expected that this project, which will include consulting with CBD businesses, is expected to take approximately 4-6 months.

This project has only recently been commenced and further updates will be provided.

Commissioning of Facilitator for MBRO CBD 'Imagine this City' workshops and forums to be held across Maryborough please provide update

Four Community Forums will be hosted with a cross-section of the community invited to participate to capture a range of perspectives and experience.

Invited participants will be requested to register to attend one of the following Community Forums. Each forum will have a maximum of 40 participants.

- Thursday 30th May, Maryborough City Hall – 6.00 pm to 8.00pm
- Friday, 28th June, Granville Community Hall – 6.00 pm to 8.00pm
- Wednesday, 31st July, Tinana Community Hall – 6.00 pm to 8.00pm
- Wednesday, 28th August, Maryborough Hockey Hall – 6.00 pm to 8.00pm

Update on Facades and Awnings, Local Law Review

Council resolved on Wednesday 23 January 2013 the following

“That Council:

1. receive and note the report, and
2. include the question of adopting a local law similar to that which has been implemented by the Brisbane City Council through their Health, Safety and Amenity Local Law 2009 and the Health Safety Amenity Amending Local Law 2012 to cover the Maryborough CBD.”

Draft proposals were provided to Councillors at a recent meeting with Councillors to provide feedback relating to the proposals to enable this matter to progress.

Parklets Scheme

Council at its meeting held on 20 March, 2013, resolved as follows relating to the Parklet Scheme:-

1. That Council fund the development and construction of two parklets for trial and installation along the Esplanade, Hervey Bay and the Central Business District, Maryborough.
2. That should the trial be successful, an application process be commenced for a Parklet Program across the Fraser Coast Region in accordance with the attached draft Parklet Program Operating Guidelines, Parklet Proposal Form and Application Form.
3. That Council’s Fees and Charges be amended to include additional fees as follows:-

Parklet Formal Application Fee	\$800.00
Annual Parklet Fee	\$240.00

Following Council’s resolution, two parklets were installed, one at Toast in Maryborough and one at Maddigans Seafood, Hervey Bay. Both parklets were installed in time for the Ulysses and CMCA visits to our region. A review of the programme will be conducted mid June when Council will consider whether to introduce an application process across the Fraser Coast Region.

Establishment of Granville Community Coordination Committee

The inaugural meeting of this Group was very productive and very positive. Community members in attendance raised a number of issues that were considered important during times of flood including methods of communicating messages and how they can be improved, facilities that are available during times of disaster and the importance we work together minimise the impacts on our community. Some of the suggestions put forward included allowing limited river crossings for business owners whose buildings are in danger of being inundated. Members also wanted to investigate drafting of a Granville Disaster Response Action Plan.

FCRC Disaster Planning Coordinator Mal Churchill outlined Council’s response during the last floods and the implementation of flood gauges across the Fraser Coast.

Council will investigate prevention measures for a number of different disaster scenarios (including floods, cyclones, earthquakes and violent storms).

The Granville Coordination Committee will meet again in June, 2013 to discuss further flood prevention measures for Granville.

There were a large number of positive ideas and suggestions that were mentioned during the first meeting and we look forward to building on those at future meetings.

Clean-up of Lower Kent Street & Guava Maryborough

Council crews commenced additional works on the lower end of Kent Street the week commencing 27 May, 2013 which incorporated the following activities:-

- Vegetation clean-up on the Queensland Rail area
- water blasting of the footpath including removal of trash in the area i.e. removal of materials deposited on trees, power poles, stays and sign posts.
- removal of the damaged trees that are located between the railway line and property boundaries in Lower Kent Street.

Scrub vegetation removal works in Guava Street will be completed by a local contractor with works on this area expected to commence in early June, 2013.

Council will continue to make representations to private property owners to seek their assistance in ensuring the clean-up of private property areas continues as fast as possible.

Imagine this City Progress – Maryborough CBD

This project is proceeding exceptionally well,

- First workshop about to commence 30 May with capacity attendance of attendees
- Jury formation running exceptionally well
- Facilitator appointed for workshops
- Encourage completion of online surveys

I will be seeking inclusion of priority infrastructure works for the CBD as part of upcoming budget deliberations

Town Plan Workshops to be held

Local Plan Workshops for Nikenbah, Granville and St Helens are scheduled for 19 & 20 June 2013.

Investment in Federal Hotel, Maryborough

Gavan and Jessica Chin are the new owners of Maryborough's historic Federal Hotel on Kent St as former owner Pat Formica steps down from the helm.

Mr Chin, a chef for the past 14 years, has already put his first menu in place at the pub and added a new range of custom beers after the keys were officially handed in Mid May, 2013.

The new owners intend to provide a menu with a traditional take on pub fare which will go with the historic look of the 129-year-old pub.

The sale is the latest move in a resurgence of the Maryborough hospitality industry after Muddy Waters reopened in Council's Portside Residence Building.

Woolworths Maryborough

Woolworths are currently spending approximately \$5M on a total refit of their Maryborough Store following inundation from the January, 2013 floods. Media articles indicate an opening date of approximately end August, 2013 for this Complex.

Development of the Heritage Gateway

A number of meetings have occurred with the Portside Heritage Gateway Taskforce to look at how this precinct can be re-invigorated. Council are working with various stakeholders to look at changes.

Industrial Estate - Maryborough

Council Staff are currently finalising the Development Application relating to the Council controlled Industrial Estate in Maryborough.

Marine Industry Precinct

Council has progressed amendments to existing development agreement arrangements with a view to facilitating the attraction of a new developer.

Maryborough Sugar Factory - Mary Harbour

Council is continuing to progress the Structure Plans over the area.

Maryborough Aquatic Centre

The Maryborough Aquatic Centre has now reopened with the 25m and 50m pools being available. Works are continuing for the water play and the heated indoor hydrotherapy pools. Contract completion dates for the waterplay and hydro pool is 1 July, 2013.

Maintenance to footpaths and seating

In preparation for the Ulysses visit in April, Council removed, rehabilitated and replaced approximately 25 seats in the Maryborough CBD, waterblasted footpaths in Kent and Adelaide Streets, removed graffiti from Council signs, walls and footpaths, sprayed herbicide for the removal of weeds etc. in laneways and also attended to the polishing of the Mary Poppins Statue

New plants/flowers for Maryborough CBD

Additional landscaping works including the planting of annuals within the Maryborough CBD was undertaken to align with the attendance of the Ulysses AGM.

Foreshore Enhancement

Foreshore Enhancement works continue to be undertaken including turfing, extensive planting and the provision of minor infrastructure such as shelters & seats.

Focus of CBD or heart of Hervey

The draft Fraser Coast Planning Scheme includes local area specific provisions intending on providing a higher level of focus on the principal activity centres in both Hervey Bay and Maryborough being the CBD of Maryborough and the greater Pialba area in Hervey Bay.

Meeting with key stakeholders for Urangan Boat Harbour Precinct

A meeting was held on 27 May, 2013, with Fiona Bowden, Bob Hockey and Michelle Riley from the Department of State Development Infrastructure and Planning and Stuart Underhill from Department of Transport and Main Roads to enable discussions to be held relating to development of the Urangan Boat Harbour Precinct.

Strategies

Current Development ApplicationsReceived/Assessing

As at 18 May, 2013, the following significant applications for locations in the city and town centres were received and/or are being assessed but yet to be determined:

MCU-131018 – Code Assessment – Material Change of Use – Shop, Medical Centre, Restaurant, Indoor Recreation Centre and Passenger Bay – 6 Central Avenue, Urraween

Determined

As at 18 May, 2013, the following applications have been determined during the period 19 February to 18 May 2013:

MCU-121056 – Impact Assessment – Material Change of Use – Restaurant (24 hour operation) – 100 Ferry Street, Maryborough.

RECOMMENDATION:

That the City & Town Centre Development Portfolio report be tabled.

ATTACHMENTS:

NIL

ITEM NO: ORD 11.1

**FRASER COAST REGIONAL COUNCIL
ORDINARY MEETING NO. 10**

WEDNESDAY 5 JUNE 2013

SUBJECT: APPLICATION FOR NEW LEASE – BURRUM AND DISTRICT COMMUNITY MEN’S SHED INC. and BURRUM AND DISTRICT HERITAGE SOCIETY INC.

DIRECTORATE: ORGANISATIONAL SERVICES

RESPONSIBLE OFFICER: DIRECTOR ORGANISATIONAL SERVICES, Alexis Hill

AUTHOR: SENIOR PROPERTY OFFICER – CORPORATE BUSINESS, Emma Crabtree

DOC NO: DOCS #2356529

LINK TO CORPORATE / OPERATIONAL PLAN: N/A

1. PURPOSE

The purpose of this report is to seek Council’s approval to enter into new leases with the Burrum and District Community Men’s Shed Inc. and the Burrum and District Heritage Society Inc. over separate parts of Lot 11 RP87817, located at 2 Burrum Street, Howard.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The whole of Lot 11 is currently leased by Burrum and District Heritage Society Inc. and the lease is due to expire in March 2020. However, to allow for the Burrum District Community Men’s Shed Inc. to independently occupy part of the land, the Heritage Society has confirmed its willingness to relinquish part of its lease area to the Men’s Shed, and enter into a new 20 year lease agreement with Council over the balance of the land.

The Burrum District Community Men’s Shed Inc. has been operating for over twelve months from a ‘loaned’ shed in Howard. With over 26 members it is now seeking a suitable long term venue and wishes to seek external funding for the construction of its own shed should it be successful in obtaining tenure over the land.

The site plan (Attachment 1) details the location of the leased land which is described as Lot 11 RP87817.

3. PROPOSAL

It is proposed that Council:-

- 1) approves the surrender of the lease with the Burrum and District Heritage Society Inc. as of 31 August 2013; and
- 2) offers the Burrum and District Heritage Society Inc. a lease over part of Lot 11 RP87817, for a period of twenty years, with a commencement date of 1 September 2013; and
- 3) offers the Burrum District Community Men's Shed Inc. a lease over part of Lot 11 RP87817, for a period of twenty years, with a commencement date of 1 September 2013.

4. FINANCIAL & RESOURCE IMPLICATIONS

Under section 1.5 Fraser Coast Regional Council Land/Lease Assistance for Community Groups (Sport, Recreation, Arts and Culture and Community) policy, costs associated with the preparation of the lease agreement shall be the responsibility of the Lessee including but not limited to legal, surveying and registration fees.

5. POLICY & LEGAL IMPLICATIONS

The Fraser Coast Regional Council Land/Lease Assistance for Community Groups (Sport, Recreation, Arts and Cultural and Community) applies to this lease.

6. CRITICAL DATES & IMPLEMENTATION

The Burrum and District Heritage Society Inc. lease will be formally surrendered as of 31 August and a new lease entered into for the reduced area of land as of 1 September 2013. The lease with the Burrum District Community Men's Shed Inc. will also commence on 1 September 2013.

7. CONSULTATION

Consultation has occurred with the Secretary of the Burrum District Community Men's Shed Inc., John Laffin, the President of the Burrum and District Heritage Society Inc., Malcolm Chard, the Executive Manager Corporate Business, Janet Campbell, and the Executive Manager Community & Culture, Deb Moore.

8. CONCLUSION

The proposed lease will provide the Burrum and District Heritage Society Inc. and the Burrum District Community Men's Shed Inc. with suitable long term venues to conduct activities for the benefit of the local community.

9. OFFICER'S RECOMMENDATION

That Council:-

- 1) approves the Surrender of the lease with the Burrum and District Heritage Society Inc. as of 31 August 2013; and
- 2) offers the Burrum and District Heritage Society Inc. a lease over part of Lot 11 RP87817, for a period of twenty years, with a commencement date of 1 September 2013; and
- 3) offers the Burrum District Community Men's Shed Inc. a lease over part of Lot 11 RP87817, for a period of twenty years, with a commencement date of 1 September 2013.

ATTACHMENT:

1. **Site Plan and Location Plan**

Released Under RTI Act (2009)

ORD 11.1 – ATTACHMENT 1
Site Plan and Proposed New Lease Areas

Site plan - currently leased to Heritage Society



Site plan showing proposed lease areas for individual organisations



ITEM NO: ORD 11.2

**FRASER COAST REGIONAL COUNCIL
ORDINARY MEETING NO. 10**

WEDNESDAY 5 JUNE 2013

**SUBJECT: APPLICATION FOR NEW TRUSTEE LEASE
– HERVEY BAY ARCHERS INC.**

DIRECTORATE: ORGANISATIONAL SERVICES

RESPONSIBLE OFFICER: DIRECTOR ORGANISATIONAL SERVICES, Alexis Hill

**AUTHOR: SENIOR PROPERTY OFFICER – CORPORATE BUSINESS,
Emma Crabtree**

DOC NO: DOCS #2353034

LINK TO CORPORATE / OPERATIONAL PLAN: N/A

1. PURPOSE

The purpose of this report is to seek the Council's approval to enter into a new trustee lease with the Hervey Bay Archers Inc. over Lot 195 MCH4548 and part of Lot 265 MCH5244 located at Sunshine Acres, Hervey Bay.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The Hervey Bay Archer's lease is due to expire on 31 July 2013 and Council has been approached by the Association to enter into a new lease for a term of twenty years.

The Association operates as a not for profit organisation and currently holds about 20 members, some of whom participate at state, national and international level, including past and present World Cup Champions. It also holds school archery lessons and accommodates members of other clubs on a regular basis.

A site plan (Attachment 1) details the location of the land which is described as Lot 195 MCH4548 and Lot 265 MCH5244. Both of these areas are Reserves for the purposes of a park and recreation.

3. PROPOSAL

That Council offers the Hervey Bay Archers Inc. a trustee lease over Lot 195 MCH4548 and part of Lot 265 MCH5244, for a period of twenty years, with the commencement date to be 1 August 2013.

4. FINANCIAL & RESOURCE IMPLICATIONS

Under section 1.5 Fraser Coast Regional Council Land/Lease Assistance for Community Groups (Sport, Recreation, Arts and Culture and Community) policy, costs associated with the preparation of the lease agreement shall be the responsibility of the Lessee including but not limited to legal, surveying and registration fees.

