



COOLOOLA SHIRE COUNCIL

AGENDA

of the

GENERAL MEETING

CHAIRMAN: Cr M Venardos OAM (Mayor)

**Held in the Boardroom
Old Bank Building
Cnr Nash & Channon Streets,
Gympie Qld 4570**

**On Tuesday 15th January 2008
at 9.00 am**



Cooloolo Shire Council

GENERAL AGENDA

*Mayor MJ Venardos OAM (Chairman),
Crs. CR Chapman OAM, FG Nissen AM, NR Ellis, LJ Friske, R. Owen, SS Jocumsen, DR Neilson, IT Petersen, WJ McIntyre, WW Sachs, J Watt and M. Prior.*

CONTENTS

SECTION 1:	OPEN WITH PRAYER	4
SECTION 2:	APOLOGIES.....	4
SECTION 3:	CONFIRMATION OF MINUTES OF PREVIOUS GENERAL MEETING	4
SECTION 4:	PETITIONS.....	4
SECTION 5:	HEALTH & COMMUNITY SERVICES DEPARTMENT MATTERS (M. GRANT)	4
5/1	YOUTH DEVELOPMENT OFFICER'S REPORT FOR THE MONTH OF DECEMBER 2007	4
5/2	HEALTH REPORT FOR THE MONTH OF DECEMBER 2007	6
5/3	WHEELIE BIN SERVICES TO TRAVESTON & ADJACENT AREAS	11
5/4	PETITION FROM LANGSHAW RATEPAYERS AND RESIDENTS RE WHEELIE BIN SERVICES.....	12
SECTION 6:	ENGINEERING MATTERS (R.A FREDMAN)	13
6/1	REMOVAL OF FENCE ENCROACHING ONTO ROAD RESERVE AT KANDANGA-AMAMOR ROAD	13
6/2	TRAVESTON CROSSING DAM EIS RESPONSE	14
6/3	WALKER ROAD BRIDGE	14
SECTION 7:	PLANNING & DEVELOPMENT DEPARTMENT MATTERS (M. HARTLEY).....	15
7/1	DA17738 – PETITION – PROPOSED AMENITY & AESTHETICS APPLICATION – 53 GOLDEN HIND AVENUE, COOLOOLA COVE.....	15
7/2	RESCISSION NOTICE.....	17
SECTION 8:	CORPORATE SERVICES MATTERS (CR M.J VENARDOS OAM, C. MANSON, B. HAYES)	20
8/1	DONATION TO TRACC COOLOOLA FOSTER CARE CHRISTMAS PARTY	20
8/2	LGAQ CIRCULAR - COUNCILLOR REMUNERATION DETERMINED BY TRIBUNAL.....	20
8/3	GYMPIE SHOW PUBLIC HOLIDAY FOR 2008.....	22
8/4	CLEAN CAMPAIGN FOR 2008 LOCAL GOVERNMENT ELECTIONS	22
8/5	LETTER OF THANKS – LEARNING NETWORK QUEENSLAND.....	26
8/6	LOCAL GOVERNMENT REMUNERATION TRIBUNAL SUBMISSION	26
8/7	LOCAL TRANSITION COMMITTEE MATTER	27
8/8	CONSULTATION DRAFT CODE OF HEALTH RIGHTS AND RESPONSIBILITIES	29
8/9	ELECTION SIGNAGE	30
SECTION 9:	LATE ITEMS.....	33

SECTION 10:	GENERAL BUSINESS.....	33
SECTION 11:	FOR YOUR INFORMATION.....	33
SECTION 12:	IN COMMITTEE MATTERS.....	34
	IN COMMITTEE 12/1: P& E COURT APPLICATION – DA00001	34

SECTION 1: OPEN WITH PRAYER

ONE MINUTES SILENCE TO BE OBSERVED FOR DECEASED
COOLOOLA SHIRE RESIDENTS

SECTION 2: APOLOGIES

Nil

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

(MOTION: That the Minutes of the General Meeting held on 11
December 2007 be taken as read and confirmed.)

SECTION 4: PETITIONS

**SECTION 5: HEALTH & COMMUNITY SERVICES
DEPARTMENT MATTERS (M. Grant)**

5/1 Youth Development Officer's Report for the Month of December
2007

Re: Youth Development Officer's Report for the Month of December 2007
From: Youth Development Officer – H. Kelly
File: AG95/00205
Date: 10 January 2008

Report: (Youth Development Officer – H. Kelly)

Junior Council

In 2008 the Junior Council will have a change of name and composition as it adapts to reflect the new Shire. It is proposed that the Council will be known as the Gympie Regional Youth Council (subject to the Gympie Regional Council's coming into being in March 2008). Students from all secondary schools within our Shire and from Goomeri and Kilkivan will sit on the Council for 2008. Each school has been invited to elect 3 representatives, one of which will be eligible to serve a 2 year term. Representatives from most schools have been named, the others are dependent on student leader elections to be held early in 2008.

School Holiday Activities

There are three activities planned for the summer school holidays; surfing, indoor cricket/volleyball and bowling. These activities are funded through a Department of Sport and Recreation grant aimed at increasing youth participation in active recreation.

The Great SK8 Grand Prix.

A Skateboard Grand prix is planned for 2008. The grand prix will see a series of skate competitions run throughout the Shire. Skaters will be encouraged to skate at each park throughout the Shire to accumulate championship points. Beginning in April the competition will encompass all areas within the new Shire boundaries. Where possible it is planned to combine the Skate competition with local events, such as Goldrush, the Tin Can Bay Seafood Festival and the Kilkivan Horse Ride.

Gold City Hard Core

Gold City Hard Core held their final event for 2007 on December 15th. The band night held at the cricket club rooms (One Mile Oval) attracted about 100 young people. The event, supported by YDU staff was planned and run by a group of young people who were responsible for booking bands, operating the sound and advertising.

Meetings Attended

Cooloola Human Service Network Committee
Choice Support Services Committee
Cooloola Youth Service Committee
Goldrush
Get Set for Work Graduation
Hot Rods Graduation

Recommendations: (Health and Community Services Department Manager – M R Grant)

That the Youth Development Officer's Report for the month of December 2007 be received.

5/2

Health Report for the Month of December 2007

Re: Health Report for the Month of December 2007
 From: Health & Community Services Department Manager – M.R Grant
 File: AG94/00076
 Date: 16 January 2008

Report: (Health & Community Services Department Manager – M.R Grant)

IMMUNISATION

Immunisation treatment is available at the Surgery of Council's Medical Officer of Health as follows:

Gympie

Channon Street Medical Centre – Dr R Day – 12 Reef Street, Gympie

Injections: Each weekday 9.30am to 12.30pm and from 2.30pm to 4.30pm

These arrangements should ensure that residents have ready access to immunisation treatments. Immunisations were administered for the period 26 November 2007 to 21 December 2007 as follows:-

Injections 187

NOTIFIABLE DISEASES

Queensland Health has advised Council of the following cases of notifiable diseases currently being treated by local medical practitioners for the period of 25 November 2007 to 29 December 2007.

