



***COOLOOLA SHIRE COUNCIL***

**MINUTES**

*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 15<sup>th</sup> January 2008  
at 9.00 am**



Cooloolo Shire Council

## GENERAL MINUTES

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*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.*

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The meeting commenced at 9.04am.

**PRESENT:** Mayor M.J. Venardos OAM (Chairman), Crs C.R. Chapman OAM, F.G. Nissen AM, W.J. McIntyre, J. Watt, W.W. Sachs, I.T. Petersen, D.R. Neilson, S.S. Jocumsen, M. Prior, L.J. Friske, R. Owen and N.R. Ellis.

Also in attendance were Acting Chief Executive Officer (Mr C Manson) and Minutes Clerk (Mrs L Birt).

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

Pastor Noel McDonough from the Community Church offered a Prayer for the advancement of the Shire and the true welfare of its people.

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

## **SECTION 2: APOLOGIES**

Nil

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

G01/01/08 Moved: Cr N.R. Ellis

Seconded: Cr I.T. Petersen

**That the Minutes of the General Meeting held on 11 December 2007 be taken as read and confirmed.**

**Carried**

## **SECTION 4: PETITIONS**

### **1. Petition re Development Application – Irvine Road, Chatsworth**

Cr R Owen tabled the following Petition regarding a Development Application DA15186 – Irvine Road, Chatsworth – Petition has 13 signatures.

From: Bob Pukallus, 11 Vantage Road, Chatsworth Qld 4570 & 12 other signatories.

Date: 15 January 2008

*“I/We would like to lodge an objection to the above mentioned application for the following reasons:*

- 1. I/We object most strongly to the proposed loss of yet another considerable parcel of productive land in the area. This land is currently suitable for beef cattle and a wide selection of tree crops. In an area that is already suffering a huge loss of productive agricultural land due to the Mary Valley Dam proposal and its subsequent land resumptions, another such land loss is one that the shire can ill afford.*
- 2. I/We are very concerned about any further subdividing and building activities having a major impact upon our natural resources. In recent years there has been no surface water in this area and the underground water situation is already completely stretched with several bores in the area running dry. Any further drain on these systems may cause considerable problems for the existing supplies. The possibility of pollution escaping from this development into the natural watercourse is a very real threat. Currently in the event of rain the run-off goes directly into our water supply.*
- 3. This proposed Development and subdivision is planned for an area that is a junction of the land’s natural watercourse. When we have significant rain the volume of water that flows through these natural watercourses is immense. One property at Lot 2 Vantage Road has had water through the dwelling and right up to the dwelling on two previous occasions. Any further distortion of the watercourse will invariably cause water back up and more subsequent flooding in this area.*

*Lastly we are concerned about the additional volume of traffic that may occur from any further developments in this area. Vantage Road already has to cope with the additional flow of a considerable amount of traffic – mainly caravans and motor homes accessing the Chatsworth Park Rest Area from the Bruce Highway in what is currently a 100kph speed zone. Entering and exiting our road safely is now a major concern.*

*Thanking you for your due consideration of these matters.”*

**G02/01/08 Moved: Cr R. Owen**

**Seconded: Cr N.R. Ellis**

**That the Petition be received and referred to the Director of Planning & Development for investigation and report to the Planning & Development Committee Meeting to be held on 29 January 2008.**

**Carried**

<p>2. Petition Against ANY Changes to Waste Management and ANY Increasing Costs in the Langshaw Area</p>
--

Cr R Owen tabled the following Petition from Mrs Karen Berry, Primary Petitioner for Langshaw Ratepayers and Residents, Langshaw, Qld 4570 – petition has 23 signatories

*We, the ratepayers and residents of Langshaw, stalwartly request that:*

- *Waste Management Facilities remain unchanged in Langshaw for the foreseeable future;*
- *NO new wheelie bins be issued to the Langshaw area;*
- *ALL unwanted wheelie bins be removed IMMEDIATELY from the Langshaw area;*
- *NO closure of the Langshaw road-side bulk bins site be effected; and*
- *There be NO INCREASE IN CHARGES for waste management.*

*We vehemently make these requests for the following primary reasons:*

- 1) *The existing bulk bin service works well and the number of refuse bins in the existing facilities is adequate. The existing costs of the bulk bin facilities are acceptable.*
- 2) *Eleven roads are unsealed, steep, narrow and flood-prone. There is a lack of suitable road frontage for wheelie bins, which would also be in the way of Council's slasher.*
- 3) *The health risks to animals and people because of pollution would be infinitely increased. And since the bins could not be kept clean, they would become unhygienic and maggot-infested, creating even more health risks.*
- 4) *Langshaw has not grown nor increased its volume at all over the past three or four decades – change is unnecessary and most definitely unwanted.*

*Langshaw ratepayers and residents would like to point out to Council that Point 2 above could result in damage to residents' vehicles and property for which Council could be liable.*

*We would also like to point out to Council that Point 3 above breaches Occupational Health and Safety standards, again for which Council could be liable.*