5. POLICY & LEGAL IMPLICATIONS

The relevant policy relating to this matter is the Fraser Coast Regional Council Land/Lease Assistance for Community Groups (Sport, Recreation, Arts and Cultural and Community).

6. CRITICAL DATES & IMPLEMENTATION

The Association's lease is due to expire on 31 July 2013 and a new lease, commencing on 1 August 2013 will provide ongoing tenure.

7. CONSULTATION

Consultation has occurred with the Secretary of the Hervey Bay Archers Inc. Julie Manssen, the Executive Manager Corporate Business, Janet Campbell, and Executive Manager Community & Culture, Deb Moore.

8. CONCLUSION

The proposed lease will provide the Hervey Bay Archers Inc. with a suitable long term lease over its current venue to conduct activities for the benefit of local and visiting participants and community groups.

9. OFFICER'S RECOMMENDATION

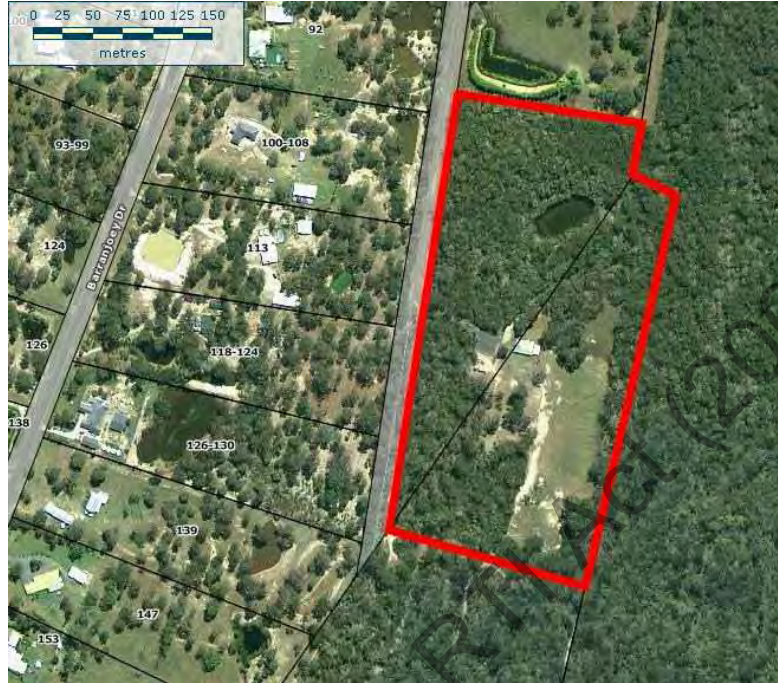
That Council offers the Hervey Bay Archers Inc. a lease over Lot 195 MCH4548 and part of Lot 265 MCH5244, for a period of twenty years, with the commencement date to be 1 August 2013.

ATTACHMENTS:

1. Site Plan and Location Plan

ORD 11.2 – ATTACHMENT 1
Site Plan of Lease Area and Location Plan

Site plan of lease area



Location plan



ITEM NO: ORD 13.1**QUESTIONS ON NOTICE REGISTER**

Meeting Date	Question	Action Request (Officer)
20/02/2013	<p>ORD 15.1 – Queens Park Conservation Management Plan (Councillor Seymour)</p> <p>Referring to the upcoming 140th anniversary of the gazetting of Queens Park, Councillor Seymour asked as a question on notice for a report on the progress towards meeting those Conservation policies and Civic Consideration policies identified as being high priority in the 2003 Queens Park conservation management plan.</p>	<p>cp0901211 (Dave Roberts)</p> <p>Report listed for Ordinary Meeting No. 11 – 19/06/13.</p>
03/04/2013	<p>ORD 15.2 – Open Data Policy (Councillor Seymour)</p> <p>Referring to the State Government's Open Data policy and appointment of an Assistant Minister to the Premier for e-Government, as a question on notice Councillor Seymour asked how could Council adopt Open Data policies similar to the State Government's.</p>	<p>cp0901241</p> <p>Report listed for Ordinary Meeting No. 11 – 19/06/13.</p>
01/05/2013	<p>ORD 15.1 – Street Dining (Councillor Sanderson)</p> <p>As a question on notice Councillor Sanderson asked for a report on how Council could provide more flexibility for street dining to help foster a more vibrant cafe and dining culture, including options such as waiving fees for trial periods and no charges for up to a certain number of seats, eg. eight (8).</p>	<p>cp0901256 (Andy Gaze)</p>

Meeting Date	Question	Action Request (Officer)
01/05/2013	<p>ORD 15.2 – Investment Attraction Incentive Policy (Councillor Sanderson)</p> <p>As a question on notice Councillor Sanderson asked for a report on how successful the Investment Attraction Incentive Policy had been in encouraging developers, including whether there were any further actions that could be implemented such as headwork charges reductions, planning reforms or deferment of infrastructure contributions in greenfield sites until such time as they were selling.</p>	cp0901257 (Peter Smith)
15/05/2013	<p>ORD 15.1 – Tooan Tooan Creek Drainage Catchment (Councillor Taylor)</p> <p>Referring to the Tooan Tooan Creek drainage catchment that ran from Torquay and Scarness into the Tooan Tooan Creek, as a question on notice Councillor Taylor requested a report be provided in relation to the frequency of sand clearing at the mouth of the creek and the impact of the flow of the drainage catchment.</p>	<p>cp0901267 (Brooke Broadstock)</p> <p>Under investigation for report to be prepared.</p>
15/05/2013	<p>ORD 15.2 – Council Meetings in Outlying Areas (Councillor Hansen)</p> <p>Councillor Hansen said that further to the recent newspaper article he supported meetings in outlying areas and as a question on notice asked that this be investigated.</p>	<p>cp0901275 (Toni Souvlis)</p> <p>Report being prepared.</p>

Meeting Date	Question	Action Request (Officer)
15/05/2013	<p>ORD 15.3 - Mobility Corridor "Missing Link" (Councillor Seymour)</p> <p>As a question on notice Councillor Seymour requested a report on the progress towards the design for the construction of the "missing link" in the mobility corridor between Elizabeth Street and the pier, and any options available for funding it.</p>	cp0901268 (Wayne Sweeney)
15/05/2013	<p>ORD 15.4 - Development Assessment Determinations (Councillor Sanderson)</p> <p>As a question on notice Councillor Sanderson asked for a report on the proportion of development assessment determinations that were not made within the statutory timeframes over the past twelve months and whether any policy change could be made to improve development timeframes.</p>	cp0901269 (Jamie Cockburn) Report to Ordinary Meeting No. 11 - 19/06/13.
15/05/2013	<p>ORD 15.5 - Requirements for Establishment/ Continuance of Food Premises and Businesses (Councillor Sanderson)</p> <p>Councillor Sanderson asked as a question on notice for a report on the local laws and state laws relevant to the establishment and continuance of food premises and businesses and whether there were any opportunities to make the requirements more flexible and easy to follow, as well as a breakdown on the relevant costs and what flexibility there was to meet the individual circumstances of the businesses.</p>	cp0901270 (Andy Gaze)

Meeting Date	Question	Action Request (Officer)
15/05/2013	<p>ORD 15.6 - Road Realignment - River Heads Road (Councillor Everard)</p> <p>Councillor Everard requested, as a question on notice, for a report on the progress of the works for the realignment of the section of River Heads Road from to the top of the hill to the car park at River Heads Point, ie the development of the plan and the status works, and also the timeframe of the works.</p>	<p>cp0901271 (Davendra Naidu)</p> <p>The road has been formally gazetted - currently preparing a design for a footpath and parallel parking.</p>
15/05/2013	<p>ORD 15.7 - Erosion - Poona (Councillor Truscott)</p> <p>As a question on notice Councillor Truscott requested a progress report regarding the repair of the erosion of the foreshore near the Poona Toilet block and the septic tank.</p>	<p>cp0901272 (Wayne Sweeney)</p> <p>Council officers are currently responding to a second request for information from NPRSR in relation to the development application.</p>
15/05/2013	<p>ORD 15.8 - Budgets - Maryborough Light up the City/Maryborough, Hervey Bay and Tiaro Carols (Councillor Truscott)</p> <p>Councillor Truscott requested, as a question on notice, a full budget of the last two (2) Maryborough Light up the City events, and the last two (2) Maryborough, Hervey Bay and Tiaro Carols.</p>	<p>cp0901273 (Lisa Stephenson)</p>

RECOMMENDATION

That the Questions on Notice Register report be received and noted.

ATTACHMENTS:

NIL



**MINUTES OF THE ORDINARY MEETING NO. 12
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS,
MARYBOROUGH CITY HALL, KENT STREET, MARYBOROUGH
ON WEDNESDAY, 9 SEPTEMBER 2015 COMMENCING AT 10.00AM**

PRESENT:

- Councillor Gerard O'Connell (Chairman)
- Councillor George Seymour
- Councillor James Hansen
- Councillor Phil Truscott
- Councillor Chris Loft
- Councillor Daniel Sanderson
- Councillor Rolf Light
- Councillor Darren Everard
- Councillor Robert Garland
- Councillor Stuart Taylor

STAFF IN ATTENDANCE:

- Chief Executive Officer, Ms Lisa Desmond
- Director Community & Development Services, Mr Peter Smith
- Acting Director Infrastructure Services, Mr Davendra Naidu
- Media & Communications Officer, Mrs Lynda Downing
- Executive Manager Development and Planning, Mr James Cockburn
- Senior Planner, Ms Emily Burke
- Meeting Secretary, Ms Marlene Dennis

ORD 1 OPENING PRAYER
Rev Wayne Schneider
Apostolic Church of Queensland

ORD 2 APOLOGIES

RESOLUTION (Taylor/Sanderson)

That the apology of Councillor McDonald, absent on leave, be accepted.

Carried Unanimously

ORD 3 DISCLOSURE OF INTERESTS

Councillor Truscott declared an interest in Item ORD 10.2 - Application for New Lease - Maryborough Family Heritage Institute, stating that he was the Patron of the Maryborough Family Heritage Institute however he would not leave the meeting during discussion of this item.

ORD 4 MAYORAL MINUTES

ORD 4.1 Support For Australian Local Government Association Campaign to get the Federal Government to Lift the Freeze on the Financial Assistance Grants Indexation

RESOLUTION (O'Connell)

That the Council:-

1. Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Council's services and infrastructure; and
2. Supports the Australian Local Government Association and Local Government Association's campaign to request the Federal Government to reconsider the freeze on the Financial Assistance Grants indexation.

Carried 9/1

ORD 5 CONFIRMATION OF MINUTES OF MEETINGS

ORD 5.1 Ordinary Meeting No. 11 – 19 August 2015

RESOLUTION (Garland/Everard)

That the Minutes of Ordinary Meeting No. 11 held on 19 August 2015 be confirmed.

Carried Unanimously

ORD 6 ADDRESSES/PRESENTATIONS

ORD 6.1 Customer Service and Recognition Awards – June and July 2015

Mayor O'Connell welcomed and congratulated members of the Woocoo Works & Services Team consisting of Scott Jordan, Colin Willmott and Christopher Noller who accepted the Customer Service Excellence Award (Field) on behalf of the team.

Mayor O'Connell welcomed and congratulated members of the Payroll Team consisting of Lex Slater, Ellen Bolderrow, Raelene Allen, Rina Bester and Sacha Godfrey and presented them with their Service Champion Award (Office).

Mayor O'Connell welcomed and congratulated members of the Cultural Services Team, Kelli Sauer and Susan Roger who accepted the High Achiever Award (Office) on behalf of the team.

ORD 6 ADDRESSES/PRESENTATIONS

ORD 6.2 Community Service Award

Mayor O'Connell congratulated and presented the Community Service Award to Jukka Manttari for his contribution to many organisations on the Fraser Coast over many years.

ORD 6 ADDRESSES/PRESENTATIONS

ORD 6.3 Presentation of gift from the Mayor of Parkes Shire Council by Mr Stephen Battye

Mr Stephen Battye presented Mayor O'Connell with a book from the Mayor of Parkes, NSW whose Council held the 24th National Town Crier Championships on 27 May 2015.

ORD 7 DEPUTATIONS

Nil

ORD 8 PETITIONS

ORD 8.1 Receipt of Petitions

Nil

ORD 9 COMMITTEES' AND DELEGATES' REPORTS

ORD 9.1 Community Health, Education & Training Portfolio Report

RESOLUTION (Garland/Sanderson)

That the Community Health, Education & Training Portfolio report be tabled.

Carried Unanimously

ORD 9 COMMITTEES' AND DELEGATES' REPORTS

ORD 9.2 Small Business, Manufacturing & Service Industry Portfolio Report

RESOLUTION (Loft/Everard)

That the Small Business, Manufacturing & Service Industry Portfolio report be tabled.

Carried Unanimously

ORD 9 COMMITTEES' AND DELEGATES' REPORTS

ORD 9.3 City & Town Centre Development Portfolio Report

RESOLUTION (Sanderson/Truscott)

That the City & Town Centre Development Portfolio report be tabled.

Carried Unanimously

ORD 10 OFFICERS' REPORTS

ORD 10.1 Open Resolutions Register – August 2015

RESOLUTION (Hansen/Garland)

That the Open Resolutions Register – August 2015 report be received and noted.

Carried Unanimously

ORD 10 OFFICERS' REPORTS

ORD 10.2 Application for New Lease - Maryborough Family Heritage Institute

RESOLUTION (Taylor/Seymour)

That Council resolves that:

- a) an exception for calling for tenders for the lease of part of the property described as Lot 6 M20394 is approved in accordance with Chapter 6, Sections 236 (1) (b) (ii) and (2) of the Local Government Regulation 2012; and
- b) the Chief Executive Officer be delegated authority to negotiate and execute a lease with the Maryborough Family Heritage Institute over part of the building situated at Lot 6 M20394 located at 164 Richmond and Wharf Streets, Maryborough for a period of ten (10) years.

