



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 5th February 2008
at 9.00 am**



Cooloolooloo Shire Council

GENERAL MINUTES

*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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Cr Jocusen entered the meeting at 9.08am.

SECTION 4: PETITIONS

1. Petition re Phoenix Hotel Extension.

Cr Owen tabled the following Petition with 12 signatures:-

From: Paul Robinson, 38 Red Hill Road, Gympie Qld 4570

Date: 05 February 2008

“DA15276 Phoenix Hotel Extension/ Drive Through Bottleshop, Kitchen Addition, Back Bar Smokers Area, Function Room, Car Park and Removal of a Heritage Character Home.

We as concerned residents of the Red Hill and Mount Pleasant precinct, Gympie would like to express our concerns to Council over the Total lack of consultation and total ignorance towards our genuine concerns, which were expressed in written submissions prior to the planning approval of the abovementioned application. Surely all of the local residents’ submissions should have been read out at the Planning Committee table, so the concerns could have been weighed in the balance. A measured decision which considered the detriment residents would be left with should have been made.”

G03/02/08 Moved: Cr R. Owen

Seconded: Cr M Prior

That the Petition be received and referred to the Director of Planning & Development for investigation and report to a future Planning & Development Committee Meeting.

Carried

2. Petition re Bridge Creek Road

Cr Owen tabled the following Petition with 19 signatures:-

From: Terry Grant, 19 Bridge Creek Road, Cedar Pocket, via Gympie Qld 4570 with 19 other signatures

Date: 05 February 2008

“We, the people of Bridge Creek Road, Cedar Pocket and surrounding roads, require URGENT action by Cooloola shire Council to seal Bridge Cree Rod

due to health concerns from the dust which is increasing due to the increase in vehicles, cattle trucks and milk tankers that use this road on a daily basis.

This road is not wide enough for trucks and cars to pass safely.

Note at bottom of Petition:

There is children that catch the school bus and its very dangerous because of the road. Rocks fly up when truck's pass. Please help.

The following note was attached to the Petition:

My name is Michelle Dawes, I am a resident of 68 Bridge Creek Road, have been for eight years. I have had five hip replacements in the last five years and the roads are getting worse. I suffer so much pain travelling up and down along the dirt road. Could you please tar it? It would make my life easier. It's only a small part of road."

G04/02/08 Moved: Cr R. Owen

Seconded: Cr N.R. Ellis

That the Petition be received and referred to the Director of Engineering to investigate and report to a future Works & Services Committee Meeting.

Carried

3.	Langshaw Refuse Bin Service
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Cr Owen tabled the following Petition with 24 signatures:-

From: Mr C.H. Partridge, Primary Petitioner for Langshaw Ratepayers and Residents, 233 Jerry's Creek Road, Langshaw Qld 4570

Date: 05 February 2008

"We, the ratepayers and residents of Langshaw, request that:

- *The entire Langshaw area be exempted from wheelie bins,*
- *All garbage trucks cease operation in the area; and*
- *All wheelie bins be removed from the area.*

We request this because:

1. *All previous petitions in this matter have requested an area-wide exemption;*
2. *Previous petitions have presented eighteen reasons for exemption;*
3. *More than 90% of the people residing in the Langshaw are have signed petitions opposing the bins.*
4. *We believe it is unfair that the minority who want the bins are forcing the majority who don't to contend with:*

- *The damage garbage trucks are causing to their roads; the road hazards these trucks present to residents and livestock; the visual and litter pollution caused; and the added health risks.*

As long ago as last November, Council advised our previous primary petitioner that the bins that had been delivered to people who had signed petitions would be removed. After nearly three months, however, these bins are still lying unused by the side of the road.

On 29 January 2008 our previous petition was rejected as having been 'dealt with previously'. If Council sees this matter as closed, why have we received a written response from Council stating 'objections will be assessed by Council at a later date with a decision pending.'

Langshaw ratepayers and residents should be entitled to a timely resolution of this issue. We would like to stop petitioning Council on this matter. However, until a conclusive response is attained, we will continue.

We thank Council for the opportunity to oppose the unwanted bins and we look forward to a swift resolution."

G05/02/08 Moved: Cr R. Owen

Seconded: Cr S.S. Jocumsen

That the Petition be received and referred to the Health & Community Services Manager for investigation and report to a future Works & Services Committee Meeting.