*Langshaw ratepayers and residents have valid reasons for opposing ANY changes to the waste removal service as can be seen by the above points and by the signatures on the attached petition.*

*Langshaw ratepayers and residents also ask Cooloola Shire Council for answers to the following questions:*

- *During the Council meeting held on December 14, Council used the number of bins delivered to the Langshaw areas as support for their claim that many people in the area wanted them. However, most of these so-called 'delivered bins' were delivered to the addresses of people who had signed petitions against them. These bins STILL have not been removed. Can Council please tell Langshaw residents when this unsightly visual pollution and roadside hazard will be removed?*
- *Council recently graded many of Langshaw's roads; however, as the attached pictures show, the garbage truck has already destroyed one of these roads. Will Council grade the road again to repair the damage? And will Council grade the roads EVERY time their garbage trucks destroy the roads?*
- *Is the reason why Crust Road is one of the few roads in Langshaw that has NOT been graded because the primary petitioner against the wheelie bins (viz: the author of this petition) lives on that road?*
- *If Council insists on changing what does not need changing and doubling existing flow-on costs, can residents expect in the VERY NEAR FUTURE that:*
  - *Their roads will be GREATLY improved;*
  - *Slashing of the roadside verges WILL be more frequently commissioned, and*
  - *Town water WILL soon be supplied to the area?*
- *Why has Council STILL done nothing to curb the 'vandalism' at the bulk bin sites, even though it whinges that this is a major reason for forcing wheelie bins on residents? And why does Council expect residents to police the area?*
- *Concerning the wheelie bin fiasco in Langshaw, when will Council concede to the stupidity of their actions in refusing to consult with the residents they were elected to represent BEFORE they decided to impose changes?*

*Langshaw ratepayers and residents believe that changing the waste removal service in Langshaw will result in increased noise, visual pollution, health risks, vehicle damage, stress, accidents and road works costs.*

*We thank the Council for this opportunity to oppose the unwanted bins. We sincerely hope Cooloola Shire council possesses the intellect to recognise the validity of our legitimate arguments and will FINALLY agree to exempt the ENTIRE Langshaw area from this service."*



Damage to Jerry Creek Road by Garbage Truck, Thursday 10<sup>th</sup> January 2008



**G03/01/08 Moved: Cr R Owen**

**Seconded: Cr W.W. Sachs**

**That the Petition be received and referred to the Health & Community Services Department Manager for investigation and report to the Works & Services Committee Meeting to be held on 5 February 2008.**

**Carried**

3. Petition re Building Compliance – Rainbow Beach
--

Cr R Owen tabled the following Petition with 10 signatories.

From: Janet Heath, 8 Manooka Drive, Rainbow Beach & 9 other signatures  
Date: 15 January 2008

*“We, the undersigned ratepayers and residents of the Cooloola Shire, submit that Council is obliged by its duty to protect and uphold the clearly expressed values of the local community and the Planning Scheme.*

*Accordingly, we request that Council provide advice on when and how it intends to measure and enforce building compliance of The Plantation, Rainbow Beach Road, Rainbow Beach, as per plans submitted to and approved by Council.”*

**G04/01/08 Moved: Cr R Owen**

**Seconded: Cr W.W. Sachs**

**That the Petition be received and referred to the Director of Planning & Development for investigation and report to the next Planning & Development Committee Meeting to be held on 29 January 2008.**

**Carried**

4. Petition re Gympie Local Transitional Committee
--

Cr R Owen tabled the following Petition with 11 signatories

From: Jason Harelle, 24 McMahan Road, Gympie & 10 other signatures  
Date: 15 January 2008

*‘We the undersigned petitioners, being residents of Gympie, respectfully request that Cooloola shire Council obtain the following information from the Gympie Local Transitional Committee to ensure that this Council properly*

*represents the interests of the ratepayers fulfils its responsibilities and duties other community, by distributing that information to the petitioners and all the residents of the Cooloola Shire.*

1. *How many new positions have been created in the Interim Executive Structure recently adopted by the Local Transitional Committee?*
2. *Does the new Interim Executive structure create a new level of senior management to that which currently exists in the Councils to be amalgamated?*
3. *What was the criteria set down to limit staff numbers in the new Council structure?*
4. *What was the budgeted figure set down for total wages for the new Regional Council?*
5. *What is the budgeted figure for wages for the current shires and the section of Tiaro that will be a part of the new council?*
6. *What is the cost comparison between annual salary costs currently paid to the two Councils plus the Tiaro section, compared with the annual salary cost of the new council with the new Executive structure?*
7. *Is the appointment of existing Cooloola Shire Council staff to these executive positions considered as promotions and what is the extent of the salary increases for these positions?*
8. *What is the overall number of office staff compared to outdoor employees in the three Councils now, and what are the numbers proposed for the Gympie Regional Council?"*

**G05/01/08**

**Moved: Cr R Owen**

**Seconded: Cr M. Prior**

**That the Petition be received and referred to the Acting Chief Executive Officer for investigation and report to the Administration & Finance Committee Meeting to be held on 22 January 2008.**

**Carried**

5.                    Petition re Proposed Sewerage Rates Increase
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Cr Prior tabled the following Petition from Cooloola Coast Residents & Friends Inc with 48 signatures. Cr Prior advised that further pages to the Petition will be tabled at future meetings.