Carried Unanimously

ORD 10 OFFICERS' REPORTS

ORD 10.3 Application for Preliminary Approval to vary the effect of the Planning Scheme under Section 242 of the Sustainable Planning Act 2009 for a Material Change of Use for Low Density Residential Development and Reconfiguring a Lot – One (1) Lot into 122 Lots (In Three (3) Stages) – Gympie Securities C/- Saunders Havill - 36-252 Burrum Heads Road Burrum Heads

RESOLUTION (Light/Garland)

The recommendation for Development Application MCU-151007 is as follows:

Description of Proposal:

Preliminary Approval To Vary The Effect Of The Planning Scheme Under Section 242 Of The *Sustainable Planning Act 2009* For A Material Change Of Use For Low Density Residential Development And Reconfiguring A Lot – One (1) Lot Into 122 Lots (In Three (3) Stages)

Decision:

Approved subject to conditions

Details of Approval:

The following approvals are given:

	Sustainable Planning Regulation 2009, schedule 3 reference	Development Permit	Preliminary Approval
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reconfiguring a lot	Part 1, table 3, item 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Preliminary Approval Affecting the Planning Scheme:

A preliminary approval to which section 242 of the SPA 2009 applies is given and the assessment manager has approved a variation to the local planning instruments:

Local Planning Instrument	Variation Approved
Fraser Coast Planning Scheme 2014	<p>For the part of the land identified as being in the Residential Precinct on "Plan of Development Area & Master Plan" Dwg No. 7372 P 06 PP A and dated 29.01.15 replace:</p> <ul style="list-style-type: none"> • Table 5.5.16 - Level of Assessment – Material Change of Use - Emerging community zone; • Table 5.7 - Level of Assessment - Reconfiguring a lot, • Table 5.8 - Level of Assessment – Building work; and • Table 5.9 - Level of Assessment – Operational work <p>With document titled, "Plan of Development – Burrum Woodlands, 19 May, 2015" prepared by Saunders Havill Group</p>

Approved Plans:

The approved plans and/or documents for this development approval are listed in the following table:

Plan/Document number	Plan/Document name	Date
Dwg No. 7372 P 06 PP A	"Plan of Development and Masterplan", project: Burrum Heads Road, Client: Gympie Securities Pty Ltd	18.05.15
Dwg No. 7372 P 05 PP C	"Subdivision Proposal Plan", project: Burrum Heads Road, Client: Gympie Securities Pty Ltd	29.01.15
	Plan of Development Burrum Woodlands 19 May, 2015	Received 26/5/15
	"Revised subdivision layout for Stage 1", prepared by Council and emailed to the applicant on 24/08/15	Not dated
-	"Revised subdivision layout and drainage concept for Stage 2", prepared by RMA Engineers and submitted by email 20/08/15	18/08/15

Conditions imposed by the assessment manager:

GENERAL

1. This approval is subject to the following conditions, which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition. These conditions must be implemented at no cost to Council or Wide Bay Water Corporation (WBWC) unless specified in any particular condition.
2. Carry out the development in accordance with the Planning Scheme, Planning Scheme Policy SC6.3 (Development Works) and Local Laws.
3. Submit to Council for assessment, prior to the approval of any application related to this approval, an amended 'Subdivision Proposal Plan'. The plans must be in accordance with Council's Minimum Documentation Standards and provided to the Assessment Manager. The plans must be generally in accordance with the approved plan and must include the following modifications:
 - (i) Amendments to the subdivision layouts for Stages 1 and 2 as endorsed under this approval;
 - (ii) Dedicate Lot 900 as road and drainage reserve;

Provide a foot path link from Stage 2 through to Burrum Heads Road.

4. Meet the costs of all works associated with this development including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations.
5. Prior to accepting an application for an operational works development permit, the applicant must provide Council with a copy of the formally approved and registered PMAV for the site.
6. Prior to accepting an application for an operational works development permit, the applicant is to confirm the presence/absence of *Litoria freycineti* within the site and provide location data if the record is confirmed. Appropriate State government legislative requirements and approvals with respect to this species will be required to be addressed and evidence of such provided to Council prior to Council issuing its approval for any subsequent application for operational works approval.
7. No disturbance or clearing of vegetation will be permitted on the site works outside of the construction footprint.
8. Submit an Operational Works application to Council detailing all civil engineering site works, earthworks, roadworks, sewer and water main construction, and stormwater management and drainage works within and external to the site and any other works as required by conditions of this approval. The design of these works must be approved by Council before any works commence on the site. All such works are to be completed to Council's satisfaction prior to the

commencement of the approved use. All final designs must be designed, supervised and certified by a Registered Professional Engineer of Queensland (RPEQ).

9. Ensure all works associated with this development have been accepted by Council as being 'on maintenance' or 'practically complete' prior to the issue of a Compliance Certificate for the subdivision plan unless approved otherwise by the Assessment Manager.
10. Pay any outstanding rates and charges due to Council prior to the issuance of a Compliance Certificate for the subdivision plan.
11. Submit to Council prior to the issue of a Compliance Certificate for the subdivision plan, a plan identifying the locations of all buildings, services, structures, water bodies/dams, effluent disposal areas and other improvements on the land in relation to the proposed new and existing boundaries and the distances there from. The plan must contain the following certification duly completed by the surveyor:-

"I..... being a cadastral surveyor hereby certify as follows:-

- a. The information contained in this plan is accurate at the time of survey and may be relied on by Council.
- b. The distances from the proposed new boundaries of all buildings and structures shown hereon generally conform to the boundary clearance requirements for side and rear boundaries as specified the Building Act 1975 and Council's Planning Scheme.
- c. All services to the existing dwelling from the reticulation mains are contained wholly within the subject lot.

..... (Signature)"

12. Submit a Subdivision Plan Compliance Report and supporting documentation to Council demonstrating compliance with each condition of this approval prior to the issue of a Compliance Certificate for the subdivision plan to create separate titles. The Subdivision Plan Compliance Report must accompany the application for a Compliance Certificate.
13. Lodge a General Performance Bond with Council in accordance with Planning Scheme Policy SC6.3 (Development works) for the amount of \$10,000 prior to the commencement of any building or operational works associated with the development.

The General Performance Bond (less any deductions) will be refunded when:

- a. works to revert to Council have been accepted 'On Maintenance'; and
- b. all building and operational works on the site have been completed and a Final Certificate (if applicable) has been issued by Council.

If substantial compliance problems are experienced in any stage of the development, the bond amount may be increased by Council to reflect the conditions of the site. The increased bond must be paid prior to commencement of any subsequent stage.

Lapsing

14. The Preliminary Approval approval lapses 10 years from the date it takes effect or the day that Council includes the new residential lots in the Low density residential, whichever occurs sooner.

Easements

15. Dedicate easements for drainage, water, sewer, in favour of Council as required over the portion of land denoted as Infrastructure Service Precinct on DWG 7372 P 06 PP A prepared by Saunders Havill Group dated 18 May 2015 at the first application for plan seal associated with the creation on lots in Stage 1 of the Development.

Development Staging

16. Staging of the subdivision must be in accordance with the approved plan and as per the following table:

Stage	Lot Numbers
Stage 1	Lot 92-121
Stage 2	Lots 1-49
Stage 3	Lots 50-91

17. Ensure development occurs in accordance with the above sequence of staging unless otherwise stated in conditions of this approval or as approved in writing by the Assessment Manager.

ENVIRONMENTAL

Vegetation and Fauna Management

18. No disturbance or clearing of vegetation will be permitted on the site works outside of the construction footprint.
19. In conjunction with any application for operational works approval, the applicant shall submit the following:

1. An Environmental Management Plan (EMP) for the site that addresses the provisions set out in the Planning Scheme Policy for Development Works SC6.3.2.5 - Construction and environmental management plan. The EMP should include measures for weed management, vegetation management and fauna management and address all aspects listed in Section 6 of the EAR submitted with the application;
2. A landscape/rehabilitation plan prepared in accordance with Council's scheme requirements (including Planning Scheme Policy for development works – Environmental Requirements SC6.3.8.1). In addition to addressing landscaping treatments for the development, the plan must also address rehabilitation of

disturbance within the balance of the Emerging Communities zoned land (outside of the development footprint) and including the detention basin and drainages swales.

SITE WORKS

Construction Management

20. Undertake an acid sulphate soil investigation in accordance with the State Planning Policy for any filling or excavation proposed below RL 5.0 metres AHD and the permanent water table in the locality of the excavation. Any identification of acid sulphate soils must be addressed as part of a Construction Management Plan.

Note with respect to an acid sulfate soil investigations and management planning (any treatment recommendations must consider potential impacts to wallum froglet which relies on acidic surface waters for breeding).

Earthworks

21. Submit to Council as part of the first Operational Works application, a bulk earthworks plan of the development showing the finished surface levels for the entire development. The earthworks plan must demonstrate the following:
 - a. drainage discharge arrangements;
 - b. flood immunity provisions;
 - c. site fill extents;
 - d. total earthworks balance including the volume of cut to fill within the site;
 - e. the import and export of material balance;
 - f. details of the source of external fill imported to the site and the proposed transport route.

Erosion and Sediment Control

22. Submit to Council as part of each Operational Works application, a Site Specific Erosion and Sediment Control Plan including dust management. This Plan must be designed in accordance with Planning Scheme Policy SC6.3 (Development Works).

Stormwater Management

23. Submit to Council as part of each Operational Works application and prior to the commencement of works being carried out on the site, a final and detailed 'Site Specific Stormwater Management Plan' (SSSMP). The SSSMP must include the detailed design and layout of all essential stormwater drainage systems and stormwater quality management systems.

Note: The designs of stormwater drainage and quality management systems must comply with Council's Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a Registered Professional Engineer of Queensland (RPEQ).

24. Design and construct internal and external stormwater drainage infrastructure to service the development. Ensure that all stormwater runoff from the site is treated within the site boundaries prior to release at the legal point of discharge. The design of the stormwater system must incorporate Water Sensitive Urban Design (WSUD) techniques in accordance with Council's Water Sensitive Urban Design Guidelines, October 2011.
25. Design the stormwater drainage such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development, as set out in Planning Scheme Policy SC6.3 (Development Works).
26. Construct all stormwater management structures, including underground pipes, open drains and detention basins in accordance with a design approved by Council. The design must comply with Council's policies and the Queensland Urban Drainage Manual as adopted by Council. The legal point of discharge is the open channel at Bushnell Road and Travis Road.
27. Provide easements over all stormwater infrastructure and all 100yr ARI flood flow paths within private property including all inter-allotment drainage systems.
28. Dedicate as drainage reserve the following;
 - a. A 10 metre wide corridor along the rear of lots 2 to 21 inclusive on RP 91815.
 - b. A 3 metre wide corridor from Lot 1 on RP 132268 to the 10 metre wide corridor required as part (a) of this condition.

Flood Immunity

29. Submit documentation, prior to the issuance of a Compliance Certificate for the subdivision plan, from a Registered Professional Engineer of Queensland (RPEQ) which certifies that each completed allotment will achieve flood immunity in accordance with the Planning Scheme Policy for Development Works - SC6.3.

ACCESS AND ROADWORKS

Roadworks

30. Submit to Council as part of an Operational Works application for each respective stage, design details of all proposed new roads and roadworks to be undertaken in accordance with the Planning Scheme Policy for Development Works – SC6.3 including:
 - a. Constructing all new roads to an Urban Access street standard.
 - b. Provide a temporary sealed cul-de-sac turning facility at the termination of the road works within the road reserve where required.
31. Dedicate as new road and at no cost to Council, six (6) metre, three (3) chord truncations at the intersections of all existing and proposed streets.

32. Undertake the following external roadwork associated with with each respective stage in accordance with the Planning Scheme Policy for Development Works – SC6.3;
 - a. As part of Stage 2 works provide pavement widening, kerb and channel including stormwater drainage infrastructure on the southern side of Howard Street from the intersection of Burrum Heads Road to Torbanlea Road to achieve a minimum 7.5 metre wide seal. The widening works are to be to an Urban Access Street standard.
 - b. Construction of Bushnell Road from the intersection of Burrum Street including the full frontage of Stage 3 of the development to an Urban Collector standard.
 - c. Extension of Torbanlea Street and Dudley Street to the development to an Urban Access street standard.
 - d. Provision of intersection upgrading of Howard Street with Torbanlea Street and Dudley Street to accommodate the new road connections.
 - e. Inclusion of traffic control signage and line marking in accordance with the Manual for Uniform Traffic Control Devices for all new intersections.

Footpaths

33. Provide footpaths in accordance with Planning Scheme Policy for Development Works – SC6.3.
34. Construct a 1.5 metre footpath link from Stage 2 to Burrum Heads Road in accordance with endorsed plan.

Vehicular Access

35. No direct vehicle access is permitted to any lot from Burrum Heads Road unless approved in writing by Council and the Department of Transport and Main Roads.
36. Provide a physical barrier to prevent vehicle access from the Access Road in Stage 1 to Burrum Heads Road.
37. Construct a sealed driveway from Burrum Heads Road to service Lot 1 on RP132268 within the proposed road reserve in accordance with the Planning Scheme Policy for Development Works – SC 6.3. Provide a T head turning facility at the limit of the driveway to a design approved by Council.

INFRASTRUCTURE

38. Relocate all services and structures as required to ensure that they are not contained within any other allotment unless ownership rights have been granted by way of an easement.
39. Ensure that all utility service connections to the development are wholly contained within each allotment unless protected by appropriate easements.

40. Consult directly with Wide Bay Water Corporation with respect to requirements for design, construction and inspection of all water and waste water reticulation associated with this development. The design must ensure sufficient capacity to meet the demands of the development.

Water Supply

41. Construct a reticulated water supply system to serve each lot in the development and all external water supply works in accordance with the approved engineering and design plans and to the standards contained in the Council's guidelines, the Water Supply Code of Australia, WSA 03-2011 published by the Water Services Association of Australia and the Planning Scheme.

Sewer Reticulation

42. Construct a reticulated sewerage system to serve each lot in the development and all external sewerage works in accordance with the approved engineering and design plans and to the standards contained in the Council's guidelines, the Sewerage Code of Australia, WSA 02-2002 published by the Water Services Association of Australia and Planning Scheme Policy SC6.3 (Development works).
43. Construct a new DN200 pressure sewer main from Pump Station BHPS5200 to the Burrum Heads WWTP as part of the first stage of the development.
44. Provide written confirmation from WBWC of the approved connection point to existing infrastructure.
45. Ensure sewer mains are contained within a three (3) metre wide easement on any lot less than 600m².