<u>Disease</u>	<u>Location</u>
Ross River Virus	Gympie (3 cases)
Ross River Virus	Cooloola Cove (1 Case)
Cryptosporidiosis	Gympie(2 cases)
Campylobacter Enteritis	Tamaree
Barmah Forest Virus	Kia Ora
Salmonella, Specified	Gympie

WATER SAMPLES

The following water samples were forwarded to the Government Laboratory for microbiological analysis.

Location	Total
Gympie reticulated water supply	6
Imbil reticulated water supply	2
Kandanga reticulated water supply	2
Amamoor reticulated water supply	2
Rainbow Beach reticulated water supply	2
Tin Can Bay/Cooloola Cove reticulated water supply	4
Gympie Memorial Pool	3
Tin Can Bay Pool	1
Mary Valley College (Imbil) Swimming Pool	1
Kandanga Memorial Pool	1

Gympie Reticulated Water Supply

Analysis results for all samples indicated satisfactory bacteriological quality in accordance with the *National Health and Medical Research Council Australian Drinking Water Guidelines 2004*.

Mary Valley Reticulated Water Supply

Analysis results for all samples indicated satisfactory bacteriological quality in accordance with the *National Health and Medical Research Council Australian Drinking Water Guidelines 2004*.

Rainbow Beach Reticulated Water Supply

Analysis results for all samples indicated satisfactory bacteriological quality in accordance with the *National Health and Medical Research Council Australian Drinking Water Guidelines 2004*.

Tin Can Bay/Cooloola Cove Reticulated Water Supply

Analysis results for all samples indicated satisfactory bacteriological quality in accordance with the *National Health and Medical Research Council Australian Drinking Water Guidelines 2004*.

Municipal Pools

One (1) sample taken from the Gympie War Memorial Wading Pool revealed a high standard plate count and did not comply with the *Queensland Health Swimming and Spa Pool Water Quality and Operations Guidelines 2004*.

The analysis results indicated that no *E coli* or *Pseudomonas aeruginosa* was detected in the samples. Corrective action was taken. The results of further sampling are pending due to closure of laboratory over the Christmas period.

One (1) sample taken from the privately-operated Learn-To-Swim heated pool at the Gympie War Memorial Swimming Pool Complex revealed a high standard plate count and did not comply with the *Queensland Health Swimming and Spa Pool Water Quality and Operations Guidelines 2004*.

The analysis results indicated that no *E coli* or *Pseudomonas aeruginosa* was detected in the samples. Corrective action was taken. The results of further sampling are pending due to closure of laboratory over the Christmas period.

All other samples taken from municipal pools complied with the *Queensland Health Swimming and Spa Pool Water Quality and Operations Guidelines 2004*.

FOOD

Council's Environmental Health Officers conducted routine inspections of licensed food premises during October and continued to assist operators in achieving compliance with legislative standards specified in the Australia New Zealand Food Standards Code.

The Health and Community Services Department issued three (3) food business licences to new food businesses during the month of December.

FOOD SAFETY SUPERVISORS

Food Safety Supervisor provisions set out in the *Food Act 2006* will commence from 22 February 2008. These provisions require all food businesses to hold a suitably trained Food Safety Supervisor to oversee food safety in the food premises. The Queensland Minister for Health has approved an enforcement amnesty period until 1 July 2008 in order to allow additional time for Food Safety Supervisors to undergo accredited training in order to meet the requirements.

During the month of December Council distributed its second circular to all licensed food businesses containing information about the Food Safety Supervisor requirements and expressions of interest were called for participation in an accredited Food Safety Supervisor Training course.

Council has received many expressions of interest during the month of December and arrangements have been finalised for Southbank TAFE to conduct one-day training courses at the Gympie Civic Centre to assist food businesses to meet their statutory obligations. South Bank TAFE will be contacting Food Premises directly to make arrangements.

ERA REGISTRATION CERTIFICATES

2 new Certificates were issued by Council in relation to Environmentally Relevant Activities during the month of December

BULK BIN SITES

Servicing of Council's remaining roadside bin sites continues satisfactorily during the period. Servicing continues to include the removal of large items from these sites.

WASTE MANAGEMENT FACILITIES

Operations at Council's Waste Management Facilities progressed satisfactorily during the period.

Closure of all Council's Waste Management Facilities for Christmas Day 2007 was performed in accordance with Minute W33/12/07. There have been no negative reports received from Council's Gatekeeping and Recycling Contractors about the closure of these facilities on Christmas Day.

RECYCLABLE MATERIALS

The following weights of recyclable material were collected by Council's Cleansing Contractor.

PRODUCT	DUAL BIN SYSTEM (Weight- kg)		
	01/12/2007 to 31/12/07	Total for 2007	Total for 2006
Aluminium	1512	16395	12974
Glass – Clear	7165	77697	43807
Glass – Coloured	12281	133168	93581
HDPE	3007	32605	25170
Plastic - Mixed	1452	15742	11977
Paper/Cardboard – Mixed	93913	1018352	798166
P.E.T.	2883	31261	24617
Steel	4740	51393	38601
Glass Fines	53183	576693	459994
Total Recoverables	180,136	1,953,306	1,508,885
Waste/Ceramics	42633	462298	355716
Total including all Waste	222,769	2,415,604	1,864,601

PUBLIC SWIMMING POOLS

Tin Can Bay Pool

The pool manager reported that the number of swimmers were down for the month. However this was attributed to by inclement weather at the end of the month..

Gympie Memorial Pool and Kandanga Pool

The Pool Lessee has reported that numbers of swimmers were down this month due to the inclement weather.

In General

Whilst patronage was down, operations at all facilities progressed satisfactorily during the period

OVERGROWNS

Inspections were carried out subject to complaint concerning, overgrown properties in Gympie and coastal areas, subsequently notices were issued for compliance, works order served on properties that did not comply with the notices. The slashing program for the coast will commence in January.

ANIMAL CONTROL – (dog complaint nuisance dogs)

Complaints are routinely dealt with in relation to animal control include permits for additional animal and complaints of attacks, general nuisance animals and particularly barking nuisances.

ANIMAL REGISTRATION 2007/2008 Period (YTD)

Dogs 4111

Cats 1252

Council's animal control operation resulted in the impounding of the following animals: Dogs – 32, Cats – 51.

Eleven (11) dogs and no cats were released to their owners, subject to payment of fees.

Ten (10) dogs and four (4) cats were taken by the RSPCA.

Eight (8) dogs and forty four (44) cats were euthanased.

Three (3) dog and three (3) cats are held in the pound from December.

Recommendation: (Health and Community Services Department Manager – M R Grant)

That the Health and Community Services Department Manager's Report for the month of December 2007 be received.

5/3

Wheelie Bin Services to Traveston & Adjacent Areas

Re: Wheelie Bin Services to Traveston & Adjacent Areas.
From: Health & Community Services Department Manager – M. Grant.
File:
Date: 8 January 2008.