From:     Cooloola Cove Residents and Friends Inc, PO Box 103, Tin Can Bay  
              Qld 4580

Date:     15 January 2008.

*“The Petition of residents, friends and visitors to Cooloola Cove, Division 2 and 5 of Cooloola shire wishes to draw the attention of Cooloola Shire Council to the GREAT burden of opinion held by the people of Tin Can Bay, Cooloola Cove and Rainbow Beach that the proposed increase of 14% on the sewerage rates should not be allowed to happen.*

*There is evidence to suggest that the increased costs of construction have been known for some time and should have been calculated into the overall figures at the outset.*

*We know that we are assisting Imbil with their sewerage upgrade to the tune of \$77,466.00 and in other circumstances we would be happy to do so, BUT we do not expect to finance Council’s incompetences.*

*NO 14% INCREASE ON SEWERAGE RATES.*

*Principal Petitioner COOLOOLA COVE RESIDENTS & FRIENDS INC, PO BOX 103, TIN CAN BAY QLD 4580*

**G06/01/08     Moved: Cr M. Prior**

**Seconded: Cr R. Owen**

**That the Petition be received and referred to the Director of Engineering and Finance Department Manager to investigate and report to Administration & Finance Committee Meeting to be held on 22 January 2008.**

**Carried**

<b>SECTION 5:     HEALTH &amp; COMMUNITY SERVICES                          DEPARTMENT MATTERS (M. Grant)</b>
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Health & Community Services Manager Mr M Grant and Youth Development Officer Mrs H Kelly entered the meeting at 9.25am.

5/1	<b>Youth Development Officer's Report for the Month of December 2007</b>
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Re: **G07/01/08** 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 15<sup>th</sup>. 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

**G07/01/08      Moved: Cr I.T. Petersen                      Seconded: Cr D.R. Neilson**

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

**Carried**

<b>5/2</b>	<b>Health Report for the Month of December 2007</b>
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Re:    **G08/01/08** 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.

<b>Location</b>	<b>Total</b>
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
<b>Total Recoverables</b>	<b>180,136</b>	<b>1,953,306</b>	<b>1,508,885</b>
Waste/Ceramics	42633	462298	355716
<b>Total including all Waste</b>	<b>222,769</b>	<b>2,415,604</b>	<b>1,864,601</b>

### 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.

**G08/01/08 Moved: Cr N.R. Ellis**

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

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

**Carried**

Mrs Kelly left the meeting at 9.26am.

5/3

**Wheelie Bin Services to Traveston & Adjacent Areas**

Re: **G09/01/08** 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.*

**G09/01/08 Moved: Cr L.J. Friske**

**Seconded: Cr W.J. McIntyre**

**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.**

**Carried**

5/4	Petition from Langshaw Ratepayers and Residents re Wheelie Bin Services.
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Re: **G10, G11 & G12/01/08** 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.*



**SECTION 6: ENGINEERING MATTERS (R.A Fredman)****6/1 Removal of Fence Encroaching onto Road Reserve at Kandanga-Amamoor Road**

Re: **G13/01/08** 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.

**G13/01/08 Moved: Cr L.J. Friske Seconded: Cr D.R. Neilson**

**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.**

**Carried**

Director of Engineering – Mr R.A. Fredman entered the meeting at 9.43am.

**6/2 Traveston Crossing Dam EIS Response**

Re: **G14/01/08** 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.

**G14/01/08 Moved: Cr M.J. Venardos OAM Seconded: Cr J. Watt**

**That the report be received and endorsed and the Director of Engineering and relevant staff be thanked for the preparation of the Submission.**

**Carried**

6/3	Walker Road Bridge
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Re: **G15/01/08** 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.

**G15/01/08 Moved: Cr I.T. Petersen Seconded: Cr F.G. Nissen AM**

**That the report be received.**

**Carried**

**G16/01/08 Moved: Cr M.J. Venardos OAM Seconded: Cr I.T. Petersen**

**That Council forward letters of thanks to Mrs Joanne Kildey and Mr Gordon McWilliam for allowing emergency access through their properties following the flooding and inaccessibility to properties due to the demise of Walkers Bridge.**