Telecommunications

46. Enter into an agreement with a licensed telecommunication provider to ensure that a telecommunication connection will be available to each proposed allotment under standard tariff conditions and without further capital contributions. These services are to be positioned wholly within the allotment which they are to serve. Provide an Infrastructure Provisioning Letter as evidence of such an agreement to Council prior to issuance of a Compliance Certificate for the subdivision plan.

Electricity

47. Submit to Council as part of each Operational Works application an Electricity Reticulation Plan for underground electricity including provision for street lights to serve each lot in the subdivision and the whole of the development. The electricity reticulation must be designed and constructed to comply with all requirements of the approved supplier.

48. Enter into an agreement with an approved electricity provider, prior to issue of a Compliance Certificate for the subdivision plan, to ensure that electricity will be available to each allotment under standard tariff conditions and without further capital contributions. Provide a Certificate of Supply as evidence of such an agreement to Council prior to issue of a Compliance Certificate for the subdivision plan.

Street Lighting

49. Submit to Council as part of each Operational Works application, a Street Lighting Plan.
50. Cover the cost of installing street lighting based on Tariff 2 to service the land; and prior to the issue of a Compliance Certificate for the subdivision plan, provide written evidence that a Street Lighting Plan for the subdivision has been designed in accordance with the approved electricity supplier's requirements, Australian Standard AS1158 and the Planning Scheme; and, either:
 - a. a capital contribution to meet the full cost of the installation of street lighting has been paid to the approved electricity supplier; or
 - b. arrangements satisfactory to the approved electricity supplier have been made for the installation of street lighting; and
 - c. the street lighting will be installed and operated in conjunction with the power reticulation of the subdivision.

Street Names and Signage

51. Submit to Council as part of each Operational Works application, details of proposed new street names for the new road/s to be opened. Provide a list of three (3) proposed street names and the corresponding name meaning. If a theme is considered appropriate, an explanation of the theme must be submitted at the same time. Council reserves the right to accept any or none of the proposed names.
52. Install street name signs on all roads being constructed. Street name signs must be in accordance with Council's standard drawing FC-260-01.
53. Where provided, install any estate entry signage and other estate/directional signage throughout the development utilising vandal and graffiti-proof materials and finishes to the approval of the Executive Manager of Development Assessment. The graffiti-proofing must be maintained by the developer until the development is accepted 'off maintenance' by Council. During the maintenance period any graffiti on the subject wall/fence must be removed by the developer within 48 hours.

Street Trees

54. Undertake streetscape works including the planting of street trees in accordance with an approved Landscaping Plan. Such street trees must have a minimum height of two (2) metres at the time of planting. Any street trees that have died or are considered by Council to be in a deteriorating state 6 months after planting are to be replaced and maintained for a further 12 months; or

The Developer shall pay a contribution of \$300 per allotment for the provision of street trees.

55. Dedicate land delineated on the approved plans as 'Public Open Space'. This land must be dedicated to Council at the time of registering the subdivision plan with the Department of Environment and Resource Management.
56. No vehicular access is permitted from lots 1, 2 and 3 to the new road reserve adjacent to Burrum Heads Road in Stage 2.

Advice Notes

If approved, it is recommended that the following advice notes be included in the decision:

1. This development is subject to Infrastructure Charges. Please refer to the attached Charge Notice.
2. Prior to the issuance of a Compliance Certificate for the subdivision plan:
 - (i) All water supply and sewerage works must be completed and connected to Council's network;
 - (ii) All stormwater drainage works must be completed;
 - (iii) Electricity and street lighting must be connected;
 - (iv) As-constructed information of the completed works must be submitted to Council;
 - (v) All required works within the proposed lots must be completed;
 - (vi) All earthworks within private property and open space areas must be completed and revegetation commenced;
 - (vii) An 'On Maintenance' inspection must be undertaken;
 - (viii) A works program detailing all outstanding works and their programmed completion dates must be submitted to Council. All works are required to be completed within 6 weeks of the date of issue of a Compliance Certificate for the subdivision plan;
 - (ix) Any outstanding works must be secured by a bond equal to 125% of the contract value or 150% of a certified estimate.
3. Council encourages early contact by customers and clients prior to the preparation and lodgement of Development Applications. Should you wish to take the opportunity to receive pre-design and pre-lodgement advice, please contact Councils Planning and Development Section to make an appointment.
4. A protected plants flora survey in accordance with State government guidelines must be conducted within 12 months of the proposed vegetation clearing occurring.

Carried Unanimously

ORD 10 OFFICERS' REPORTS

ORD 10.4 Submission of Motions – LGAQ Conference

RESOLUTION (Taylor/Truscott)

That the following motions be submitted to the Local Government Association of Queensland for discussion and consideration at the Association's annual conference to be held in Toowoomba during the period 19/20 October, 2015:-

- Local Government ability to appoint own accredited Auditor

That the LGAQ request the State Government to amend current legislation to allow Councils to have the ability to appoint their own external Accredited Auditor for the conduct of Annual Audits.

- Industrial Reforms

That the Local Government Association of Queensland continue to advocate on behalf of Councils as part of new Industrial Reform process being undertaken by the State Government.

- Water and Sewerage Subsidy

That the LGAQ request the State Government to introduce a minimum 40% subsidy for water and sewerage infrastructure for projects where there is a clear demonstrated community need, the proposed scheme is economical and an options assessment has been undertaken on viable alternative technologies.

- Buyback Plastic and Glass Deposits

That the Local Government Association of Queensland make representations to the State Government to include a buy back scheme for glass in the current review of a container deposit schemes for plastics and possible restrictions on single use plastic bags.

- De-regulate Local Government and how Councils process and regulate Legislation

That the LGAQ request the State Government to conduct a thorough review of State Government Legislation which regulates Council's processes and procedures relating to the administration of Queensland State Government Legislation on behalf of the State.

Carried Unanimously

ORD 10 OFFICERS' REPORTS

ORD 10.5 Proposed Sites – Additional Stop and Shop Area – Hervey Bay

RESOLUTION (Taylor/Garland)

That Council investigate the following locations in order of preference:-

1. Zephyr Street, Becks Road, Doolong Road and Tavistock Street for the provision of one additional Stop and Shop area in Hervey;
2. That Council seek community feedback via the website for a period of 3 weeks.

Carried Unanimously

ORD 10 OFFICERS' REPORTS

ORD 10.6 Container Deposit Scheme – Queensland

RESOLUTION (Seymour/Truscott)

That Council resolves to support any proposed Queensland Government Container Deposit legislation for the buy back on beverage containers.

Carried Unanimously

ORD 10 OFFICERS' REPORTS

Councillor Sanderson said that he had earlier omitted to declare a perceived conflict of interest in Item ORD 10.7 - Youth and Community Development Grants (Mental Health Week) 2015/16, stating that he was a member of the Board of TESS (Training Employment Support Services Inc.) and retired from the meeting.

ORD 10.7 Youth and Community Development Grants (Mental Health Week) 2015/16

RESOLUTION (Everard/Light)

That Council endorse the recommendations of The Youth and Community Development Grants Panel as outlined in Attachment 1 of Council Report DOCS#3002903.

Carried Unanimously

Councillor Sanderson returned to the meeting.

ORD 10 OFFICERS' REPORTS

ORD 10.8 Preliminary Approval to vary the effect of the Planning Scheme under Section 242 of the Sustainable Planning Act 2009– Making a Material Change of Use of Premises - Reconfiguring a Lot - Subdivision of One Lot into 14 Residential Lots, Environmental Reserve and Balance Lot – Australian Land Co. Pty Ltd – Beach Drive Burrum Heads

RESOLUTION (Everard/Light)

The recommendation for Development Application MCU-141058 is as follows:

Description of Proposal:

- Preliminary Approval to vary the effect of the Planning Scheme under Section 242 of the *Sustainable Planning Act 2009* specifically by seeking to applying the provisions of the *Fraser Coast Planning Scheme 2014* that relate to Low density residential (Precinct LDR1 - minimum lot size 2000m²) zone.
- Development Permit for Reconfiguring a Lot for the Subdivision of One Lot Into 13 Residential Lots, Environmental Rehabilitation Lot and Balance Lot

Decision:

Approved in part subject to conditions,

Lots 1-5 and 67-71, Environmental Rehabilitation Lot and Balance Lot are approved only as a Development Permit for Reconfiguring a Lot

Details of Approval:

The following approvals are given:

	Sustainable Planning Regulation 2009, schedule 3 reference	Development Permit	Preliminary Approval
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reconfiguring a Lot	Part 1, table 3, item 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Preliminary Approval Affecting the Planning Scheme:

A preliminary approval to which section 242 of the SPA 2009 applies is given and the assessment manager has approved a variation to the local planning instruments:

Local Planning Instrument	Variation Approved
Fraser Coast Planning Scheme 2014	<p>Replace:</p> <p>Tables 5.5.16 and 5.5.19: Level of Assessment Tables for Material Change of Use - Emerging Community Zone and Rural Zone, respectively</p> <p>With:</p> <p>Table 5.5.1 - Level of Assessment Table for Material Change of Use - Low Density Residential Zone (Precinct LDR1 – minimum lot size 2000m²).</p> <p>The following Tables of assessment are to be applied as though the land was included in the Low Density Residential Zone (Precinct LDR1 – minimum lot size 2000m²):</p> <ul style="list-style-type: none"> • Table 5.7 - Level of Assessment - Reconfiguring a lot, • Table 5.8 - Level of Assessment – Building work; and • Table 5.9 - Level of Assessment – Operational work

Approved Plans:

The approved plans and/or documents for this development approval are listed in the following table:

Plan/Document number	Plan/Document name	Date
Dwg No 13-003-Z02 Rev B	"Proposed Subdivision Staging Plan", Project: Burrum Beach Estate Lot 200 on SP 167963, Burrum Heads for Australian Land Co Pty Ltd, as amended in red and as particularised by conditions of the approval	16/12/14
Job #7032: Rev B	"Cover Page", prepared by Saunders Havill Group	24.07.14

Job #7032: Rev B	"Site Context Plan", prepared by Saunders Havill Group,	24.07.14
Job #7032: Rev B	"Landscaping Site Design", prepared by Saunders Havill Group	24.07.14
Job #7032: Rev B	"Landscaping Site Design", prepared by Saunders Havill Group	24.07.14
Job #7032: Rev B	"Landscaping Street Tree Plan", prepared by Saunders Havill Group	24.07.14
Job #7032: Rev B	"Landscaping Local Park Plan", prepared by Saunders Havill Group	24.07.14
Job #7032: Rev B	"Landscaping Character Palette", prepared by Saunders Havill Group	24.07.14
Job #7032: Rev B	"Landscaping Planting Palette", prepared by Saunders Havill Group	24.07.14

Conditions relating to Preliminary Approval component:

Conditions relating to Preliminary Approval component:

Ecology

1. Prior to the first application for operational works or lot reconfiguration approval, the applicant is to confirm the presence/absence of the Subtropical and Temperate Coastal Saltmarsh Threatened Ecological Community (TEC) within and adjacent to the site and, if present, provide advice from the Commonwealth that the project does not impact on Matters of National Environmental Significance (MNES).
2. At the time the first application for operational works or lot reconfiguration approval is lodged with Council, the applicant is to provide an investigation completed by an appropriately qualified person demonstrating the development will not adversely impact adjacent Matters of State Environmental Significance (MSES) as a result of potential groundwater and/or hydrological changes (in terms of quantity and quality).

Environmental rehabilitation

3. Prior to the lodgement of an application for operational works for the site with Council, a revised Landscape/Rehabilitation is to be submitted for the entire development. The revised plan should provide details to address requirements for landscaping and rehabilitation in accordance with the scheme provisions, together with:

- Identification of an adequate buffer associated with the mapped local wetland (adjacent to proposed Lots 6, 7 and 8) in accordance with Table 8.2.4.3.3 of the Biodiversity areas, waterway and wetlands overlay code; and
- Delineation of the throw/kick area and demonstration that it does not encroach on the functionality of the environmental reserve as a buffer for adjacent ecological values;
- Identify staging for the Landscape/Rehabilitation and key milestones; and
- the staging must occur concurrently with the staging of the Reconfiguring a Lot and completed over the life of the development.

When endorsed the Landscape/Rehabilitation Plan and Report will form part of the approved documents under this permit.

4. A landscape/rehabilitation plan prepared in accordance with Council's scheme requirements (including Planning Scheme Policy for development works – Environmental Requirements SC6.3.8.1) shall be submitted commensurate with an application for Operational Works covering the rehabilitation of the wetland system.

Maintenance of Environmental Rehabilitation Lot

5. Maintain the Environmental Rehabilitation Lot in accordance with an approved Landscape and Rehabilitation Plan. Submit evidence from a suitably qualified person demonstrating the rehabilitation has occurred in accordance with the endorsed plans and reports prior to the plan seal for the final stage of the development. The ownership of the Environmental Rehabilitation Lot must remain with the developer and/ or property owners with necessary easements in favour of Council protecting stormwater management functions.

Structures subject to Storm tide and Erosion

6. As part of any operational works application provide certification by the Registered Professional Engineer of Queensland that any new works have been designed and constructed to sustain inundation from a 100 year ARI and/or coastal processes for a design life of 50 years.

Conditions relating to Reconfiguring a Lot:

GENERAL

7. This approval is subject to the following conditions, which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition. These conditions must be implemented at no cost to Council or Wide Bay Water Corporation (WBWC) unless specified in any particular condition.
8. Lodge a request to Council for a Compliance Certificate for the subdivision plan as per Schedule 19 of the *Sustainable Planning Regulation 2009*, including a Subdivision Plan Compliance Report and necessary supporting documentation demonstrating that the conditions of this approval have been satisfied.