At the General Meeting of Council held on 11 December 2007, a Petition with 142 signatories was tabled, petitioning against the introduction of a wheelie bin service to Traveston and adjacent areas and requesting continued access to Traveston Road Bulk Bin facility along with the introduction of comprehensive recycling services at this facility.

Report: (Health and Community Services Department Manager – M R Grant)

Reference is made to Council Minute G47/12/07 of the General Meeting held on 11 December 2007.

Minute G47/12/07

That the Petition be received and referred to the Health & community Services Manager for investigation and report to the General Meeting to be held on 15 January 2008.

Council has received a petition from the Traveston area objecting to expansion of the wheelie bin service to that area. In total 42 individual properties are represented by the petition.

I refer to Council Minute F31/03/07 and W47/08/07

F31/03/07 states in part

- A. *Agree to provide a Shire wide 240L dual wheeled bin refuse/recycling service.*

W47/08/07 states in part

“Further that council authorise the Health & Community Services Manager to proceed with the Shire wide dual wheelie bin service as per Part (A) of council Minute F31/03/07.

Further that as the wheelie bins roll out, the roadside bulk bins be removed. Council notify ratepayers of the pending arrival of their wheelie bin service and such ratepayers be advised that the bulk roadside bins will be removed once the wheelie bins are in place.”

The Waste Strategy Working Group has considered similar petitions and resolved to recommend that Council write to the petitioners to advise that their objection has been recorded and that wheelie bins will not be delivered to them in the initial rollout.

Council considered a similar matter in December 2007 and reference is made to Council Minute G53/12/07 which stated the following:

Minute G53/12/07

1. *The properties identified on the petitions will be treated as objections and that wheelie bins will not be delivered to them unless requested.*
2. *Objections will be assessed at a later date by council with a decision pending.*

Recommendation: (Health and Community Services Department Manager – M R Grant)

That Council write to the Primary Petitioner Mr Chris Spary advising as follows:

1. **The properties identified on the petitions will be treated as objections and that wheelie bins will not be delivered to them unless requested.**
2. **Objections will be assessed at a later date by council with a decision pending.**

5/4

Petition from Langshaw Ratepayers and Residents re Wheelie Bin Services.

Re: Petition from Langshaw Ratepayers and Residents re Wheelie Bin Services.

From: Health & Community Services Department Manager – M. Grant

File:

Date: 8 January 2008.

At the General Meeting of Council held on 11 December 2007, a Petition with 29 signatories was tabled, petitioning against changes to waste management and its costs.

Report: (Health and Community Services Department Manager – M R Grant)

Reference is made to Council **Minute G48/12/07** of the General Meeting held on 11 December 2007 which states:

That the Petition be received an referred to the Health & Community Services Manager for investigation and report to the General Meeting to be held on 15 January 2008.

I advise that Council has considered this matter previously and I refer to Council **Minute G53/12/07 (xRef -W34/12/07)** which states the following:

1. *The properties identified on the petitions will be treated as objections and that wheelie bins will not be delivered to them in the initial rollout.*
2. *Objections will be assessed at a later date by Council with a decision pending.*

Recommendation: (Health and Community Services Department Manager – M R Grant)

That Council advise the Primary Petitioner Mrs Karen Berry pursuant to Council Minute G53/12/07 (xRef-W34/12/07) as follows:-

1. *Properties identified on petitions will be treated as objections and that wheelie bins will not be delivered to them unless requested.*
2. *Objections will be assessed by Council at a later date, with a decision pending.*

SECTION 6: ENGINEERING MATTERS (R.A Fredman)

6/1	Removal of Fence Encroaching onto Road Reserve at Kandanga-Amamoor Road
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Re: Removal of Fence Encroaching onto Road Reserve at Kandanga-Amamoor Road.
 From: Acting Chief Executive Officer – R.A Fredman
 File:
 Date: 7 January 2008

Minute W18/12/07 refers:-

Recommend that the landowner of Lot 1 RP211776 be requested to remove that portion of the fence which is encroaching onto the road reserve adjoining his property within 28 days.

Report: (Acting Chief Executive Officer – R.A. Fredman)

Mr Green has advised that he has applied for a permit to occupy for his intrusion onto road reserve. This will take longer than 28 days to resolve. The subject fence does not block access along the road reserve.

Recommendation: (Acting Chief Executive Officer – R.A. Fredman)

That Council authorise an extension of time for Mr Green to remove his fence, until the DNR determines his application for a permit to occupy.

6/2	Traveston Crossing Dam EIS Response
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Re: Traveston Crossing Dam EIS Response
From: Director of Engineering – Mr R.A. Fredman
File: CG07/00234
Date: 9 January 2008

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

Council is preparing a Response to the Environmental Impact Study for the proposed Traveston Crossing Dam on behalf of the Council of Mary River Mayors. A Supplementary Response has been commissioned from MWA Environmental to accompany the Response.

The work will be completed and lodged on Monday 14 January 2008. Copies will be provided to Councillors at this meeting for review and endorsement at the subsequent General Meeting.

Recommendation: (Director of Engineering – Mr R.A. Fredman)

That the report be received.

6/3	Walker Road Bridge
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Re: Walker Road Bridge
From: Director of Engineering – Mr R.A. Fredman
File: WR07/00740
Date: 9 January 2008

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

The timber bridge over the Mary River on Walker Road suffered serious failure in the small flood of 1 January 2008. Arrangements have been made to have repairs completed by 12 February 2008 weather permitting.

NDRA funding assistance has been approved if the cost of repair exceeds \$169,000. A formal application will be submitted as soon as possible.