**Carried**

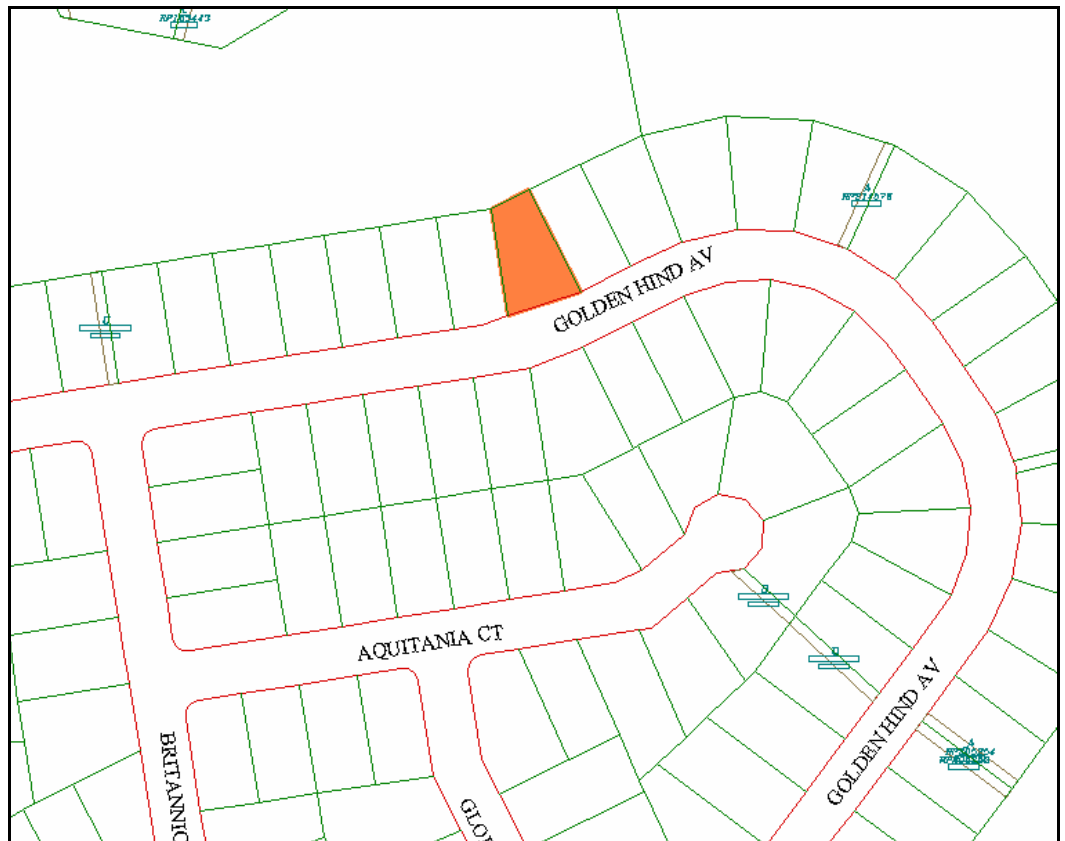
Mr Fredman left the meeting at 9.55am.

Director of Planning & Development - Mr Hartley entered the meeting at 9.55am.

**SECTION 7: PLANNING & DEVELOPMENT  
DEPARTMENT MATTERS (M. Hartley)**

7/1 DA17738 – Petition – Proposed Amenity & Aesthetics Application  
– 53 Golden Hind Avenue, Cooloola Cove

Re: **G17/01/08** 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.”*

**G17/01/08 Moved: Cr M. Prior**

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

**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.**

**Carried**

7/2

Rescission Notice

Re: **G18/01/08** 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 4<sup>th</sup> 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 submissions 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: Cr R Owen**

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

**Recommendation: 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.

**G18/01/08 Moved: Cr R. Owen**

**Seconded: Cr S.S. Jocusen**

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

**Lost**

A **DIVISION** was called with the following results:

**FOR:** Cr R. Owen, Cr S.S. Jocusen, Cr W.W. Sachs.

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

Mr Hartley left the meeting at 10.06am.

**ADJOURNMENT OF MEETING**

The Meeting adjourned for morning tea at 10.06am.

**RESUMPTION OF MEETING**

The Meeting resumed at 10.25am.



*“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](mailto:Natalie-Kent@lgaq.asn.au).”*

8/6

## Local Government Remuneration Tribunal Submission

Re: **G20/01/08** 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](mailto:remunerationtribunal@dlgsr.qld.gov.au)”*

**G20/01/08 Moved: Cr D.R. Neilson Seconded: Cr L.J. Friske**

**That Item 8/2 and Item 8/6 be received and dealt with concurrently.**

**Carried**

<b>8/3</b>	<b>Gympie Show Public Holiday for 2008</b>
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**Re: G21/01/08** 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.*

