

QUEENSLAND FLOODS COMMISSION OF INQUIRY

STATEMENT OF MICHAEL PETER HARTLEY

I, Michael Peter Hartley, Director of Planning and Development, Gympie Regional Council make the following statement under oath as required by the Commissioner of Inquiry:

1. The conditions described in paragraph 30 of my statement dated 25 August 2011 relate to:
 - a. Properties which were flooded during the period 1 December 2010 to 31 January 2011, namely [REDACTED] Violet Street, Gympie and [REDACTED] Violet Street, Gympie ; and
 - b. Development applications lodged since 2003 for Material Change of Use.

Condition a) in paragraph 30 of my statement dated 25 August 2011 relates to the property at [REDACTED] Violet Street, Gympie, and is addressed in the statement prepared by Council's Manager of Development and Compliance, Ms Tania Stenholm.

Conditions b), c), d), e) and f) are contained in three separate development approvals for Material Change of Use over the property at [REDACTED] Violet Street. The balance of this statement relates to the [REDACTED] Violet Street property.

2.
 - a. No defined flood level existed in relation to this property at or around the time the applications were lodged. However, Council's GIS mapping indicates that the entire development site is covered by a 1 in 40 year Mary River flood event.
 - b.
 - i. Development permit [REDACTED] is dated 21 September 2004 and is for a landscape supply centre and light industry (Contractors Yard). A Negotiated Decision Notice was issued on 16 November 2004 following representations from the applicant, and an Amended Negotiated Decision Notice was issued on 1 May 2007 following a request to change the approval from the applicant.
 - ii. Development permit [REDACTED] is dated 1 May 2007 and is for extensions to landscape supply centre,
 - iii. Development permit [REDACTED] is dated 30 May 2011 and is for an extension to existing landscape supply centre.
 - c.
 - i. The development site takes flows from Commissioners Gully, a large open channel running through the site that can rise quickly during intense rain events. The potential impact of flooding is largely limited to loss of raw materials, hence the imposition of a conditions of approval requiring removal of stockpiles prior to flood waters entering the site and the preparation of suitable management plans for the evacuation of materials in the event of flood.

[REDACTED]

Witness

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[REDACTED]
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- ii. I have no first hand knowledge regarding the frequency with which flooding has occurred on the land in the past. Engineering comments at section 5.1 (a) of the Planning & Development Committee Minutes on 24 April 2007 (assessing development application [REDACTED] state that at that time, the site had been subject to flooding five times in the last 20 years.
 - iii. In relation to measures to manage the storage of chemicals or hazardous materials associated with the proposed use, the development permits for [REDACTED] and [REDACTED] each contain a condition requiring the preparation of the management plan for the evacuation of materials in the event of flood, including the evacuation of high risk materials.
- d. Copies of the relevant documents from Council's three DA files are attached as requested.

Sworn by Michael Peter Hartley at Gympie this 27th day of September 2011 in the presence of:

[REDACTED]
Witness

[REDACTED]
Solicitor / Justice of the Peace / Comm. Dec.



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[REDACTED]
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[REDACTED]
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