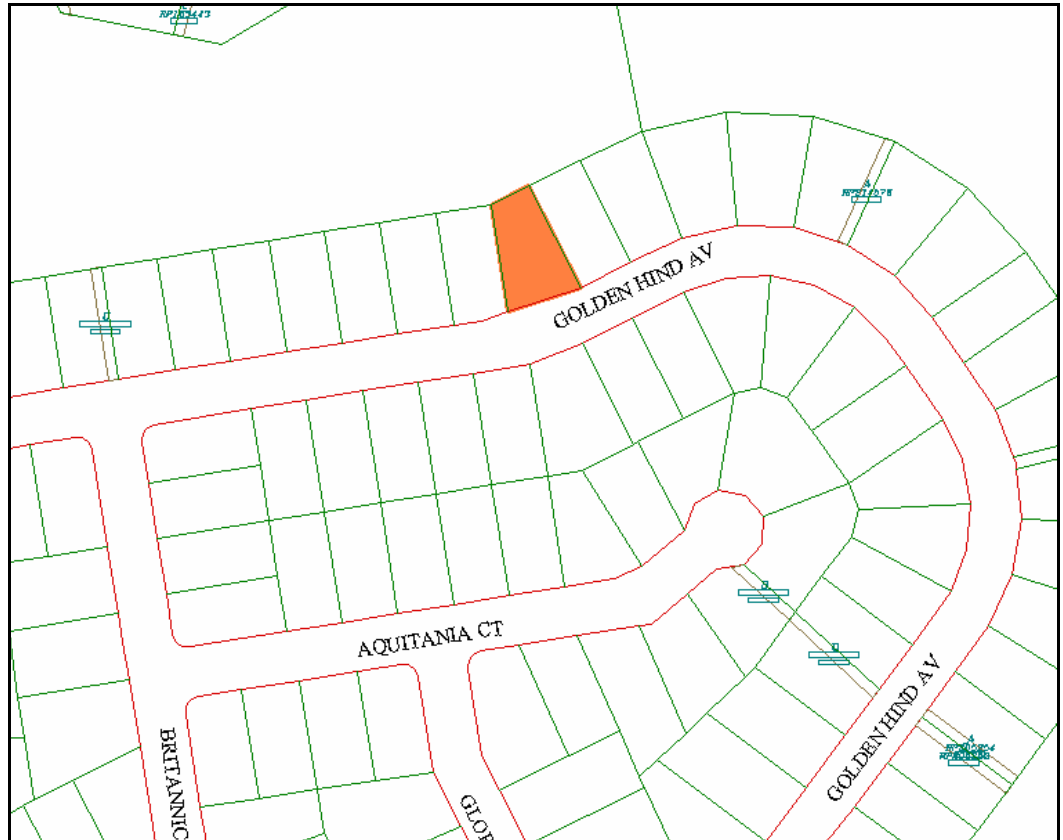
Recommendation: (Director of Engineering – Mr R.A. Fredman)

That the report be received.

SECTION 7: PLANNING & DEVELOPMENT DEPARTMENT MATTERS (M. Hartley)
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7/1	DA17738 – Petition – Proposed Amenity & Aesthetics Application – 53 Golden Hind Avenue, Cooloola Cove
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Re: Petition – Proposed Amenity & Aesthetics Application – 53 Golden Hind Avenue, Cooloola Cove
From: Director of Planning and Development – M. Hartley
File: DA17738
Date: 2 January 2007



Report: (Director of Planning and Development – M. Hartley)

1.0 Minute G49/12/07 from the General Meeting held on 11 December 2007 reads:

“That the Petition be received and referred to the Director of Planning & Development for investigation and report to the General Meeting on 15 January 2008.”

2.0 The petition reads:

“Objections to proposed building on 53 Golden Hind Avenue, Cooloola Cove DA17738.”

3.0 The application was considered at Council’s General Meeting held on 11 December 2007 where it was resolved vide Minute G88/12/07:

“That Council, as Assessment Manager, REFUSE the application for Amenity and Aesthetics on Lot 248 on RP 203891 for the proposed removal dwelling on the following grounds:

- (a) *The proposed siting of the removal dwelling in this particular area will be totally out of character with the existing dwellings in accordance with the Amenity and Aesthetics Policy of Council's Planning Scheme.*
- (b) *A total of 11 neighbouring property owners have signed a petition objecting strongly to the introduction of the resited dwelling into the area."*

Recommendation: (Director of Planning and Development – M. Hartley)

That the principal petitioner be advised of Council's decision of 11 December 2007 to refuse the application, and be requested to advise fellow signatories to the Petition accordingly.

7/2

Rescission Notice

Re: Rescission Notice
 From: Division 2 Councillor – R. Owen
 File:
 Date: 12 December 2007

"Five Days notice are required to be given under the local Government Act 93 to rescind a Motion of council.

Could the CEO inform all Councillors that at the next meeting after the appropriate notices have been delivered to the Councillors and the legalities can be followed, that I Cr Ron Owen will move a motion that the Motion from the General Meeting held on the 4th December 2007, G07/12/07

'That recommendation P40/11/07 of the Recommendations of the Planning & Development Committee held on 27 November 2007 be received and adopted.'

Moved: Cr I.T Petersen

Seconded: Cr F.G Nissen AM

Be rescinded and be replaced by a resolution stating:

'That Cooloola Shire Council Refuses the Development Application DA16566 and requests that any anomaly which allows established urban areas to be subdivided for the second time, creating block/site sizes which conflict with the size of neighbouring blocks be corrected in the next review of Planning Scheme. Preventing sub-divisions of back gardens into hatchet blocks.'

Report: (Division 2 Councillor – R. Owen)

Heather Street is one of the oldest and a very attractive area of Southside, most of the home building was completed twenty years ago, it is a beautiful street with well established trees, well spaced houses and nice gardens. Streets and avenues like Heather Street are the reason why people came and still come to live in this area. If they wanted to live in a eve to eve, row of rabbit hutches they would not have moved to heather Street. Why does Council want to turn it into a slum? We have had six submission opposing this subdivision from the local residents, the immediate neighbouring lounge room window will be 1.5m from the hatchet driveway. One of the submissions stated that the potential new block may only be purchased for Financial Gain. The Staff Comments states that, "Considered Highly Unlikely." But that is very wrong, the council employee a department head, who owns this site, does not live on any part of the site now. Apparently this approval gives him the right to build a duplex, (two flats in one building) which is referred to on page 10 of the staff report. The owner will never live there the whole operation of subdividing off the back garden, is for Financial Gain.

When this area was originally sub divided the council at that time would never have had the intention of allowing people to build another house in there back gardens. Beginning the precedent of compressing by 50% these building blocks is going to cause negative ramifications to the community throughout Southside. The staff report suggests that every second allotment can be sub divided into a hatchet block (ref P10 and 11) and then admits "From an amenity Perspective this is Undesirable," then the report continues to discriminate against residents with large blocks, quote, "Inefficient from a Planning Perspective", encouraging further subdivisions and suggesting that these large blocks which have the urban infer structure should be penalised by approving further subdivision. I believe that the current residents have well paid for this infer structure and amenity and it is not up to us to destroy it and award a huge financial benefit to every second allotment who applies for it. How do we select which ratepayers get the munificent benefit, to double their investment and which do not? On what criteria do we bestow this huge financial gain? Is it on the bones of the ones who wish the area to remain as beautiful as it is? Are we so desperate to get another set of rates and charges, and a \$284.00 contribution for our roads. In the Traffic report staff considered that the traffic be creation of this extra block building site or Duplex is not in excess of the carrying capacity of Heather Street. If council follows this policy, when every other block is a duplex (a set of flats, in on building) and the population of the street has increased by 100 percent will is still be just the same then. The answer is 'No'. Is this the path Council wishes for South Side? I hope it isn't. This is the first Genie to pop out of the bottle, obviously this member of staff had the for knowledge that once sewerage was connected to these larger residential blocks they could be sub-divided again into postage size allotments with not enough room to swing a Hills laundry hoist. This is the same as building heights at the Coast, its people's amenities their right to live in the style of the neighbourhood that they bought into. Our duty as Councillors is to represent the submitters, the neighbours, who have to live

with our decisions and not to be observed to be supporting Council Staff at the detriment of ratepayers. If we do not measure this one, we will never manage the rest.”