**G21/01/08 Moved: Cr S.S. Jocusmen Seconded: Cr M. Prior**

**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.**

**Carried**

8/4

## Clean Campaign for 2008 Local Government Elections

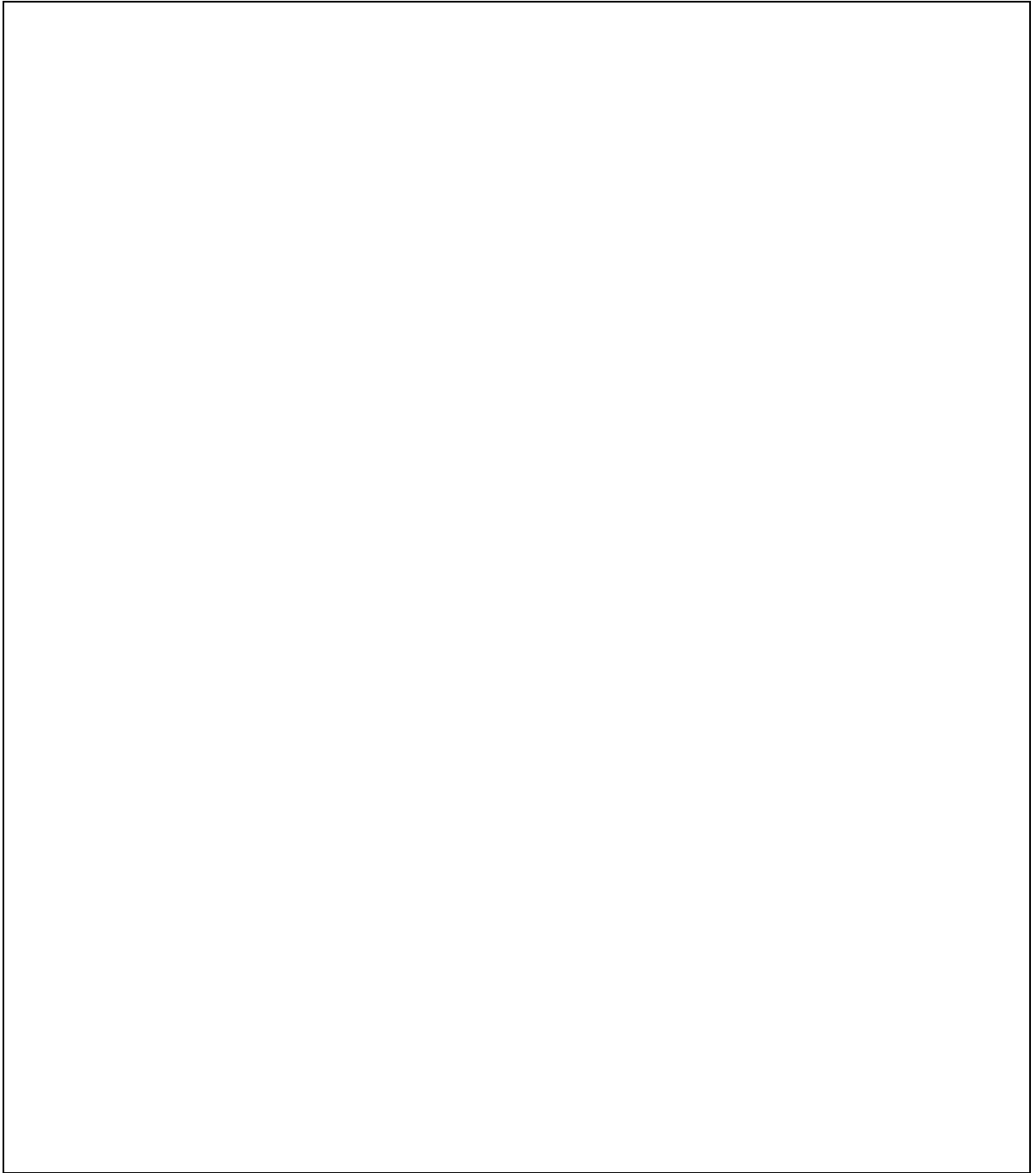
Re: **G22/01/08** Clean Campaign for 2008 Local Government Elections.  
From: Mr R. Needham, Chairperson, Crime and Misconduct Commission and Mr Paul Bell, President, Local Government Association QLD, [Stephen.Patch@cmc.qld.gov.au](mailto:Stephen.Patch@cmc.qld.gov.au)  
File: AG06/01007 DOC ID 860196  
Date: 10 December 2007