Carried

4.	Petition re Proposed Sewerage Rates Increase
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Cr Prior tabled the following Petition with 402 signatures:-

From: P. Graham, Secretary, Cooloola Cove Residents & Friends Inc

Letter from Mrs Graham reads:

"This Petition of Cooloola Cove Residents & Friends Inc requests that Cooloola shire Council DO NOT increase the sewerage rate by 14% to cover a shortfall in costs of the long awaited and sorely needed upgrade to all sewerage plants in Tin Can Bay, Cooloola Cove and Rainbow Beach. This PETITION was handed to Cr Maree Prior to be submitted to Council at her earliest convenience.

Venue: Delivered by hand to Cr Maree Prior at her home.

Date: 14th January 2008

The Petition wishes to draw the attention of the Council to the way in which this matter has been handled. Even though the State Government has agreed to supply some of the money, there is no statement to say this increase will not be implemented.

There is an urgent need for a planning strategy to overcome these sudden crisis solutions. We look forward to a future Council who plans ahead and estimates in a more professional way.

Please accept the completed pages as they become available.

Signatures submitted to date: 387

New signatures to be added: 402

Total signatures submitted to date – 789.

Petition reads:

The Petition of Residents, Friends and visitors to Cooloola Cove, Divisions 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.

G06/02/08

Moved: Cr M Prior

Seconded: Cr R. Owen

That the Petition be received and referred to the Director of Engineering and Finance Manager for investigation and report to the Administration & Finance Committee Meeting to be held on 19 February 2008.

Carried

Director of Planning & Development Mr M Hartley entered the meeting at 9.18am.

<p>SECTION 5: ADOPTION OF PLANNING AND DEVELOPMENT COMMITTEE RECOMMENDATIONS</p>

G07/02/08 Moved: Cr D.R. Neilson Seconded: Cr I.T. Petersen

That the Recommendations of the Planning and Development Committee Meeting held on 29 January 2008 as presented, be received, with the exception of Recommendation P20/01/08, P22/01/08, P24/01/08 and P29/01/08 which are to be withdrawn and dealt with later in this meeting.

Further that Late Item 2 and the email received this morning from Mr & Mrs Muggleton be received and dealt with concurrently when discussion is occurring relative to Recommendation P20/01/08.

Carried

G08/02/08 Moved: Cr D.R. Neilson Seconded: Cr J. Watt

That the Recommendations of the Planning and Development Committee Meeting held on 29 January 2008 (as amended), be adopted.

Carried

<p>Recommendation P20/01/08 of the Recommendations of the Planning & Development Committee Meeting held on 29 January 2008 and Late Item 2 and the email from Mr & Mrs Muggleton</p>
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Re: Phoenix Bottle Shop
From: email from Mr & Mrs Muggleton
File:
Date: 5 February 2008

"Hi this letter is for the meeting today at 9am re the Phoenix bottle sho. My printer didn't work this morning and as I have to walk into town with a pram, I hoped to email the letter and have it printed so I may give it to the appropriate people.

Letter is as follows:-

“My husband Brenden and I Samarah Muggleton moved to No 7 Mt Pleasant Road, Gympie 17 weeks ago. We decided to move from the coast Twin Waters for a change of pace as it is getting so busy there. We found a beautiful 120yr + old Queenslander in a lovely part of town that we felt would be a wonderful place to bring up our three children. We love the fact that our house has so much history and are in the process of finding out who the past owners were, we are also very interested in the history of our street including the pub and hope to have a wall dedicated to old pictures of the street, houses and past owners.

On finding out only just last week that the Phoenix wish to construct a drive thru/bottle shop we were very disappointed, we think it will take away from the charm of the pub and the street. Not only do we think it will be dangerous being so close to the roundabout, but on a personal level it will take away from our home the peaceful outlook. The cars at night going thru the drive thru will shine their headlights directly into our veranda and lounge room and the house next door. Excess noise from people yelling out orders to the employees and the increase in truck deliveries to accommodate the drive thru bottleshop will also be an issue. We are very proud to have the only boutique hotel in Gympie across the road, though if the project goes ahead it will be just another ordinary pub and an eye sore.