Report: (Director of Planning & Development – M. Hartley)

The Rescission Notice proposes that Council refuse development application DA16566 for the subdivision of land to create a hatchet-shaped allotment at the rear of the existing lot at 9 Heather Street, Southside. The application was recommended for approval on the basis of its ability, through the imposition of conditions, to achieve full compliance with the applicable code/s in the planning scheme.

The proposed motion contains no grounds for refusal of the application despite its ability to comply with the planning scheme. Such grounds would need to be articulated should Council decide to refuse the application.

The proposed motion also requests that any anomaly which allows existing urban lots to be re-subdivided into smaller lots be corrected in the next planning scheme to prevent the subdivision of back gardens into hatchet blocks.

Hatchet-shaped allotments are a recognised form of subdividing land and are an accepted part of the urban fabric of most areas. Rather than an anomaly, the subdivision of land into hatchet-shaped allotments is an established policy position reflected in the current planning scheme and its predecessor. The relevant code establishes the circumstances (minimum lot size, minimum access handle width etc) under which hatchet-shaped allotments are considered appropriate.

Council’s established policy position on this issue was discussed at the Planning and Development Committee meeting held on 23 October 2007. As per minute P41/10/07, the issue of re-subdividing residential lots into hatchet lots has been referred to the Strategic Planner for consideration as part of a future review of the planning scheme.

Recommendation: (Division 2 Councillor – Cr R. Owen)

That Resolution G07/12/07 of the General Meeting held on 4 December 2007 be rescinded.

Recommendation: (Division 2 Councillor – Cr R. Owen)

That Cooloola Shire Council refuses the Development Application DA16566 and requests that any anomaly which allows established urban areas to be subdivided for the second time, creating block/site sizes which conflict with the size of neighbouring blocks be corrected in the next

review of the Planning Scheme, preventing subdivisions of back gardens into hatchet blocks.

SECTION 8: CORPORATE SERVICES MATTERS (Cr M.J Venardos OAM, C. Manson, B. Hayes)

8/1 Donation to TRACC Cooloola Foster Care Christmas Party

Re: Donation to TRACC Cooloola Foster Care Christmas Party
 From: Ms Carol Mayon, Coordinator, TRACC Cooloola Foster Care Program
 File: FC07/00075 DOC ID:861608
 Date: 14 December 2007

“On behalf of our agency and the children and carers who will benefit from your kind donation of \$100 towards the Christmas party I say a huge thank you.

We appreciate that Council can not assist with all donations and are warmed by the spirit of giving so readily to the children in Cooloola at this time of year.

A Certificate of appreciation and receipt for your donation is enclosed.

Once again thank you. We wish yourself and your staff all the very best for the holiday season and a prosperous 2008.”

Recommendation: (Mayor – Cr M.J Venardos OAM)

For Council’s information.

8/2 LGAQ Circular - Councillor Remuneration Determined by Tribunal

Re: LGAQ Circular - Councillor Remuneration Determined by Tribunal
 From: Mr G. Hallam PSM, Executive Director, LGAQ, PO Box 2230, Fortitude Valley, 4006.
 File: FG95/00076 DOC ID: 859471
 Date: 5 December 2007

“The Local Government Remuneration Tribunal has released its report setting remuneration levels for Mayors and Councillors.

The Tribunal Report includes a remuneration schedule based on ten categories. Categories 1-9 cover all Councils excluding Indigenous Councils, Cook Shire and Torres Shire Councils. These Councils were placed in a special category acknowledging the uniqueness and cultural diversity issues.

The report specifically acknowledged the quality and comprehensiveness of the LGAQ submission. Moreover it specifically cited LGAQ arguments against the NSW model as the basis for rejecting that approach.

In making the determination the Tribunal linked the remuneration to the State Member of Parliament salaries and future indexing will align to the MLA process.

Each category for Mayor, Deputy Mayor and Councillor has been determined on a range basis however Councils will still have the flexibility to make their own decisions about where in that range they feel is best appropriate for that particular community.

Councils can also split the remuneration into a base payment with meeting fees as long as the upper and lower bounds of the range are not breached. Some Councils may also wish to remunerate one or more Councillors at a greater level than the others due to geographical, size or other determining circumstances. This can also be decided within the category range.

An amalgamation loading has also been provided for Councillors of effected Councils. This has been provided for the period 15 March 2008 to 31 December 2008. The tribunal will determine future amalgamation loadings in subsequent determination periods.

Another positive note is that superannuation is not included in the Tribunal determinations and Councils can still decide to pay up to 12% superannuation on behalf of Councillors subject to the Councillor making appropriate contributions where required.

Expenses and facilities for Councillors are not covered by the Local Government Remuneration Tribunal Report. These payments will be determined by each Council using the DLG guidelines. See Circular Number 2007 – 399 for information on these guidelines.

The contact officer at LGAQ for this issue is Natalie Kent, Manager Finance, Governance and Community phone 07 3000 2239 or e-mail Natalie-Kent@lgaq.asn.au.

Recommendation: (Acting Chief Executive Officer – R.A Fredman)

That the information be received.

8/3	Gympie Show Public Holiday for 2008
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Re: Gympie Show Public Holiday for 2008
From: Mr S. Blackwood, General Manager, Division of Private Sector
Industrial Relations, GPO Box 69, Brisbane, QLD, 4001
File: AG94/00083 DOC ID: 860211
Date: 10 December 2007

"I refer to your letter of 27 June 2007 concerning holidays for 2008.

In pursuance of the provisions of the Holidays Act 1983, the Minister has appointed:

- *Friday, 16 May 2008 a holiday for the Shire of Cooloola for the purpose of the Gympie Annual Show.*

Notification of the appointment of show and non-show holidays were published in the Queensland Government Gazette on 7 December 2007, copies of which are attached for your information.

Should you require further information, please contact Ms Alissa Adriaansen, Acting Executive Officer on telephone (07) 3225 2069.

Recommendation: (Acting Director of Corporate Services – B. Hayes)

That the information be received.

Further, that the Secretary of the Gympie & District Show Society be advised that Friday 16 May 2008 has been declared a public holiday for the Shire of Cooloola for the purpose of the Gympie Annual Show.