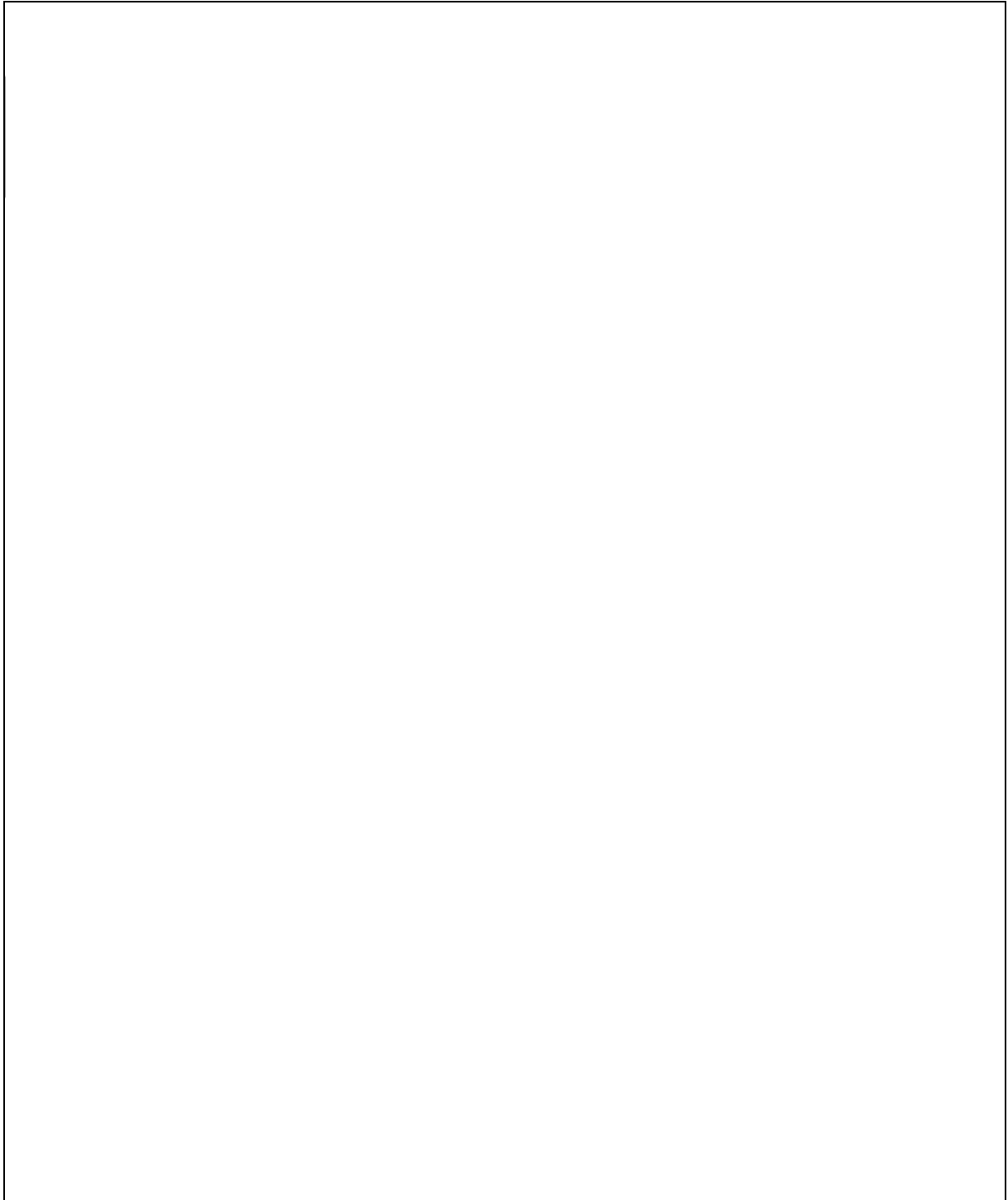
*“We were emailing you to make you aware of a joint education program that we are running to reinforce the importance of candidates running a ‘clean’ campaign for next year’s local government elections.*

*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>”*





**G22/01/08      Moved: Cr I.T. Petersen                      Seconded: Cr R. Owen**

**That the information be noted by Councillors.**

**Carried**

8/5	Letter of Thanks – Learning Network Queensland
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Re: **G23/01/08** 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.”*

**G23/01/08 Moved: Cr D.R. Neilson Seconded: Cr W.W. Sachs**

**That the information be received.**

**Carried**

8/7	Local Transition Committee Matter
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Re: **G24/01/08** 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 no firm commitment 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.

**G24/01/08**

**Moved: Cr N.R. Ellis**

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

**That the information be received and Cr Owen be advised in terms of the above.**

**Carried**

Cr Owen advised that he did not ask for a list of all Regional Council employees – it was only the number of positions and the budgeted annual costs for staffing. The last paragraph concerning contact details was not asked for.

8/8

**Consultation Draft Code of Health Rights and Responsibilities**

Re: **G25/01/08** 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](http://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."*

**G25/01/08 Moved: Cr W.W. Sachs Seconded: Cr F.G. Nissen AM**

**That the information be received.**

**Carried**

8/9	Election Signage
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Re: **G26 & G27/01/08** 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 1m<sup>2</sup>; 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 Election (Mr Ken Garner) to provide the relevant Local Laws to all election candidates.

**G26/01/08      Moved: Cr W.J. McIntyre                      Seconded: Cr L.J. Friske**

**That the Report from Mr Bob Fredman, Acting Chief Executive Officer be received.**

**Carried**

**G27/01/08      Moved: Cr N.R. Ellis                                      Seconded: Cr J. Watt**

**That this matter be referred to the Acting Chief Executive Officer for urgent attention.**

**Further that Councillors be invited to advise the Acting Chief Executive Officer of their comments.**

**Further that a report from the Acting Chief Executive Officer be tabled at the General Meeting of Council to be held on 22 January 2008.**

**Carried**

**SECTION 9:    LATE ITEMS**

Nil

**SECTION 10:   GENERAL BUSINESS**



**Further that Gympie Landcare be congratulated on their achievements to date.**

**Carried**

**Release of Council Agendas/Minutes to Public**

Discussion ensued.