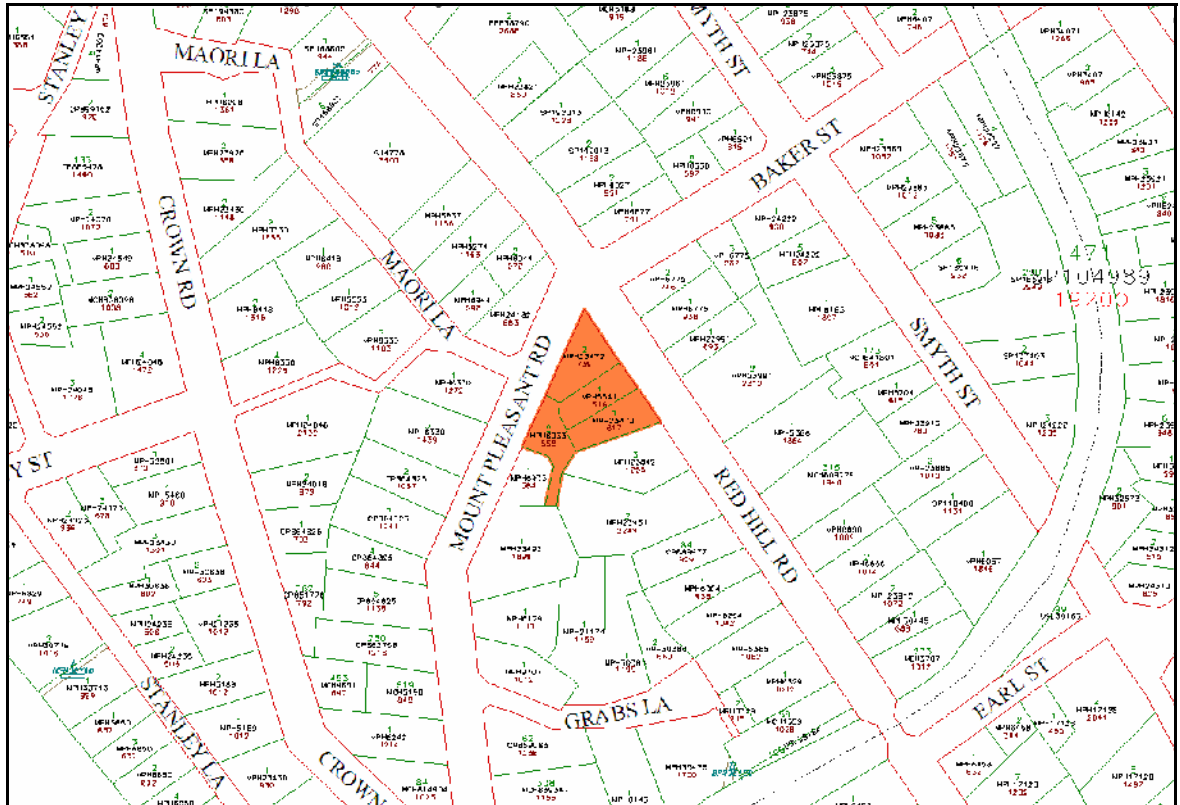
At present we also have issues with parking outside our hose, during trading hours of the pub. So along with the extra traffic from the extended pub/bottleshop this problem will not only increase substantially but become very unpleasant for the residents, and their visitors of the surrounding area.”

Late Item 2: DA15276 Material Change of Use of Premises – Food or Entertainment Venue (Hotel, Restaurant & Function Area and Drive Through Bottle Shop) 29 & 33 Red Hill Road and 6 Mt Pleasant Road, Gympie – G Langdon

FILE NO:	DA15276
APPLICANT:	G. Langdon
LANDOWNER:	G.G. & B.J. Langdon
RPD:	Lots 1 & 2 MPH23472, Lot 1 MPH5541, Lot 2 MPH6933
SITE ADDRESS:	29 & 33 Red Hill Road and 6 Mt Pleasant Road
CURRENT USE OF LAND:	Existing Hotel and Dwellings
PROPOSAL:	DA15276 – Material Change of Use of Premises – Food or Entertainment

Venue (Hotel, Restaurant & Function
Area and Drive Through Bottle Shop)
Housing
Code

EXISTING ZONE:
LEVEL OF ASSESSMENT:



Report: (Senior Planning Officer – T.M. Stenholm)

1.0 Previous Report

This application was reported to Council's Planning and Development Committee Meeting held on 29 January 2008 where it was resolved vide Minute P20/01/08 to approve the development subject to conditions and also:

'Further, that planning staff be requested to submit a report to the next General Meeting on 5 February 2008 providing additional comment on the calculated road contribution recommended in Condition 16.'