8/4	Clean Campaign for 2008 Local Government Elections
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Re: Clean Campaign for 2008 Local Government Elections.
From: Mr R. Needham, Chairperson, Crime and Misconduct Commission
and Mr Paul Bell, President, Local Government Association QLD,
Stephen.Patch@cmc.qld.gov.au
File: AG06/01007 DOC ID 860196
Date: 10 December 2007

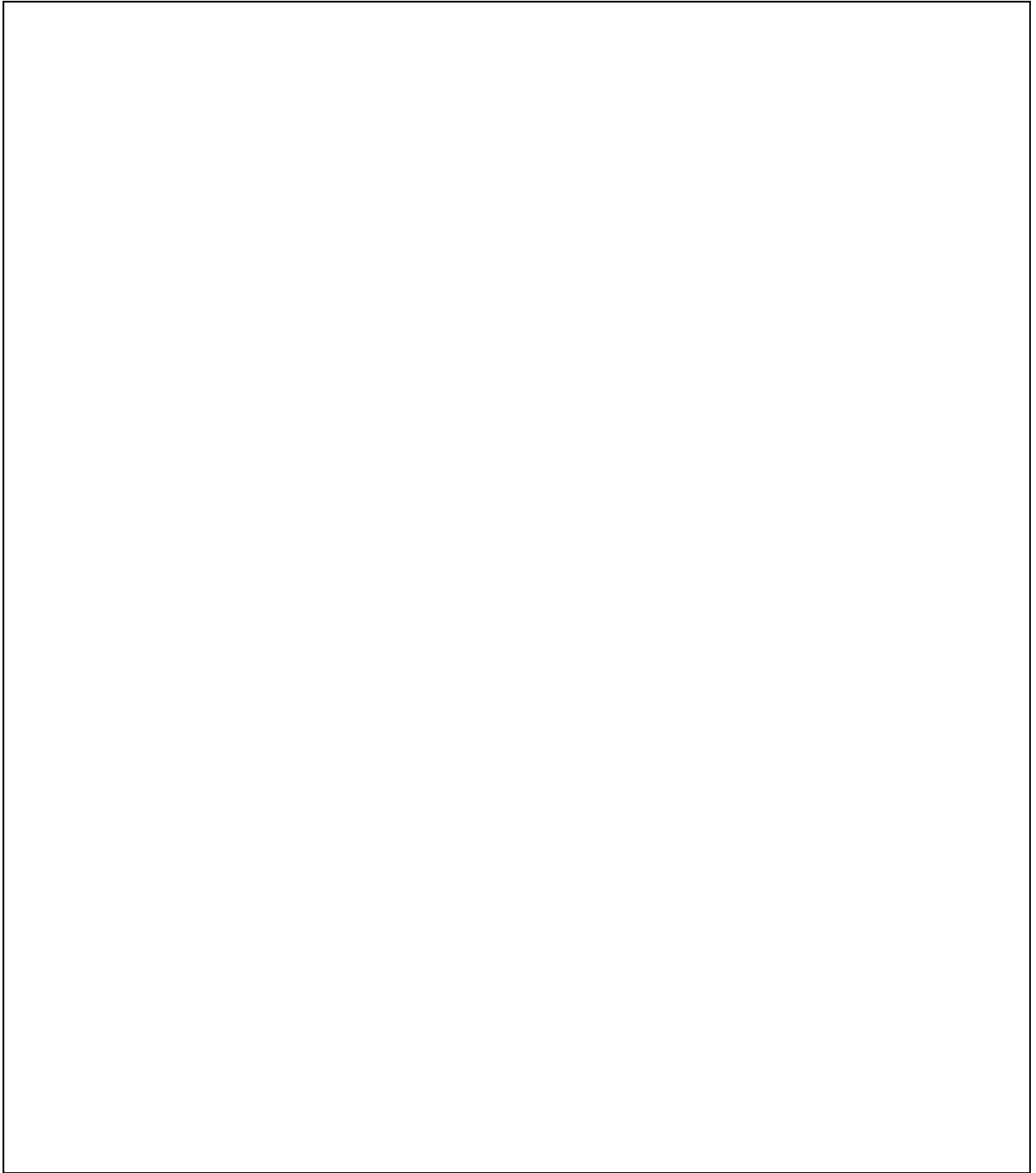
“We were emailing you to make you aware of a joint education program that we are running to reinforce the importance of candidates running a ‘clean’ campaign for next year’s local government elections.

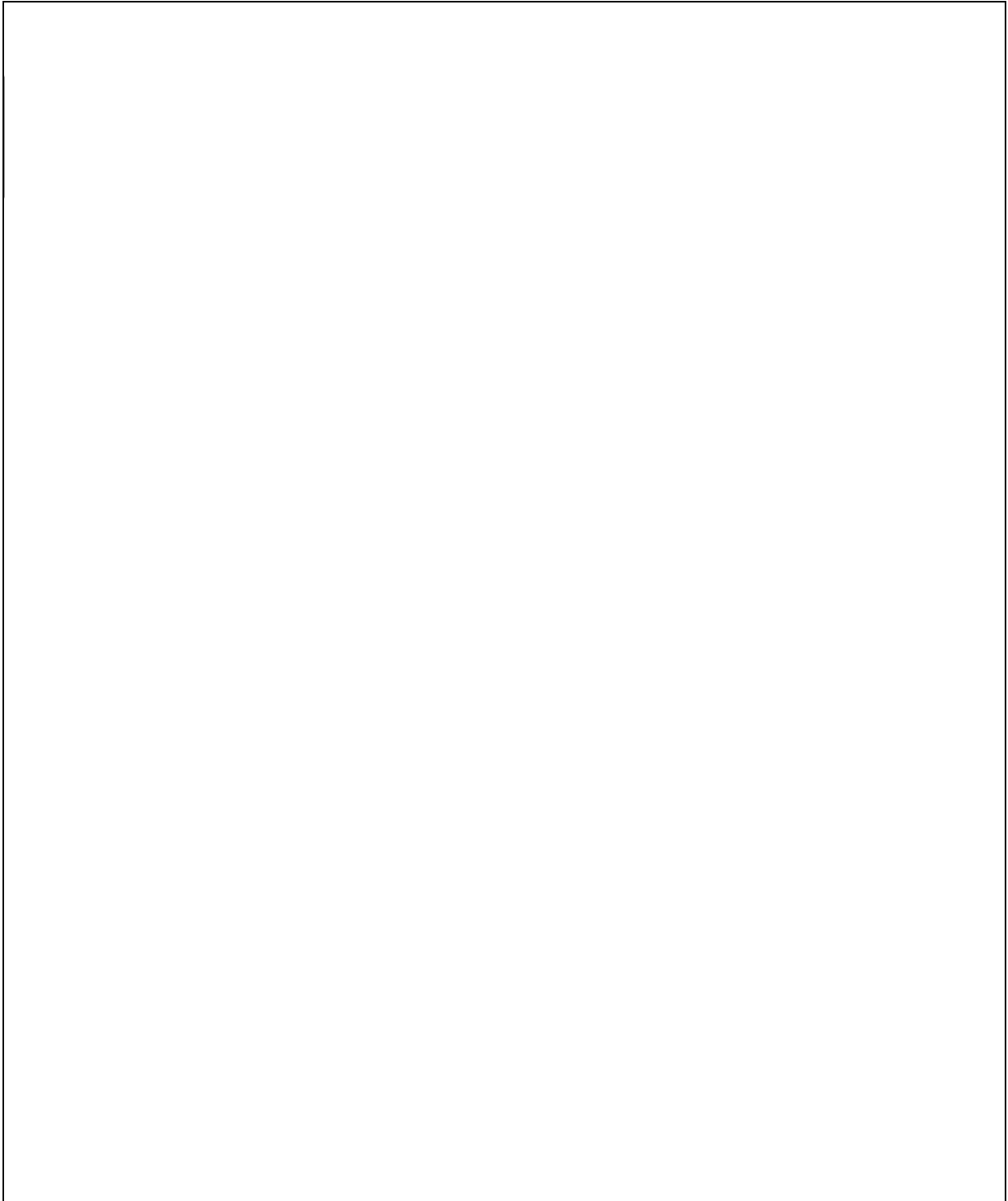
In particular, we are urging candidates not to misuse the CMC complaints process as a tool to gain unfair advantage – for example, by publicising that an opponent is being investigated by the CMC for corrupt or improper conduct. This not only damages the reputation of an opponent, but is also likely to tarnish the reputation of the person making the allegation, and could lead to prosecution by the CMC if the complaint is found to be false or frivolous.