**G31/01/08 Moved: Cr D.R. Neilson Seconded: Cr I.T. Petersen**

**That the Acting Chief Executive Officer be requested to table a report as to whether there is a resolution in respect to the release of agendas to the public and to the press.**

**Carried**

**Army Exercise – Tin Can Bay**

Cr Prior drew Council's attention to Minute G78/12/07 where Council has approved the Army conducting an Exercise in the Tin Can Bay area.

Discussion ensued.

**G32/01/08 Moved: Cr M. Prior Seconded: Cr W.W. Sachs**

**That Council write to Royal Military College Duntroon advising of the condition of the Scout Hall at Tin Can Bay and invite them to contribute to the future use of the Hall.**

**Carried**

**Fluoridation of Water Supplies**

Cr Jocumsen referred to an article in the Gympie Times headed – Fluoride in Water.

**G33/01/08      Moved: Cr S.S. Jocumsen                      Seconded: Cr I.T. Petersen**

**That Council forward a copy of its letter to the Minister dated 14/12/07 and Council's letter to the Local Government Association dated 20/12/05, to Mr Paul Bell, President of the LGAQ, advising Council's views and that Council does not agree to fluoridate its water supply.**

**Further that the LGAQ be requested to provide information as to how their survey was conducted.**

**Carried**

<b>Vandalism – Sorensen Road area</b>
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Cr Jocumsen raised concerns expressed by residents of the Sorensen Road area relative to the lack of Police presence when requested following vandalism in the area over the Christmas New Year period.

Discussion ensued.

**G34/01/08      Moved: Cr S.S. Jocumsen                      Seconded: Cr W.W. Sachs**

**That the Mayor be requested to discuss with the Superintendent of Police the matter of Police responding to public complaints.**

**Carried**

<b>Planning for Iconic Events throughout Tiaro/Kilkivan and Cooloola Shires following amalgamation</b>
--

Cr Petersen advised that planning for iconic events throughout the three Shires such as Gold Rush, Goomeri Pumpkin Festival etc should be progressed to ensure that volunteers who work tirelessly to ensure these events are successful can be assured of the new Gympie Regional Council's support.

**G35/01/08      Moved: Cr I.T. Petersen                      Seconded: Cr S.S. Jocumsen**

**That Council's representatives raise the matter at the Local Transition Committee Meeting seeking input of the Council's of the affected Shires to identify iconic events and recommend to the incoming Council that these events continue to receive funding at no less than current levels.**

**Carried**

Disused Golden Gate Motor Inn Facilities
--

Cr Sachs advised Council that there is health concerns for residents in the vicinity of the disused Golden Gate Motor Inn at Monkland due to the number of dead birds in the swimming pool and the abundance of mosquitoes in the area.

**G36/01/08      Moved: Cr W.W. Sachs                      Seconded: Cr M. Prior**

**That the Health & Community Services Manager investigate the matter of dead birds in the swimming pool and mosquitoes situated at the site of the disused Golden Gate Motor Inn in Gympie.**

**Further that the appropriate action be taken.**

**Carried**

Dead Birds at the Tin Can Bay Treatment Plant
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~~Cr Prior advised that there was a vast number of dead birds at the Tin Can Bay Sewerage Treatment Plant and requested action be taken to rectify the problems with dead birds.~~

Cr Prior advised that there was a vast decrease in the number of birds at the Tin Can Bay Sewerage Treatment Plant and requested action be taken to rectify the problems. *Amended General Meeting 22/01/08.*

**G37/01/08      Moved: Cr M. Prior                      Seconded: Cr S.S. Jocumsen**

***"That the Health & Community Services Manager be requested to investigate the decrease in the population of birds at the Tin Can Cay Sewerage Treatment Plant and appropriate action be taken."*** .

**Carried**

**MINUTE G41/01/08 REFERS**

### Rubbish on road verges near Fox Glenn Motel, Gympie

Cr Sachs advised that he is concerned about the quantity of rubbish left on the Bruce Highway (Gympie side of the Fox Glenn Motel) on the left hand side and asked that something be done to ensure the area is cleaned up.

**G38/01/08 Moved: Cr W.W. Sachs**

**Seconded: Cr N.R. Ellis**

**That the Director of Engineering be requested to liaise with the Department of Main Roads to clean up the unwanted rubbish on the side of the Bruce Highway in the vicinity of the Fox Glenn Motel.**

**Carried**

### Payphone Removal at Imbil

Cr Watt advised that Telstra had removed one of the payphones at Imbil even though Council requested that it not be removed. Following the removal there has been a waiting line of people at the remaining phone box and the situation is being monitored locally.

### Gympie Central Business District Flood Sub Plan

Cr Nissen advised that he recently attended a Meeting of the Gympie Central Business District Flood Sub Plan Sub Committee. Following a recent request to Council the Sub Plan was placed on the Council website for which the Committee is very grateful.