2.0 Additional Comment on Road Contribution

Advice received from Council's Design Department indicate the traffic report submitted with the application did not estimate proposed traffic generated by individual uses and was not sufficient to rely on in calculating an appropriate road contribution amount.

Recommendation P22/01/08 of the Recommendations of the Planning & Development Committee Meeting held on 29 January 2008

G11/02/08 Moved: Cr M Prior

Seconded: Cr L.J. Friske

That Recommendation P22/01/08 of the Recommendations of the Planning & Development Committee Meeting held on 29 January 2008 be adopted and amended as follows:-

Condition 22 – the second paragraph should read:

The following activities must not be carried out within the covenant area as identified on the approved plan:

- (a) clearing, cutting down, poisoning, lopping or pruning of native vegetation which is indigenous to or planted within the covenant area; or*
- (b) soil/spoil dumping (and/or compacting); or*
- (c) soil excavation other than for planting indigenous native plants.*

Further that condition 23 be deleted.

Further that the applicant be encouraged to make an application for Land for Wildlife.

AMENDMENT:

G12/02/08 Moved: Cr J. Watt

Seconded: Cr I.T. Petersen

That Recommendation P22/01/08 of the Recommendations of the Planning & Development Committee Meeting held on 29 January 2008 be adopted and amended by deleting Condition 23.

Further that the applicant be encouraged to make an application for Land for Wildlife.

Lengthy discussion ensued.

G13/02/08 Moved: Cr F.G. Nissen AM

That the Motion be put.

Carried

The **AMENDMENT** was **PUT** and **CARRIED**.

The Amendment became the **MOTION** and on being PUT was **CARRIED**.

ADJOURNMENT OF MEETING

The Meeting adjourned for morning tea at 10.05am.

RESUMPTION OF MEETING

The Meeting resumed at 10.30am.

<p>Recommendation P24/01/08 of the Recommendations of the Planning & Development Committee Meeting held on 29 January 2008</p>
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G14/02/08 **Moved: Cr W.J. McIntyre** **Seconded: Cr J. Watt**

That Recommendation P24/01/08 of the Recommendations of the Planning & Development Committee Meeting held on 29 January 2008 be deleted and replaced with the following:-

That in relation to development application DA16691 for Reconfiguring a Lot – Boundary Alteration over Lot 1 RP36958 & Lot 3 MPH40841 located at Panorama Drive, The Dawn, Council issue a Negotiated Decision Notice deleting the words ‘including sealed turnaround area to cater for a garbage truck’ from condition 13(a) of the approval.

Further that the sealed turnaround area to cater for a garbage truck be constructed and sealed by Council in conjunction with other works in the area.

Carried

Recommendation P29/01/08 of the Recommendations of the
Planning & Development Committee Meeting held on 29 January
2008

G15/02/08 Moved: Cr N.R. Ellis

Seconded: Cr L.J. Friske

That Recommendation P29/01/08 of the Recommendations of the Planning & Development Committee Meeting held on 29 January 2008 be deleted and replaced with the following:-

“That Council, as Assessment Manager approve the development application DA17210 for Reconfiguring a Lot – Subdivision to create one (1) additional lot over Lot 2 MPH30791, located at 182 Fritz Road, Chatsworth subject to the conditions (1-15) as listed in the report

In approving the development in conflict with the Planning Scheme Council consider the follow as sufficient grounds:

1. *Conditions of approval can be imposed to address any concerns about the proposal’s inconsistency with the Planning Scheme.*
2. *The development promotes infill of an existing rural residential area.*
3. *The land is not GQAL.*
4. *There is few active farming pursuits in the surrounding area.*
5. *The site is services by a suitably sealed road.*
6. *The proposal is consistent with subdivision patterns in the area.”*

Carried

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

FOR: Cr N.R. Ellis, Cr R. Owen, Cr L.J. Friske, Cr I.T. Petersen, Cr W.W. Sachs, Cr M.J. Venardos OAM.