Administration

9. Carry out the development in accordance with the Planning Scheme, Planning Scheme Policy SC6.3 (Development Works) and Local Laws.
10. Meet the costs of all works associated with this development including any necessary alteration or relocation of services, provision of upgrading of roadworks to accommodate all vehicular access works together with all public utility mains and/or installations.
11. Submit an Operational Works application to Council detailing all civil engineering site works, earthworks, roadworks, sewer and water main construction, and stormwater management and drainage works within and external to the site and any other works as required by conditions of this approval. The design of these works must be approved by Council before any works commence on the site. All such works are to be completed to Council's satisfaction prior to the commencement of the approved use. All final designs must be designed, supervised and certified by a Registered Professional Engineer of Queensland (RPEQ).
12. Ensure all works associated with this development have been accepted by Council as being 'on maintenance' or 'practically complete' prior to the issue of a Compliance Certificate for the subdivision plan unless approved otherwise by Assessment Manager.
13. Pay any outstanding rates and charges due to Council prior to the issue of a Compliance Certificate for the subdivision plan.
14. Submit to Council prior to the issue of a Compliance Certificate for the subdivision plan, a plan identifying the locations of all buildings, services, structures, water bodies/dams, effluent disposal areas and other improvements on the land in relation to the proposed new and existing boundaries and the distances there from. The plan must contain the following certification duly completed by the surveyor:-

"I..... being a cadastral surveyor hereby certify as follows:-

- a. The information contained in this plan is accurate at the time of survey and may be relied on by Council.
- b. The distances from the proposed new boundaries of all buildings and structures shown hereon generally conform to the boundary clearance requirements for side and rear boundaries as specified the Building Act 1975 and Council's Planning Scheme.
- c. All services to the existing dwelling from the reticulation mains are contained wholly within the subject lot.

..... (Signature)"

15. Submit a Subdivision Plan Compliance Report and supporting documentation to Council demonstrating compliance with each condition of this approval prior to the issue of a Compliance Certificate for the subdivision plan to create separate titles. The Subdivision Plan Compliance Report must accompany the application for a Compliance Certificate.
16. Lodge a General Performance Bond with Council in accordance with Planning Scheme Policy SC6.3 (Development works) for the amount of \$10,000 prior to the commencement of any building or operational works associated with the development.

The General Performance Bond (less any deductions) will be refunded when:

- a. works to revert to Council have been accepted 'On Maintenance'; and
- b. all building and operational works on the site have been completed and a Final Certificate (if applicable) has been issued by Council.

If substantial compliance problems are experienced in any stage of the development, the bond amount may be increased by Council to reflect the conditions of the site. The increased bond must be paid prior to commencement of any subsequent stage.

Ecology

17. Prior to the first application for operational works or lot reconfiguration approval, the applicant is to confirm the presence/absence of the Subtropical and Temperate Coastal Saltmarsh Threatened Ecological Community (TEC) within and adjacent to the site and, if present, provide advice from the Commonwealth that the project does not impact on Matters of National Environmental Significance (MNES).
18. At the time the first application for operational works or lot reconfiguration approval is lodged with Council, the applicant is to provide an investigation completed by an appropriately qualified person demonstrating the development will not adversely impact adjacent Matters of State Environmental Significance (MSES) as a result of potential groundwater and/or hydrological changes (in terms of quantity and quality).
19. Prior to the lodgement of an application for operational works for the site with Council, a revised Landscape/Rehabilitation is to be submitted for the entire development. The revised plan should provide details to address requirements for landscaping and rehabilitation in accordance with the scheme provisions, together with:
 - Identification of an adequate buffer associated with the mapped local wetland (adjacent to proposed Lots 6, 7 and 8) in accordance with Table 8.2.4.3.3 of the Biodiversity areas, waterway and wetlands overlay code; and
 - Delineation of the throw/kick area and demonstration that it does not encroach on the functionality of the environmental reserve as a buffer for adjacent ecological values;
 - Identify staging for the Landscape/Rehabilitation and key milestones; and

- the staging must occur concurrently with the staging of the Reconfiguring a Lot and completed over the life of the development.

When endorsed the Landscape/Rehabilitation Plan and Report will form part of the approved documents under this permit.

20. A landscape/rehabilitation plan prepared in accordance with Council's scheme requirements (including Planning Scheme Policy for development works – Environmental Requirements SC6.3.8.1) shall be submitted commensurate with an application for Operational Works covering the rehabilitation of the wetland system.
21. No disturbance or clearing of vegetation will be permitted on the site works outside of the construction footprint.
22. In conjunction with any application for operational works approval, the applicant shall submit the following:
 - An Environmental Management Plan (EMP) for the site that addresses the provisions set out in the Planning Scheme Policy for Development Works SC6.3.2.5 - Construction and environmental management plan. The EMP should include measures for weed management, vegetation management and fauna management;
 - A detailed Landscaping/Rehabilitation Plan prepared in accordance with Council's scheme requirements (including Planning Scheme Policy for development works – Environmental Requirements SC6.3.8.1). In addition to addressing landscaping treatments for the development,
 - the plan must also address rehabilitation of the environmental reserve.

SITE WORKS

Construction Management

23. Submit a Construction and Environmental Management Plan in accordance with Planning Scheme Policy SC6.3 (Section 6.3.2.5) in conjunction with each Operational Works application
24. Undertake an acid sulphate soil investigation in accordance with the State Planning Policy for any filling or excavation proposed below RL 5.0 metres AHD and the permanent water table in the locality of the excavation. Any identification of acid sulphate soils must be addressed as part of a Construction Management Plan.

Earthworks

25. Submit to Council as part of the first Operational Works application, a bulk earthworks plan of the entire development site showing the finished surface levels for the entire development. The earthworks plan must demonstrate the following:

- a. drainage discharge arrangements;
- b. flood immunity provisions;
- c. site fill extents;
- d. total earthworks balance including the volume of cut to fill within the site;
- e. the import and export of material balance;
- f. details of the source of external fill imported to the site (where known) and the proposed transport route.

Erosion and Sediment Control

26. Submit to Council as part of each Operational Works application, a Site Specific Erosion and Sediment Control Plan including dust management. This Plan must be designed in accordance with Planning Scheme Policy SC6.3 (Development Works).

Stormwater Management

27. Submit to Council as part of each Operational Works application and prior to the commencement of works being carried out on the site, a final and detailed 'Site Specific Stormwater Management Plan' (SSSMP). The SSSMP must include the detailed design and layout of all essential stormwater drainage systems and stormwater quality management systems.

Note: The designs of stormwater drainage and quality management systems must comply with Council's Policies and the Queensland Urban Drainage Manual as adopted by Council and must be undertaken and/or supervised and duly certified by a Registered Professional Engineer of Queensland (RPEQ).

28. Design the stormwater drainage such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development, as set out in Planning Scheme Policy SC6.3 (Development Works).
29. Construct all stormwater management structures, including underground pipes, open drains and detention basins in accordance with a design approved by Council. The design must comply with Council's policies and the Queensland Urban Drainage Manual as adopted by Council. The legal points of discharge are the existing water bodies on the southern portion of the site (future reserve).
30. Submit to Council as part of each Operational Works application, an operational management and maintenance report (as a separate section of the stormwater management strategy/plan to provide an outline of the proposed long term operational management and maintenance requirements of the stormwater system and open wetland system on the site. As a guide the report should cover all aspects of on-site facilities associated with the management of stormwater quantity and quality, including:
 - a. plans showing the location of the individual components of the system such as rainwater tanks, on-site detention tanks, grassed swales and infiltration areas, gross pollutant traps, oil and grit separators, and/or outlet structures discharging into downstream water bodies;

- b. manufacturer's data and product information sheets for proprietary products;
- c. locations of water quality inspection and monitoring points;
- d. a summary of the design water quality target acceptance criteria;
- e. mechanism for logging of records for verification of compliance with the water quality objective conditions on a needs basis;
- f. a schedule of timetables for the proposed regular inspection and monitoring of the devices (Council recommends a visual inspection at least 3 times from October to March and 2 times from April to September with a maximum of 3 months between successive inspections. Inspection should be made not less than 24 hours and not more than 72 hours after cessation of rainfall if the total rainfall on any day exceeds 30mm);
- g. name and contact details of the relevant person responsible for the monitoring and keeping of records; and
- h. proposed action if the inspections reveal evidence of high acidity levels of the existing dam/s water or lowering of the adjacent water table.

31. Provide easements over all underground drainage infrastructure and all 100yr ARI flow paths in accordance with the Planning Scheme Policy SC6.3 (Development Works).

Flood Immunity

32. Submit to Council as part of the first Operational Works application, a hydraulic report that determines the amount of fill required to ensure all new allotments are protected from flood inundation associated with the 100 year ARI flood or storm surge event, whichever is the greatest.
33. Submit documentation, prior to the issuance of a Compliance Certificate for the subdivision plan, from a Registered Professional Engineer of Queensland (RPEQ) which certifies that each completed allotment will achieve flood immunity in accordance with Planning Scheme Policy SC6.3 (Development Works).

ACCESS AND ROADWORKS

Roadworks

34. Submit to Council as part of each Operational Works application, design details of all proposed new roads and roadworks to be undertaken in accordance with the Planning Scheme, including:
 - a. Construct Road 1 to an urban minor collector street standard in accordance with PSP SC6.3;
 - b. Construct Roads 2, 3 and 4 to an urban access street standard in accordance with PSP SC6.3; and
 - c. Provide a temporary sealed cul-de-sac turning facility at the termination of the road works within the road reserve where required.
35. Dedicate as new road and at no cost to Council, six (6) metre, three (3) chord truncations at the intersections of all existing and proposed streets.

INFRASTRUCTURE

36. Relocate all services and structures as required to ensure that they are not contained within any other allotment unless ownership rights have been granted by way of an easement.
37. Ensure that all utility service connections to the development are wholly contained within each allotment unless protected by appropriate easements.
38. Consult directly with Wide Bay Water Corporation with respect to requirements for design, construction and inspection of all water and waste water reticulation associated with this development. The design must ensure sufficient capacity to meet the demands of the entire development.

Water Supply

39. Design and construct a reticulated water supply system to serve each lot in the development and all external water supply works in accordance with the approved engineering and design plans and to the standards contained in the Council's guidelines, the Water Supply Code of Australia, WSA 03-2011 published by the Water Services Association of Australia, and the Planning Scheme. Any mains constructed for each stage must provide sufficient capacity for future development of the remainder of the site.

Wastewater Management

40. Provide for the connection of all lots which have access to gravity sewer to the existing network and those lots that have an area less than 2000m².
41. Provide for the on-site treatment and disposal of wastewater on each lot over 2000m², which cannot be connected to the gravity sewer network, in conjunction with the erection of a dwelling on the lot, by the installation of a secondary stage treatment plant in accordance with the Queensland Plumbing and Wastewater Code and relevant Australian Standards.

Telecommunications

42. Enter into an agreement with a licensed telecommunication provider to ensure that a telecommunication connection will be available to each proposed allotment under standard tariff conditions and without further capital contributions. These services are to be positioned wholly within the allotment which they are to serve. Provide an Infrastructure Provisioning Letter as evidence of such an agreement to Council prior to issuance of a Compliance Certificate for the subdivision plan.

Electricity

43. Submit to Council as part of each Operational Works application an Electricity Reticulation Plan for underground electricity including provision for street lights to serve each lot in the subdivision and the whole of the development. The electricity reticulation must be designed and constructed to comply with all requirements of the approved supplier.

44. Submit to Council as part of an Operational Works application an Electricity Reticulation Plan for underground electricity, including provision for street lights, to serve each lot in the subdivision and the whole of the development. The electricity reticulation must be designed and constructed to comply with all requirements of the approved supplier.
45. Enter into an agreement with an approved electricity provider, prior to issue of a Compliance Certificate for the subdivision plan, to ensure that electricity will be available to each allotment under standard tariff conditions and without further capital contributions. Provide a Certificate of Supply as evidence of such an agreement to Council prior to issue of a Compliance Certificate for the subdivision plan.

Street Lighting

46. Submit to Council as part of each Operational Works application, a Street Lighting Plan.
47. Cover the cost of installing street lighting based on Tariff 2 to service the land; and prior to the issue of a Compliance Certificate for the subdivision plan, provide written evidence that a Street Lighting Plan for the subdivision has been designed in accordance with the approved electricity supplier's requirements, Australian Standard AS1158 and the Planning Scheme; and, either:
 - a. a capital contribution to meet the full cost of the installation of street lighting has been paid to the approved electricity supplier; or
 - b. arrangements satisfactory to the approved electricity supplier have been made for the installation of street lighting; and
 - c. the street lighting will be installed and operated in conjunction with the power reticulation of the subdivision.

Street Names and Signage

48. Submit to Council as part of the first Operational Works application, details of proposed new street names for the new road/s to be opened. Provide a list of three (3) proposed street names and the corresponding name meaning. If a theme is considered appropriate, an explanation of the theme must be submitted at the same time. Council reserves the right to accept any or none of the proposed names.
49. Install street name signs on all roads being constructed. Street name signs must be in accordance with Council's standard drawing FC-260-01.
50. Where provided, install any estate entry signage and other estate/directional signage throughout the development utilising vandal and graffiti-proof materials and finishes to the approval of the Executive Manager of Development Assessment. The graffiti-proofing must be maintained by the developer until the development is accepted 'off maintenance' by Council. During the maintenance period any graffiti on the subject wall/fence must be removed by the developer within 48 hours.

Landscaping

51. Undertake streetscape works including the planting of street trees in accordance with an approved Landscaping Plan. Such street trees must have a minimum height of two (2) metres at the time of planting. Any street trees that have died or are considered by Council to be in a deteriorating state 6 months after planting are to be replaced and maintained for a further 12 months; or

The Developer shall pay a contribution of \$300 per allotment for the provision of street trees.

Maintenance of Environmental Rehabilitation Lot

52. Maintain the Environmental Rehabilitation Lot in accordance with an approved Landscape and Rehabilitation Plan. Submit evidence from a suitably qualified person demonstrating the rehabilitation has occurred in accordance with the endorsed plans and reports prior to the plan seal for the final stage of the development. The ownership of the Environmental Rehabilitation Lot must remain with the developer and/ or property owners with necessary easements in favour of Council protecting stormwater management functions.