Cr Nissen said that businesses in Mary Street are very concerned about flooding and should any enquiries be forthcoming, all enquiries should be directed to the Bureau of Meteorology as their website is updated regularly and is very informative. Also information can be obtained by phoning the Bureau of Meteorology. The Sub Plans are also available at the Information Booth in Mary Street.

### Proposed New State Electoral Boundaries

The Mayor raised the matter of the proposed new State Electoral boundaries and advised that he had forwarded the following letter dated 14 December 2008 to the Queensland Redistribution Commission:-

*“Comments on suggestions for the redistribution of the State Electoral districts.*

*I thank the Commission for this opportunity to put forward these comments on suggestions regarding the proposed redistribution.*

*Geographically, this Council believes that the entire area of Cooloola Shire Council should be included in the one State Electorate.*

*Council understands suggestions have been put forward which would exclude the Mary Valley from the current Gympie electorate. This is most unacceptable. The strong community of interest which ties the Mary Valley to the region’s hub, Gympie City, is unable to be disputed.*

*The Mary River system represents a common thread binding the smaller communities and areas together as one electorate, with Gympie City as the centre. Road networks, travel times and the wall of state forests to the west logically mean the Mary Valley is linked closely with Gympie and Cooloola services.*

*Mary Valley students attending primary schools and the P1-10 Mary Valley College look to Gympie to continue their education at any one of the highly valued secondary schools: Gympie State High School, James Nash State High School, St Patrick’s College, Cooloola Christian College or Victory College.*

*Given any analysis it is extremely clear that the Mary Valley is tied socially, economically and educationally to the north to Gympie City.*

*The loss of any Cooloola Shire township or rural area to an electorate not tied to the regional hub of Gympie, would destroy a community, the very fabric of a community that has bonded over numerous decades.*

*I also question how a State Representative would be able to properly and effectively service the people in the Mary Valley when there is not a direct route especially by road, thereby requiring hundreds of kilometres of travel.*

*The current Local Government Reform process has recognised this fact and not only kept the Cooloola Shire boundaries in tact, but added Division 3 OF Tiaro Shire Council and the entire local government area of Kilkivan Shire Council reflecting a significantly expanded community of interest.*

*The new Gympie Regional Council boundaries require your close consideration in any redistribution proposal.”*

**G39/01/08 Moved: Cr I.T. Petersen Seconded: Cr W.W. Sachs**

**That the correspondence be received and the Mayor's actions be endorsed.**

**Carried**

**Gympie Times Newspaper 140<sup>th</sup> birthday**

The Mayor advised that he had been contacted by The Gympie Times advising Council of the forthcoming 140 years celebration of existence of the Gympie Times. The Council has been invited to place an advertisement in the celebration publication of the newspaper. The Mayor advised that Council has funds available to place an appropriate advertisement.

**G40/01/08 Moved: Cr M.J. Venardos OAM Seconded: Cr J. Watt**

**That Council place an appropriate advertisement up to the value of \$650 in the Gympie Times congratulating them on 140 years of publications.**

**Carried**

**Development Application for Hasthorpe**

**G41/01/08 Moved: Cr J. Watt Seconded: Cr N.R. Ellis**

**That further to Council's earlier resolution G13/01/08 (Item 6/1) that Mr Hasthorpe be advised of the action Council has resolved to take.**

**Carried**

**QWI & Proposed Traveston Crossing Dam**

Cr Watt advised that she had received correspondence from Mr Graham Newton CEO, QWI regarding vegetation management offsets for the Traveston Crossing Dam where he stated that QWI would not be seeking to purchase land for VMO's outside the dam purchase area." **G49/01/08 REFERS.**



**G44/01/08 Moved: Cr D.R. Neilson**

**Seconded: Cr M. Prior**

**That Council's Solicitors be advised that the payment proposal by Mr Primrose is acceptable to Council subject to Mr & Mrs Primrose granting a First Mortgage in favour of Council over the property described as Lot 2A on RP35056 and Easement B in Lot 3 on RP167032, property situated at 37 Woondum Road, Gympie.**

**Further that Mr & Mrs Primrose be required to enter into an Agreement that the full amount will become due and payable in the event that there has been a default in making any one payment.**

**Further that interest become payable on default of any payment – interest to be paid on the residual at an interest rate of 11%.**

**Carried**

**A DIVISION** was called with the following results:

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

**AGAINST:** Cr R. Owen, Cr S.S. Jocusen, Cr W.W. Sachs.

## **SECTION 11: FOR YOUR INFORMATION**

- Scouts Australia – 98<sup>th</sup> 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.

**G45/01/08 Moved: Cr L.J. Friske**

**Seconded: Cr N.R. Ellis**

**That the information be received.**

**Carried**

<b>Councillors Photograph</b>
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**G46/01/08 Moved: Cr S.S. Jocumsen**

**Seconded: Cr N.R. Ellis**

**That a Council group photograph be arranged for 12.30pm on Tuesday 22 January 2008.**

**Carried**

There being no further business the meeting closed at 11.54am.

Confirmed this TWENTY-SECOND day of JANUARY 2008.

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CHAIRMAN