Obviously, if anyone has genuine concerns about possible misconduct of local government candidates, we want to know about it. However, this information should be kept strictly confidential.

We have produced a brochure, entitled ‘Don’t risk your campaign’, for all candidates outlining these details, which we attach as a pdf for you. The brochure can also be found on our website at:

<http://www.cmc.qld.gov.au/data/portal/00000005/content/82246001192507960654.pdf>”





Recommendation: (Acting Chief Executive Officer – R.A Fredman)

That the information be noted by Councillors.

8/5	Letter of Thanks – Learning Network Queensland
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Re: Letter of Thanks – Learning Network Queensland
From: Ms J. Winn, Executive Director, Learning Network Queensland, PO
Box 3165, South Brisbane BC 3165
File: FG94/00018-B DOC ID861141
Date: 12 December 2007

“I would like to express my very sincere thanks for the availability of premises given to Learning Network Queensland over the past years. The present coordinator, Leah Searle, is moving to rooms in the TAFE and will be continuing to offer all services when the centre re-opens at the end of January, 2008.

Your support has been very much appreciated and I look forward to continuing a good working relationship with the future council so as the people in your area can benefit from all that Learning Network Queensland can provide for the community.”

Recommendation: (Acting Director of Corporate Services – B. Hayes)

That the information be received.

8/6	Local Government Remuneration Tribunal Submission
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Re: Local Government Remuneration Tribunal Submission
From: Deputy President Adrian Bloomfield, Chairperson, Local
Government Remuneration Tribunal, GPO Box 15031, City East
QLD 4002
File: FG95/00076 Doc ID 863953
Date: 20 December 2007

A copy of the Local Government Remuneration Tribunal Report 2007 will be available for perusal by Councillors on request, and at the meeting.

“The Local Government Remuneration Tribunal would like to acknowledge your submission and thank you for taking the time to provide your feedback about Council categories and councillor remuneration.

The Tribunal was informed by the submissions presented by a large number of individuals, existing councillors, deputy mayor and mayors and other

stakeholders, which greatly assisted with the development of local government categories and the determination of Councillors remuneration.

The Tribunal is pleased to enclose its 2007 Report. This report was provided to the Minister for Local Government and Main Roads on 4 December 2007 in accordance with section 250AP of the Local Government Act 1993. The 2007 determination is the Tribunal's first determination made and is to take effect from the quadrennial local government elections scheduled for 15 March 2008.

The report provides details about the determination and assignment of local government categories and the levels of remuneration to be paid to Mayor's, Deputy Mayors and Councillors. Section 9 of the report provides details about the Tribunal's determination of local government categories and how they have been applied to councils. Section 10 provides details about the remuneration applicable to the local government categories.

The Tribunal intends to use a more timely approach to conducting its inquiries in 2008. It is anticipated the Tribunal will call for submissions in August 2008 to give stakeholders ample opportunity to express their views, and to also give the Tribunal sufficient time to examine in greater detail the feedback it may receive before making its next series of determinations by 1 December 2008. It is also intended that public forums be held so that members of the community have the opportunity to discuss matters relating to councillor remuneration with the Tribunal.

Should you require any further information in relation to this matter, please contact the Secretariat on 1800 030 114 or alternatively, you may send an email to the Tribunal via the Secretariat remunerationtribunal@dlgsr.qld.gov.au"

Recommendation: (Acting Chief Executive Officer – R.A Fredman)

That the information be received.

8/7	Local Transition Committee Matter
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Re: Local Transition Committee Matter
 From: Interim Chief Executive Officer, Gympie Regional Council Local Transition Committee – Mr Ken Mason
 File:
 Date: 8 January 2008

Report: (Interim Chief Executive Officer – Ken Mason)

At the Cooloola Shire Council meeting held on 11/12/07 Cr Owen requested from the Gympie Regional Council LTC a list of all Gympie Regional Council employees together with the budgeted annual costs for staff.

As Councillors would be aware the Gympie Regional Council does not come into existence until the 15/03/08. At that time all existing employees of Cooloola Shire, Kilkivan Shire and those that choose from Tiaro Shire will automatically become employees of Gympie Regional Council with the exception of CEOs. The ICEO becomes the Acting CEO of the Gympie Regional Council. As detailed in the Interim Executive Structure report the Kilkivan Shire CEO will be offered a position as project officer for up to 4 months from 15/3/08 subject to review. Whilst 5 employees of Tiaro Shire have indicated a preference to work for Gympie Regional Council not firm commit has been reached.

Transition provisions guarantee employment for 3 years (excluding CEOs) and all contracts to be honoured.

Although the request emanates from an individual Councillor of Cooloola Shire, it has been raised during general business of the Cooloola Shire General Meeting.

Sections 469 (Inspection of records by members) and 1135 (Request to employees for help or advice) of the Local Government Act 1993 do not give rise to any obligation to provide the information, as those sections are limited to access by a Councillor to records and information in respect of the Council of which the Councillor is a member.

The Local Transition Committee Guidelines do place obligations on the Local Transition Committee to inform Councils in its sphere of concern to ensure a full understanding of the processes of establishing the new local government. A positive obligation is placed upon the Local Transition Committee to develop a communication and consultation program to distribute information to all stakeholders. This information would, at the appropriate time, include details of employees of the new Council. Whilst that information would be desirable sooner rather than later, there is no obligation to provide it earlier than it has been brought into existence. Certainly, the request for provision of contact details of those employees appears to be a matter to which neither Cooloola Shire Council, nor the individual Councillor, would be entitled. For example, Cooloola Shire Council would have no interest, at any time, of determining the address of a future Gympie Regional Council employee who was previously employed by Tiaro Shire Council.

At this point in time the information can not supplied by the Gympie Regional Council LTC.

Recommendation: (Interim Chief Executive Officer – Ken Mason)**That Cr Owen be advised in terms of the above.**

8/8

Consultation Draft Code of Health Rights and Responsibilities

Re: Consultation Draft Code of Health Rights and Responsibilities
From: Ms C. Herbert, Chief Executive Officer, Health Quality and Complaints Commission, GPO Box 3089, Brisbane, QLD, 4001
File: CG98/00141 DOC ID 863665
Date: 20 December 2007

“A consultation Draft Code of Health Rights and Responsibilities (the Code) has been released for public comment from 4 December 2007 to 29 February 2008 inclusive.