Carried 9/1

ORD 11 MATTERS/MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

ORD 11.1 Mayor's Community Benefit Fund

Motion (Light/Loft)

That the following to be added to the guidelines and the policy for the "Mayor's Community Benefit Fund":-

That no Council media activity will take place when there is any allocation from the Mayor's Community Benefit Fund to any individual or group. This includes all electronic (websites), social media, press releases, photos, video, radio and TV. Individuals or groups that receive funds from the Mayor's Community Benefit Fund can choose to take their own photos or videos.

The MOTION on being PUT was LOST 7/3

Upon a Division being called by Councillor Light the following voting resulted:-

For the Motion:	Councillor Loft Councillor Hansen Councillor Light
------------------------	---

Against the Motion: **Councillor Sanderson**
 Councillor Seymour
 Councillor Trusott
 Councillor Garland
 Councillor Taylor
 Councillor Everard
 Councillor O'Connell

Alternate Motion (Taylor/ O'Connell)

1. That Council conduct a full review of the Mayoral Community Benefit Fund; and
2. That Council conduct a full review of the media policy with particular reference to:-
 - a) policies relating to the caretaker period prior to a Council election.
 - b) the media policy in relation to Councillor representation in relation to 1. Fraser Coast Regional Council grants; 2. the Mayoral Community Benefit Fund; 3. Councillors Discretionary Funds; and Disaster Management Levy Funds.

The **ALTERNATE MOTION** on being **PUT** was **CARRIED 7/3**

ORD 11 MATTERS/MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

ORD 11.2 Review of Standing Orders

RESOLUTION (Hansen/Loft)

Councillor Hansen has given notice of his intention to move the following motion:

That the Standing Orders Review Committee report back to the next Ordinary Meeting on possible amendments to the Standing Orders to:

- Require that Mayoral minute has to be seconded and discussed, and able to be amended;
- Require that a division is taken in all cases where a vote is not unanimous.

Carried Unanimously

ORD 12 QUESTIONS ON NOTICE

ORD 12.1 Questions on Notice Register

Nil

**ORD 13 CONSIDERATION OF ITEMS PLACED ON THE AGENDA WITH THE CONSENT OF THE
MAYOR**

Nil

ORD 14 GENERAL BUSINESS

ORD 14.1 Existing Community Organisation Leases with Council

RESOLUTION (Taylor/Garland)

That the Chief Executive Officer be requested to prepare a report on existing community organisation leases with Council including, but not limited to:-

1. Cost estimates to rectify any building issues at the TS Krait site;
2. Options for co-location and other sites for TS Krait;
3. Details on requests from other community organisations for premises; and
4. Undertake a cost benefit assessment on investing in developing a Community Hub to support the growing need for community organisations.

Carried Unanimously

ORD 15 CONFIDENTIAL

RESOLUTION (Light)

Council resolves that under the *Local Government Regulation 2012* the Meeting be closed to the public in accordance with Section 275(1)(h) – *other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage* for the purpose of considering the following items:

ORD 15.1 - Resumption of Easement;

ORD 15.2 - Council Property Matter;

ORD 15.3 - Main Street Upgrade - Land Acquisition;

Ord 15.4 - Purchase of Land

Carried Unanimously

RESUMPTION OF ORDINARY COUNCIL MEETING

RESOLUTION (Light)

That the Meeting resume in open Council.

Carried Unanimously

ORD 15 CONFIDENTIAL

ORD 15.1 Resumption of Easement

RESOLUTION (Taylor/Light)

That Council, having served a Notice of Intention to Resume, and having responded to the objection received, and being of the opinion that the easement is required for drainage purposes, proceeds with the compulsory acquisition and applies to the Minister for Natural Resources & Mines for the issue of a Proclamation pursuant to the Acquisition of Land Act 1967, taking the easement described in Confidential Report DOCS #2982511.

Carried Unanimously

ORD 15 **CONFIDENTIAL**

ORD 15.2 **Council Property Matter**

RESOLUTION (Taylor/Garland)

That Council delegate to the Chief Executive Officer to seek removal of the dwelling houses from the properties detailed in the report.

Carried Unanimously

ORD 15 **CONFIDENTIAL**

ORD 15.3 **Main Street Upgrade - Land Acquisition**

RESOLUTION (Everard/Taylor)

That with respect to proposed road upgrading projects on Main Street and Chapel Road intersection, Council resolves to acquire necessary land for road as follows:

1. That pursuant to the provisions of the Acquisition of Land Act 1967-1986, and failing acquisition by agreement, notice of intention to resume land for Local Government Road Network purposes be served on the owner/s of the land described in Schedule 1 attached to this report, and any other person/s required by the Act to be served with such notice.
2. That the Chief Executive Officer or representative be delegated the authority to hear any objections on a date and time to be arranged, and
3. That the Chief Executive Officer be authorised to commence negotiations to acquire the land by agreement.

Carried Unanimously

ORD 15 **CONFIDENTIAL**

ORD 15.4 **Purchase of Land**

RESOLUTION (Everard/Garland)

That the Chief Executive Officer be delegated authority to negotiate and execute a Contract of Sale as outlined in this report.

Carried Unanimously

ORD 15 CONFIDENTIAL

ORD 15.5 Overflow Parking at Seafront Oval

The Chief Executive Officer updated Council on the issue of overflow parking being provided at Seafront Oval over the upcoming school holidays.

RESOLUTION (Light/Loft)

1. That the Seafront Oval be made available as overflow parking for Wetside during the Queensland School Holidays and community groups be invited to assist in supervising the overflow parking allowing them to collect a donation from users; and
2. That Charles Street carpark be made available at a cost of \$2 per day during the same period.

Carried 7/3

Upon a Division being called by Councillor Seymour the following voting resulted:-

For the Motion:

- Councillor O'Connell
- Councillor Sanderson
- Councillor Truscott
- Councillor Garland
- Councillor Taylor
- Councillor Loft
- Councillor Light

Against the Motion:

- Councillor Seymour
- Councillor Everard
- Councillor Hansen

There being no further business, the Meeting closed at 12.58pm.

Confirmed at Ordinary Meeting No. 13 of the Fraser Coast Regional Council held at Hervey Bay on 30 September 2014.

.....
MAYOR

ITEM NO: ORD 9.1

COMMUNITY HEALTH, EDUCATION & TRAINING PORTFOLIO

COUNCIL REPORT

COUNCILLOR ROBERT GARLAND

Report Period: July 2015 – August 2015

Community and Stakeholder Engagement

Portfolio Engagement

- Fraser Coast Anglican College – Leshan Experimental Middle School visit
- Aldridge State High School – Kasukabe Junior High School visit
- University Of Southern Queensland – Kyohei University visit
- Let's Get Fraser Coast Working Group
- Animal Management Working Group
- Wide Bay Water Advisory Committee
- Community Environment Program initiatives
- Fraser Coast Education Alliance
- Aldridge State High - Independent School Council
- Corporate Communications Committee
- Opening of Kingfisher Lakes - Open Space Park



Division - Community Engagement

- Kasukabe Sister City Visit
- Numerous Community Fundraising Functions
- Community Chats in Hervey Bay and Maryborough
- Hervey Bay and Maryborough Chamber of Commerce Functions
- Numerous Workplace Visits
- Various Meetings: State and Federal Members
- Numerous resident issues and meetings, with Council officer support for an effective resolution or response
- Business Hervey Bay
- Destination Hervey Bay - Housing Affordability Scheme marketing program
- Original Maryborough Site Heritage Precinct & Parklands
- Tourism Advisory Committee
- Tree planting and weed clearing CEP
- NAIDOC Week celebrations
- Dunga Derby 2015



Projects

'Let's Get Fraser Coast Working'

Work Experience

Let's Get Fraser Coast Working will continue to deliver invaluable work experience to the people of the Fraser Coast. Council have been able to provide beneficial work experience placements for a total of 183 participants since the program commenced in 2013. The program continues to improve the employability skills of job seekers within the community, as well as promotes Council as an employer of choice.

GenR8 - School to Work Transition Program

The GenR8 placements for 2015 have been successful within Council and Council has received positive feedback regarding the program. The program commences the recruitment phase whilst students are in year 11 and aims to provide students with a transition pathway into employment post year 12. Students who successfully complete the program will achieve 4 QCE points, a certificate II in logistics, developed employability skills and exposure to contemporary work practices.

The 2015 program saw three participants, Dylan Dawe, Hailee Wilmott and Ryan Gallizzi placed within Council's Fleet and Procurement section, and spending one day a week gaining valuable skills and experience in the transport, logistics and supply chain industry.

Council will be hosting two participants within the 2016 GenR8 School to Work Transition Program, again in the Fleet and Procurement section.

Skills 4 Work Program

Council's Skills 4 Work initiative commenced on 1 July 2015. 26 placements have been made within July and August 2015. Under the program, long-term unemployed aged 18 to 29 participate for 25 hours a week and people aged over 30 to 49 years of age for 15 hours a week in individual or group based projects for a 26 week period.



The program provides eligible job seekers with work skills and experience which will increase their ability to obtain employment. By hosting this program Council is promoting a positive contribution to the local community and increasing community awareness of local government career opportunities.

Council is working with Community Solutions, who has provided participants for the following areas: the Brolga Theatre and Bond Store Museum, the Hervey Bay Pound, Maryborough Cemeteries, Home Assist Community Gardens and three group activity projects.



In the coming month Council will be promoting and developing the Let's Get Fraser Coast Working program to create further work placement opportunities and meet the increasing demand of participants in conjunction with the Work for the Dole project. There are a further 32 individual placement opportunities and five group activity projects available within Council ready for placements to be provided by Community Solutions.

Further, Council have been working with Community Solutions to rectify issues within the Skills 4 Work initiative as they arise. Issues include: participants not ready on the day arriving without PPE, white cards and WH&S induction which is to be supplied by Community Solutions prior to commencement and poor attendance by participants.

Individual placements filled as at 24 August 2015

Project	Tasks	Commitment	Placements filled	Comment
Home Assist	Gardening	2	2	
Cemeteries	Grounds maintenance / funeral set up	3	2	
Cemeteries	Administration	1	1	
Brolga Theatre	Cleaning, room setup, general maintenance assistance.	1	1	
Bonds Museum Store	Cleaning, general maintenance assistance.	1	1	
Pound/Refuge	Cleaning, walking dogs, feeding, grounds maintenance	4	2	2 placed on 27/7/15 but never returned
Pound/Refuge	Administration	1	0	
Waste – Nikenbah	Grounds maintenance	2	0	
Waste – Maryborough	Grounds maintenance	2	0	
Wetside	Cleaning, general maintenance, grounds maintenance	1	0	Wetside closed at present
Parks	General maintenance	6	0	On hold until group activity placements have been filled
HB Aquatic Centre	Cleaning, general maintenance, grounds maintenance	1	0	
MB Aquatic Centre	Cleaning, general maintenance, grounds maintenance	1	0	
Libraries	Shelving, book covering, cleaning	4	0	
Toy Library	Cleaning, general maintenance, grounds maintenance, toy cataloguing	1	0	
Stores	Stocktake, shelving, inventory control	1	0	To be placed after the completion of the GenR8 placement in October 2015
Showgrounds	Cleaning, general maintenance, grounds maintenance	2	0	

Project	Tasks	Commitment	Placements filled	Comment
Records	Filing, scanning, mail	2	0	
Vector	General pest management	2	0	
Regulatory Services	Administration duties	1	0	
Nursery	Planting, watering, propagation	2	0	On hold until group activity placements have been filled – Volunteers currently running.
Total		41	9	32 placements to be filled

Group placements filled as at 24 August 2015:

Project	Tasks	Commitment	Placements filled	Comment
Group Activity 1	Pioneer Park / Kingfisher Park / General Open Space - Hervey Bay / Doolong Rd / Bream St project / Hillyard Street	6	6	
Group Activity 2	General Open Space - MB	5	0	
Group Activity 3	Original Maryborough Site	6	5	Commitment reduced from 15 to 6 placements as unable to provide work for 15 placements
Group Activity 4	Foreshore Works / Mangrove Offset / Tree Planting / Bunya Court	6	6	
Group Activity 5	Landscape Projects	2	0	
Group Activity 6	Queens Park Maintenance	2	0	Additional commitment
Group Activity 7	Botanical Gardens HB	2	0	Additional commitment
Group Activity 8	Queens Park river walk restoration	2	0	
Total		31	17	14 placements to be filled

Strategies

Animal Management Programs

Final quarter figures are unavailable at the time of preparing the report, however numbers for rehoming is continuing to rise and euthanasia to fall.

Hervey Bay Pound & Refuge

The Fraser Coast Regional Council will take over operating the refuge at the Hervey Bay Pound facility from Wide Bay Animal Rescue in mid-September.

The refuge will continue to operate. A dedicated staff member will be at the facility from 10am to 1pm Monday to Saturday to reunite animals with their lost owners.

Council will work closely with all rescue groups including specialist breed rescue groups, volunteers who foster animals, RSPCA and vets to help find new homes for animals that have been abandoned.

Council is committed to delivering the best outcome for all animals and high standards of animal welfare.

Council has a vision of re-homing as many animals as possible and sees the facility as an adoption center rather than a refuge.

Maryborough Pound & Refuge

A new Quarantine building will be constructed in 2015/16 period, construction will also include fencing, shade structure, drainage works and tree pruning.

Animal Management Working Group

The Animal Management Working Group continues to meet with the last meeting being held in Maryborough on 18 March 2015. The next meeting is planned to be held in Hervey Bay in September 2015.

The group provides an excellent opportunity for cross sectoral working and collaboration as well as individual input into Council's processes & procedures.

Education Programs & Activities

The following education programs and activities were held during this period:

'Walk with Me' program held at Dayman Park and Becks Road

Field Day at Tiaro – approx. 4,000 people attended

Pet Prep activities held at;

Maryborough special School – 60 students attended

Bayside Early learners – 53 students attended

Community Engagement

The following community engagement activities that were attended during this period included:

Mansong entertain at Baycrest Retirement Village as part of Seniors Week 2015



Dunga Derby 2015 - www.dungaderby.com.au Coast Anglican College and the region,



Leshan Experimental High School visit to Fraser wonderful gift (Lucky Bird Scroll) from Mr Xie Tong Academic Director



Kasukabe Sister City Visit

Kasukabe Junior High School visit to Aldridge State High School, relationship now in its 18th year. Principal Ross Higgins and delegation reckons "that's Gold".