The consultation draft Code is an important document which articulates the rights of health service users and describes the responsibilities of health service users and health service providers when accessing and providing health services.

It aims to foster positive working partnerships between health service users and health service providers and strengthen the important role that health service users play in managing their health.

You may recall I mentioned the upcoming consultation draft of the Code at our meeting in the Parliamentary Annexe on 25 October 2007 and noted the important role Health community councils play in promoting and disseminating the consultation draft Code for public comment.

I seek your assistance in this task and ask you to distribute the following enclosed materials in your community encouraging feedback from interested individuals and groups:

- *Consultation Draft Code (in booklet form)*
- *A2 posters*
- *A3 posters*
- *A4 posters which are intended to be used as a flyer.*

Please visit the HQCC website www.hqcc.qld.gov.au to view the consultation draft or complete the order form to obtain additional copies. Alternatively, you may contact the HQCC by phone (07) 3120 5999.

If you require further assistance, please contact Dr Danielle Stowasser, Director Standards and Quality on (07) 3120 5969, who will be happy to assist.”

Recommendation: (Mayor – Cr M.J Venardos OAM)

That the information be received.

8/9

Election Signage

Re: Election Signage
From: Acting Chief Executive Officer – Mr R.A. Fredman
File:
Date: 9 January 2008

Report: (Acting Chief Executive Officer – RA Fredman)

This Council adopted a new Local law in 2005 specifically regarding the issue of election signs, which is reproduced below.

Note that it is an offence to erect signage prior to 28 days before the election and without a Council approval. Signs are not permitted on road reserves at any time other than outside a polling booth on election day.

The coordination of an election signage policy across the region is not possible, as each Council's Local laws apply.

APPROVAL OF ELECTION ADVERTISEMENTS

4. Application for local governments approval

For the purposes of section 9(1) of the local law, an application for approval for the exhibition of an election advertisement must (unless otherwise required by the local government) be accompanied by-

- (a) the name, street address, telephone number, facsimile number and email address of the candidate exhibiting the election advertisement; and
- (b) full details of the election advertisement including its dimensions, construction and the subject matter to be publicised; and

- (c) full details of when and how the election advertisement is to be exhibited; and
- (d) full details of the street address where the election advertisement is to be exhibited.

5. Criteria for approval of election advertisements – Local Law, s10(2)(g)

For the purposes of section 10(2)(g) of the local law, the local government may only approve the exhibition of an election advertisement if satisfied that the matters which are the subject of the conditions specified in section 7 of this subordinate local law which are relevant to the exhibition of the election advertisement can be adequately addressed by the imposition of those conditions.

6. Term of approval – Local Law, s11(3)

For the purposes of section 11(3) of the local law, the term for which an approval to exhibit an election advertisement in the area may be granted must-

- (a) commence on whichever is the latter of-
 - (i) the date of grant of the approval; and
 - (ii) the date 28 days before the polling day for the election; and
- (b) expire 7 days after the polling day for the election.

7. Conditions of approval-Local Law, s12(3)

For the purpose of section 12(3) of the local law, the conditions that will ordinarily be imposed on an approval to exhibit an election advertisement are-

- (a) the election advertisement must not be exhibited on a public place (other than on that part of a footpath which is immediately adjacent to the road frontage of premises on which a polling booth is situated on a polling day);
- (b) the total number of sites on which an election advertisement may be exhibited must not exceed-

- (i) for a mayoral candidate in a local government election-25 sites within the local government area;
 - (ii) for a candidate (other than a mayoral candidate) in a local government election-5 sites within the candidate's division;
 - (iii) for a candidate in a state government election-25 sites within the local government area; and
 - (iv) for a candidate in a federal government election-25 sites within the local government area; and
 - (v) for a candidate in an election other than an election referred to in paragraph (b)(i) to (iv)—10 sites within the local government area.
- (c) no more than 2 election advertisements may be located on each site; and
- (d) the election advertisement must not be exhibited on a structure (other than a fence or a post) on the site; and
- (e) the election advertisement must be kept in good order and repair; and
- (f) the election advertisement must not be exhibited so as to cause a nuisance; and
- (g) the election advertisement must be positioned on the site so as to not result in a loss of amenity or constitute a risk to road safety; and
- (h) the election advertisement must not have a face area in excess of 1m²; and
- (i) the election advertisement must not be erected prior to 28 days before the polling day for the election; and
- (j) the election advertisement must be removed within 7 days after the polling day for the election; and

- (k) an election advertisement relating to more than one candidate must be considered to be an election advertisement for each candidate; and
- (l) the election advertisement must be exhibited at the location and in the manner and form specified in the approval.

Recommendation: (Acting Chief Executive Officer – R.A. Fredman)

That this matter be referred to the Electoral Commission Returning Officer for the Local Government Elections (Mr Ken Garner) to provide the relevant Local Laws to all election candidates.

SECTION 9: LATE ITEMS

SECTION 10: GENERAL BUSINESS

SECTION 11: FOR YOUR INFORMATION

- Scouts Australia – 98th Annual report 2007.
- Prospects for Queensland's primary industries 2007-2008.
- University of the Sunshine coast – community Magazine.
- Government News – November 2007.
- Tourism Sunshine Coast Annual Report 2007.
- Black Box Network Services – newsletter.
- Animal control Technologies – Information update #28.
- UQ News November 2007.
- Traveston Crossing Dam Project update six.
- Traveston Crossing Dam – Community futures Task Force December 2007 newsletter.
- Iconnect – Main Roads December quarter update 2007.
- Powerlink Newsletter – December 2007.
- Reconciliation News December 2007.
- Property Australia December 2007.
- Department of Emergency Services – Annual Report 2006-07.

- Churches of Christ Care – Annual Report 2006-07.
- Sunshine Coast Helicopter Rescue Service – Annual report 2006-2007.
- Health Matters newsletter December 2007.
- Communications Day newsletter.
- Fraser coast South Burnett Tourism 2007 Highlights.
- Inform newsletter.
- Disability Services QLD 2008 Calendar.
- Growing Queensland 07/08 report.
- Queensland catalyst newsletter.
- Gympie Family History Society Inc. newsletter.
- Queensland Seafood Industry News.
- SIDSKids news.
- *It's an Honour* magazine.
- Leading Business magazine – December 2007 / January 2008
- Skilling Queensland – Queensland Skills Plan Progress Report December 2007.
- Vietnam Veterans Debrief Magazine – Summer Edition.
- LGAQ – Council's Newsbrief.

Recommendation: (Acting Chief Executive Officer – R.A Fredman)

That the information be received.

SECTION 12: IN COMMITTEE MATTERS

In Committee 12/1: P& E Court Application – DA00001

Re: P & E Court Application – DA00001
From: Baldwin Cartwright Lawyers, PO Box 414, Gympie Qld 4570
File: DA00001
Date: 8 January 2008