Fraser Coast Education Alliance - ACEL Teacher of the Year Awards



Kingfisher Lakes open space enhancement Recognition of Bob and Dawn Dwyer's contribution



Waste Education Program

It is with great pleasure that I advise Fraser Coast Waste was successful in obtaining grant funding in the sum of \$5,000 from Keep Australia Beautiful Coca Cola Beverage Container Recycling Grants.

This funding will be used to pay for bus transportation for each of Fraser Coast's State Schools to send one bus load of students and teachers/aides/parents to the MRF for a Waste and Recycling Education session.

The education sessions under the grant will take place during Term 2 2016.

The Fraser Coast Waste/QMulching Expo trailer has been fabricated and we are currently organising the design and fitout of activities.

For the first time Fraser Coast Waste have joined in with Wide Bay Water's Spring Garden Competition to provide a \$250 prize for the best scarecrow made out of reusable and recyclable materials. Judging takes place in October.

Fraser Coast Waste and QMulching also had a combined information stand at the Rotary Living Expo at the end of June. The stand was interactive and eye catching with the colourful garden beds showcasing

our high quality mulch product. Robbie the Recycler was also a hit, keeping the stall holders entertained with his enthusiastic antics.

Another MRF Open Day Waste & Recycling Information Session was held on 18 July. We had record numbers with 35 people attending.

MRF Education sessions were held with:

- Maryborough Central State School – Grade 4/5
- Maryborough Central ELC
- Bayside ELC
- Sandy Strait State School – Grade 4
- Xavier Catholic College – Prep
- Urangan Point State School – Grade 5

Maryborough Tip tour:

- Aldridge State High School Grade 12 Social Science

Waste and Recycling education visits were conducted with:

- Pialba State School – Grade 5
- East Street Kindy (including a bonus earth tremor)
- Maryborough Central ELC
- Goodstart Hervey Bay ELC
- Bay Explorers ELC
- EC Junior ELC



A TVC is currently being produced to bring attention to the disastrous and emotional impact that putting sharps into the Recycle bin can have on the MRF and its workers. This ad is being produced by FCRC's Media team for FCRC, BRC & GRC. It will be aired over a three week period and it is hoped that we get some positive results ie reduction of sharps in the recycling.

ProAcqua Water Machine

The second quarter reading from the ProAcqua Water machine has been received. A total of 152 litres were dispensed being a breakdown of

	Apr-Jun 15 L	Jan-Mar 15 L
Still	89	739
Sparkling	63	703

Please note ProAcqua have advised that it is common for consumption to drop during the winter season.

ProAcqua smartcards and bottles can be purchased from Jetty Seafoods and Café Cavour.

Services

Immunisation

Immunisation clinics are a joint service provided by Council and Queensland Health. The vaccines are issued in accordance with the current immunisation schedule as set by the National Health & Medical Research Council and Queensland Health.

Immunisation Clinics were held during June 2015 to 19 August 2015 at:

- The Village, Community Health Centre, Torquay Road, Pialba, and
- Bauer Wiles Complex, Winston Noble Drive, Maryborough

Total Number of Clinics–

		Schools & catchup clinic	Number Immunised	Baby Clinic	Number of babies immunised	Number of adults immunised
June	Hervey Bay	6	439	2	43	0
	Maryborough	8	250	2	25	0
	Total	14	689	4	68	0
July	Pialba	1	3	2	44	0
	Maryborough	0	0	2	34	0
	Total	1	3	4	78	0
August	Pialba	1	1	1	25	0
	Maryborough	2	6	2	29	0
	Total	3	7	4	54	0

The types of vaccines issued in accordance with the Old Schedule at the above clinics were:

Diseases we immunise against (babies)	Diphtheria, Tetanus, Pertussis (Whooping Cough), Polio, Hepatitis B, Haemophilus Influenza type B, Pneumococcal Infection, Rotavirus, Mumps, Measles, Rubella, Varicella (Chickenpox)
Diseases we immunise against (school students)	Diphtheria, Tetanus, Pertussis (Whooping Cough) Varicella (Chickenpox), Human Papillomavirus

Development Approvals issued

The following approval was issued during 1 July 2015 to 28 August 2015:

Impact Assessment - Material Change of Use - Food and Drink Outlet (Dine in & Takeaway), Restaurant, Outdoor Sport and Recreation (including Marine Activities), Educational Facility and Function Facility – 415 Esplanade, Hervey Bay

RECOMMENDATION:

That the Community Health, Education & Training Portfolio report be tabled.

ATTACHMENTS

Nil

ITEM NO: ORD 9.2

SMALL BUSINESS, MANUFACTURING & SERVICE INDUSTRY PORTFOLIO

COUNCIL REPORT

COUNCILLOR CHRIS LOFT

Report Period: June 2015 – August 2015

Community and Stakeholder Engagement

Discussions with: Fraser Coast Opportunities Events / Economic Pillar Group Meeting / Board Meetings
Bayside Transformations
State and Federal Members
Various Developers
Community Groups – Armstrongs Creek Crossing
Various Small Business Owners and Startups
Wide Bay Motor Park Planning Committee
Bundaberg Enterprise Centre – October Forum discussions
Green Army Open Day at Pioneer Park
Various Businesses regarding parking in Maryborough

Attendance at: Maryborough & Hervey Bay Chamber of Commerce Meetings/Events
Tiara District Chamber of Commerce
Various Progress Association Meetings
Community Chat – Maryborough
Advancing Agriculture Meeting
Prison Community Group Meeting
Audit Committee Meeting
Young Professionals Breakfast
Business Tours – Lychee Divine
Councillor Q & A Session – Bauple
FCO Board Meeting
OMS Heritage Precinct & Parklands Committee
Graduation Day – Hard Yakka
Hervey Bay CBD Masterplan
Koala Consultative Committee Meeting
Regional Queensland Showcase
Online Profile Workshop
THRIVE Launch and Seminars
Business Hervey Bay event
Kasukabe Delegation – Tour of Maryborough and Events
Maryborough Slipway operators
Mary Poppins Morning Tea
Music Teachers Open Day Trade Show and Concert
Tiara Farming and Lifestyle Field Day
Citizenship Ceremony

QCWA Tinana Branch – Young Leaders event
10th Anniversary of Jet Services (Virgin) Hervey Bay / Sydney
Rock n Roll Eisteddfod judging
Planning Meetings – 2nd Sichuan International Travel Expo
Innovation Masterclass
Sister City Committee Meeting
Austrade Asian Business Engagement Program – visit to South Korea

Projects

Maryborough Industrial Estate

State government agency referral period for the Bruce Highway Industrial Estate Reconfiguration of Lot application has now been finalised and the development application was considered and approved by Council at its Meeting held on 19 August, 2015.

Original Maryborough Site Project

A draft Master Plan for the OMS Heritage Precinct & Parklands project has been prepared and was discussed at a meeting of the Committee on 11 August, 2015.

The draft Master Plan was considered by Council at its meeting held on 19 August, 2015 and was endorsed for progression to public consultation process.

Public consultation on the Heritage Precinct & Parklands Master Plan was commenced on 20 August, 2015 and ends on 18 September, 2015. A public information day was held in the Maryborough City Hall Reception Room on Saturday, 22 August, 2015 from 9am to 11.30am at which approximately 30 persons attended to view and discuss the Master Plan.

The Reconfiguration of Lot development application has been prepared and was lodged on Wednesday, 27 May, 2015. State government agency referral period for this application has now been finalised and it is expected that the application will be considered by Council at its meeting to be held on 9 September, 2015.

Digital Enterprise Program – Small Business Workshops – Fraser Coast

The second workshop of the Digital Enterprise Program was held in Hervey Bay on 4 May, 2015 with approximately 20 attendees. The session focussed on “Cloud and Cloud Applications”.

The 2 recent workshops have been held as part of a series of workshops from the Bundaberg Digital Enterprise Program which is funded by the Australian Government and sponsored by Bundaberg Regional Council.

Explore-a-Saurus Exhibition

Backyard Adventures will be open to the public in Maryborough City Hall from 14 November 2015 to 31 January 2016. Work is currently underway on the marketing campaign and logistical planning.

Small Business Solutions workshops

Small Business Solutions (www.smallbusinesssolutions.qld.gov.au) has been developed specifically to help those in smaller set ups who want tried and tested solutions to their business issues. As mentor for the scheme Rod Richards of Richards Consulting has been running a number of workshops to assist specifically with building and marketing a small business. The final workshop was held on 3 June 2015.

Upcoming Workshops scheduled are

- **Build a Better Business.** 5 x 3 hour workshops – September 2015, November 2015 and March 2016; and
- **Master Marketing Class.** 2x 8 hour days - October 2015 and February 2016.

Services

Maryborough Marine Industry Precinct

Fraser Coast Opportunities and Council are continuing work on sourcing a suitable developer.

Wide Bay Industrial Estate

Council continues to work with the owners of the Estate to attract businesses and investors. An extensive marketing campaign has been undertaken by the owners in an endeavour to highlight the opportunities the Estate provides.

Development Approvals issued

The following development approvals were issued during 1 June 2015 to 28 August 2015:

Impact Assess - A & M Group Pty Ltd - MCU - Commercial A and Offices – Lennox Street, Maryborough
Code Assess - Material Change of Use – Caretakers Accommodation and Warehouse – 164 Saltwater Creek Road, Maryborough
Code Assess - Material Change of Use - Low Impact Industry- 108 Boat Harbour Drive, Pialba
Code Assess - Material Change of Use - Outdoor Sales – 71 Torquay Road, Pialba

RECOMMENDATION:

That the Small Business, Manufacturing & Service Industry Portfolio report be tabled.

ATTACHMENTS:

Nil

ITEM NO: ORD 9.3

CITY & TOWN CENTRE DEVELOPMENT PORTFOLIO

COUNCIL REPORT

COUNCILLOR DANIEL SANDERSON

Report Period: June – August 2015

Community and Stakeholder Engagement

- Hervey Bay Chamber of Commerce Breakfast and Executive Committee Meetings
- Maryborough Chamber of Commerce Breakfast and Executive Committee Meetings
- Young Professionals Fraser Coast Breakfast and Executive Committee Meetings
- Granville Community Coordination Committee Meetings (Flood Resilience)
- Pocket Community Coordination Meeting (Flood Resilience)
- Presentation of Draft Master Plan – Hervey Bay Esplanade and Foreshore
- Maryborough Safety Network Meetings
- “Trinity of Management” Entrepreneur Coaching System
- Economic Development Pillar Group Meeting
- NAIDOC - Flag Raising Ceremony and Morning Tea
- StrokeSafe & Diabetes Awareness Seminar
- Thrive – Start Up Café
- Queensland Trust for Nature (QTFN) presentation
- Mary Poppins Morning Tea
- Mary Poppins Festival
- Hervey Bay Flag Raising Ceremony (NAIDOC Week)
- Inner Wheel Club of Maryborough – 22nd Changeover dinner
- Fraser Coast Opportunities AGM
- QCWA Tinana Branch and Young Leaders - Combined Annual Meeting
- Streetlife Busking Finals – Riverside Parklands
- Maryborough CBD Businesses – Maryborough Chamber of Commerce
- Kasukabe Delegation Welcome Dinner
- Kasukabe Delegation - Thank You Function
- Kasukabe Delegation - Business Meeting
- Rockin Maryborough Vintage Festival Meetings
- Official Opening - Divine Medical Centre
- Attend and assist with Comfort Kitchen - Wayne Martin
- Granville Football Club Stroke Support Fundraiser – Hamish Halley
- Parkrun Maryborough
- Launch of the Annual Mary Poppins Literary and Poetry Competitions
- Community Chat
- Vietnam Veterans Day Commemoration Service
- Hyne Graduation – Tuan Mill
- Tradie for a day program – SDS (Strategic Deployment Services)
- The Maryborough & District Committee on the Ageing 43rd AGM

- EPIC Employment Employer Business Breakfast
- BOQ Maryborough (Parking)
- Relationships Australia Queensland
- Meeting with Wide Bay Past Presidents (Bowls Queensland)

Projects

Fraser Coast Sports and Recreation Precinct Project

Detailed Design of the bulk earthworks and civil & services design has commenced. Submission for Stage 1 of the precinct to the National Stronger Regions Funding program was submitted on 31 July 2015.

Airpark Precinct – Maryborough Airport

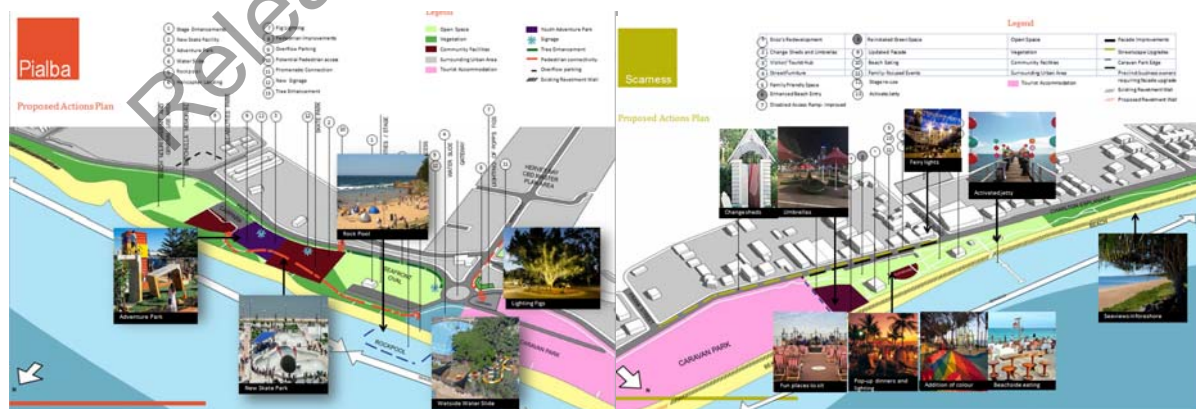
- Major Planning Scheme amendment finalised.
- Reconfiguration of Lot (1 into 3) decision notice received.
- Survey Plan currently being sealed for lodgement with Department of Natural Resources & Mines;
- Fly In Day held 7/8 August, 2015.

Hervey Bay CBD Urban Renewal Masterplan

Hervey Bay CBD Urban Renewal Master Plan adopted by Council at its meeting held on 17/6/2016. Council is now proceeding with investigation and implementation of the actions with the Goals and Actions Spreadsheet of the Master Plan.

Foreshore Masterplan Project

A Stakeholder session was held on 12 August, 2015. The Draft Master Plan was endorsed for public consultation at Council's meeting held on 19 August, 2015, with public submissions closing on 11th September, 2015.





Education Precinct

Council continues to engage with the State Government, Fraser Coast Education Alliance, USQ & TAFE in relation to the enhancement of the proposed Pialba Precinct.

Hervey Bay Coastal Protection Works

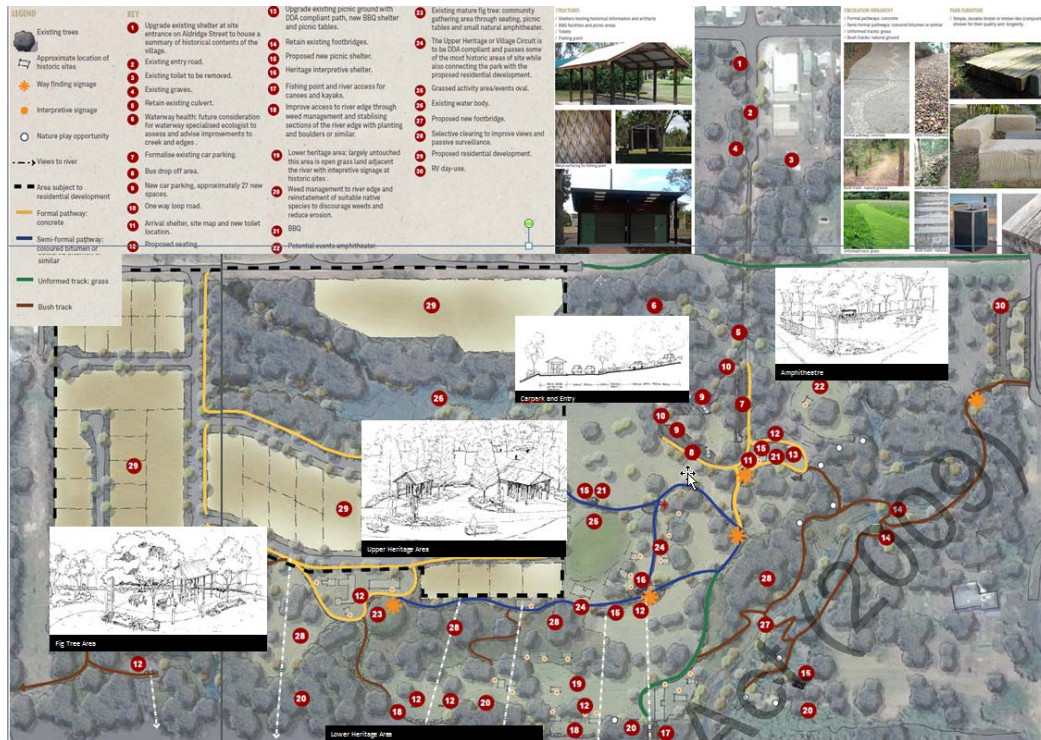
Current erosion protection efforts include the pushing of available sand at a number of strategic locations between Pialba and Urangan. The area between the Torquay Boat Ramp and Ron Beaton was completed the week of 3 August, 2015. Works on the Urangan beaches east the Pier commenced the week of 10 August, 2015. The order of sand pushing activities may change due to weather and the number of beach users during the school holidays, but sand pushing is planned on Pialba beaches, near Wetside and west of the Torquay boat ramp towards Aquavue.

Mary Harbour Project

Material Change of Use Application for a Preliminary Approval was lodged on 29 April 2015. A Project Group meeting was held on 1 September 2015 to discuss the progress of the applicant's response to the recently issued Council and State Government agency 'Request for further information'. Applicant has up to 6 months from the date of receipt in order to respond which is approximately 23 January 2016.

Original Maryborough Site

- Development application currently being assessed for residential component of the project;
- Draft masterplan endorsed by Council at its meeting held 19 August, 2015.
- Public consultation on the masterplan closes on 18 September, 2015;
- Fencing now installed to indicate boundary between parklands and residential areas;



Bruce Highway Industrial Estate

Reconfiguration from 1 lot into 11 approved at Council's ordinary meeting to be held on 19 August, 2015.

Imagine this City Update

- The inaugural Street Life Festival was held 27 June to 12 July. During the two week period, more than 19,500 people attended over 35 individual arts and cultural events. More than 470 local and 330 visiting artists were featured in the program. Bond Store Museum hosted the world premiere performance of "What the River Told Me" and Gatakers Artspace hosted ACO Virtual – both exceptional new cultural experiences for visitors and locals to experience.
- Maryborough Story Trail phase one to be completed in Adelaide and Kent Streets in line with footpath works – approximately mid October.
- Backyard Adventures – an exciting new Scitech exhibition will be hosted in the Maryborough City Hall from 14 November – 31 January.



Maryborough Marine Industry Precinct

Council and Fraser Coast Opportunities will continue to source a suitable developer.

Building Better Regional Cities (BBRC)

Phase 2 of "Destination Hervey Bay" is well underway and will run until the end of September 2015. The following Priority and Associate Partners have signed for Phase 2

Priority Partners Augustus Estate, Highview Estate, Kingston Estate, Neighbourhood Park, Hervey Bay Heights, Vivid Homes, Aussie Home Loans, Bank of Queensland and Instant Equity Group

Associate Partners Hervey Bay RSL and Fraser Coast Opportunities.

As at 30 June 2015 a total of 156 grants have been issued.

Urangan Harbour

Public notification for the proposed major amendment to the Fraser Coast Planning Scheme 2014 commenced on Monday, 24 August 2015 and finishes on Friday, 2 October 2015. Two information sessions were also held at Maryborough and Hervey Bay for the general public to discuss the proposed major amendment package in person with a Council Officer.

The Urangan Harbour is poised to become a Fraser Coast icon

The vision for the Urangan Harbour unlocks its true potential. Cafés, restaurants and clubs to create a vibrant harbour precinct. Green spaces that offer a quiet place to rest and take in the views. Space for outdoor events such as seafood festivals and markets. Theme parks to tempt residents and tourists.

The harbour will remain a focal point for the whale watching fleet, boating enthusiasts and anglers. The facilities will be expanded to attract more yachts and ocean-going cruise boats. It is an ideal location for new commercial tenancies to complement the precinct's shops, restaurants and conference facilities.

1 green spaces
2 caravan parks
3 retail & function
4 shared facilities
5 extended marina
6 harbour resort
7 extra moorings
8 relocated seawall
9 new restaurants

LEGEND

1. green spaces	5. extended marina
2. caravan parks	6. harbour resort
3. retail & Function	7. extra moorings
4. shared facilities	8. relocated seawall
	9. new restaurants

Maryborough CBD Revitalisation Project

- Construction commenced 13/4/2015 and ongoing.
- Weekly meetings with Communications Team and Steve Gillum held each Tuesday to update project information.
- Works are scheduled for completion by 28 September, 2015.
- A street party is being planned for 22 October 4.00 – 8.00 p.m. to celebrate the completion of the Maryborough CBD Revitalisation Project to encourage shoppers to return to the CBD to support the local businesses in this area.

Lower Kent Street Beautification

Council has planted new gardens in lower Kent Street to beautify this area. Plantings included bottle brush trees (pink and red), snow in summer and stripey lirropie. The plantings will be hedged to a height of 1.8m when the height of the trees allows hedging. The Project cost was \$13,000.00.



Main Street, Hervey Bay

Preliminary Approval was issued in April 2014 to establish commercial uses, primarily of a bulky goods retail nature. The plan of development covers 15.8 hectares of the 16.5 hectare site and identifies uses such as residential, commercial use lots, outdoor sales, service station, low impact industry and service industry uses and community/recreational activities.

Hervey Bay Heights Estate Stage 2 being within the above area contains 41 lots and land sales are progressing.

Strategies

Development Applications (Major)

Current Development Applications

Australian Land Co. Pty Ltd Burrum Heads Road, Burrum Heads	Application received April 2015, however not considered properly made until 26 August 2015 for Material Change of Use – S242 – Preliminary Approval to vary the effect of a Local Planning Instrument to allow Low Density Residential Development and Reconfiguring a Lot – One (1) into Fourteen (14) Lots Stage of Assessment – Assessment Stage
NBN Co. C/- Aurecon Australasia Bruce Highway, Tiaro	Application received July 2015 for Material Change of Use – Telecommunications Facility Stage of Assessment – Response to Information Request received – Public Notification to be commenced by Applicant – Council yet to be informed of commencement

<p>Gympie Securities Pty Ltd C/- Saunders Havill Group</p> <p>36 Burrum Heads Road, Burrum Heads</p>	<p>Application received February 2015 for Material Change of Use – Preliminary Approval to Vary the effect of a local planning instrument to allow low density residential development & Reconfiguring a Lot – One(1) into 122 Lots</p> <p>Stage of Assessment – Assessment Stage</p>
<p>Australian Grazing & Pastoral Co. Pty Ltd C/- Angelo Oliaro Town Planning</p> <p>Gillies Road, Burrum Heads</p>	<p>Application received February 2015 for Material Change of Use and Operational Works – Extractive Industry and Vegetation Clearing</p> <p>Stage of Assessment – Council and State Government Information requests issued. Response due to be received by Council 10 October 2015.</p>
<p>P&J Cochrane C/- Urban Planet Town Planning</p> <p>247 Lawson Street, St Helens</p>	<p>Application received March 2015 for Material Change of Use under s242 of the Sustainable Planning Act 2009 and ROL – One (1) Lot into Seven (7) Lots</p> <p>Stage of Assessment – Information Request issued. Response due to be received by Council 12 November 2015.</p>
<p>Anscape Pty Ltd C/- Urban Planet Town Planning</p> <p>528 River Heads Road, River Heads</p>	<p>Application received March 2015 for Material Change of Use under S242 to establish residential, commercial, community and recreation uses</p> <p>Stage of Assessment – Information Request issued. Response due to be received by Council 5 November 2015.</p>
<p>RV Homebase Fraser Coast Ltd C/- Saunders Havill Group</p> <p>lindah Road East, Tinana</p>	<p>Application received March 2015 for Material Change of Use - Relocatable Home Park and BPS - Preliminary approval for Building Work - 86 Dwelling House Sites</p> <p>Stage of Assessment – Decision Stage extended until 11 September 2015 in order to provide the applicant with more time to review the issued draft conditions.</p>
<p>The Maryborough Sugar Factory Pty Ltd.</p> <p>91 Walkers Point Road, Walkers Point</p>	<p>Application received March 2015 for Material Change of Use – Preliminary Approval to Vary the effect of a local planning instrument (S242 of the Sustainable Planning Act 2009) to establish the Maryborough Harbour Master Planned Community.</p> <p>Stage of Assessment – State has issued an Information Request to Applicant on 23 July 2015. Applicant due date for response 6 months from date of receipt by applicant of this letter, which will be approximately 23 January 2016.</p>
<p>Fraser Coast Regional Council</p> <p>Old Maryborough Site - George Street, Maryborough</p>	<p>Application lodged 28 May 2015 for ROL Reconfiguring a Lot – 2 into 46 lots and MCU Material Change of Use – 39 Dwelling Houses and OP Operational Works – Vegetation Clearing.</p> <p>Stage of Assessment – Decision Stage. Proposed report to Council September 2015.</p>
<p>Dundowran Blue Metal Quarries Pty Ltd</p> <p>217 Craignish Road, Takura</p>	<p>Application lodged 2 October 2014 for Combined Impact Assessment - Extractive Industry - ERA 16 and Vegetation Clearing.</p> <p>Stage of Assessment – Applicant requested decision be deferred.</p>

D & G Gould 45 Watson Road, Yengarie	Application lodged 21 January 2015 for a Combined Impact Assessment – S242 – Material Change of Use to Residential Recreational Aviation Airpark, Reconfiguring a Lot - One (1) Lot into Sixty-Seven (67) Lots over Standard Format Plan in Seven (7) Stages and Operational work - Vegetation clearing Stage of Assessment – awaiting referral agency response due 15 September 2015.
Australian Land Co. Pty Ltd C/- Engineering Solutions QLD Pty Ltd Beach Drive, Burrum Heads	Application lodged 24 October 2014 for a Combined Impact Assessment – Material Change of Use and Reconfiguring a Lot Stage 1 – One (1) into 14 Lots Stage of Assessment – Decision Period Extended - decision period ends 2 September 2015.
Teresina Pty Ltd C/- Planit Consulting Pty Ltd	Application lodged 9 March 2015 for a Code Assessment – Two (2) into 87 Lots Stage of Assessment – Information Request – response due to be received by Council 8 October 2015.

Applications determined

Austral Property Development Pty Ltd C/- Urban Planet Town Planning Consultants 415A Esplanade, Hervey Bay	Application considered properly made 23 April 2015 for Impact Assessment – Material Change of Use – Food and Drink Outlet, Restaurant, Outdoor Sport and Recreation, Educational Facility and Function Facility Approved – 29 July 2015.
Vitwood Pty Ltd 51-101 Greensill Road, Dundowran Beach	Application considered properly made 27 July 2012 for Material Change of Use - Preliminary Approval overriding the planning scheme under section 3.1.6 of IPA (Material Change of Use, Reconfiguring a Lot, Operational Work and Building Work) & Development permit for Reconfiguring a lot - 2 Lots into 8 Lots - under superseded planning scheme Approved – 29 July 2015.
A & M Investments Pty Ltd C/- KHA Development Managers Station Square - Northern Expansion	Application 22 July 2009 for Material Change Of Use - Commercial Activities A And Shopping District (Extension To Station Square Shopping Centre) and a Preliminary Approval For Building Works Assessable Against the Planning Scheme – New Building Works And Relocation and Demolition Of Heritage Buildings Approved - 29 July 2015.

RECOMMENDATION:

That the City & Town Centre Development Portfolio report be tabled.

ATTACHMENTS:

Nil