AGAINST: Cr M. Prior, Cr S.S. Jocumsen , Cr D.R. Neilson, Cr J. Watt, Cr W.J. McIntyre, Cr F.G. Nissen AM.

The Mayor used his Casting Vote in favour of the resolution.

Mr Hartley left the meeting at 10.42am.

**SECTION 6: REPORT BY PLANNING & DEVELOPMENT
CHAIRMAN (Cr D.R Neilson)**

Cr Neilson presented the following Report to the meeting:-

The meeting was addressed by applicants for a showroom and warehouse at Brisbane Road, Monkland and in relation to an affordable housing proposal at Bath Terrace, Gympie.

A duplex in Shields Street, Gympie was approved, subject to payment of water and sewerage headworks, and contributions towards intersections and street lighting. Each unit will consist of 3 bedrooms and a study, with a swimming pool.

A proposal for a showroom and two industrial tenancies at Monkland was approved, with provision for 70 car parking spaces. Head works will be payable, together with a road works and footpath contribution.

Approval was granted for a new function area and bottle shop at an existing hotel in Red Hill Road. The removal of an existing house in Red Hill Road was supported by the Heritage Sub Committee, but is to be relocated within Cooloola Shire. Five individual submissions and three petitions with a total of 36 signatures were received in relation to the application, and the layout changed to address some of these issues. An acoustic barrier is to be constructed on the southern and south-western boundaries to reduce any noise impact and bottle shop traffic will exit into Mt Pleasant Road. Thirty-two off-street car parking spaces are to be provided.

A petition in relation to a proposed development at Irvine Road will be considered during the assessment of the application and addressed in the report.”

G16/02/08 Moved: Cr D.R. Neilson

Seconded: Cr W.J. McIntyre

That the Report be received.

Carried

SECTION 7: CORPORATE SERVICES MATTERS (Cr M.J Venardos OAM, C. Manson, B. Hayes)

7/1

Local Government Act 1993 – Caretaker Arrangements
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Re: **G17/02/08** Local Government Act 1993 – Caretaker Arrangements
 From: Warren Pitt MP, Minister for Main Roads and Local Government,
 PO Box 15031, City East, QLD 4002
 File: AG01/00558 DOC ID 872828
 Date: 29 January 2008

“I would like to remind councils of the new provisions inserted in the Local government Act 1993 (LGA) relating to the introduction of caretaker arrangements for the period leading up to the local government elections to be held on 15 March 2008.

The establishment of a statutory caretaker period was a key outcome of the Department of Local Government, sport and Recreation’s electoral review and its introduction will align State and local government electoral practices. These arrangements are designed to enhance public confidence in the council electoral process and diminish the potential for the perceptions about councillors’ abuse of decision-making in the lead up to elections.

Under section 441D of the LGA, local governments are prohibited from making a major policy decision during the caretaker period for elections.

The caretaker period is defined in section 441C of the LGA as being:-

- *For the Brisbane elections – the period under the Electoral Act 1992; and for*
- *Other local governments – the election period under the Act.*

The election period starts on nomination day and ends on the close of poll. The Electoral Commissioner of Queensland (ECQ) has confirmed with the Department that the calling of nominations for elections will be published across Queensland in the Courier-Mail on 2 February 2008. Therefore the caretaker period for the 2008 elections will run from 2 February 2008 until close of poll on 15 March 2008.

Should a local government genuinely consider that exceptional circumstances exist and it is necessary to make a major policy decision in the public interest during the caretaker period, it will be necessary to seek my approval to proceed before making the decision.

A major policy decision is defined in Section 441C of the LGA as being:

- *A decision to appoint a CEO; or*
- *A decision about the remuneration of a CEO; or*
- *A decision to terminate the employment of the CEO; or*
- *A decision to enter into a contract that has a total value the greater of-*
 - *\$150,000 or*
 - *1% of net rates and utility charges.*

The LGA (s441E) further provides that any major policy decision made by a local government in the caretaker period is invalid unless my approval has been obtained prior to the decision.

I wish to advise local governments that in the above circumstances, I will only consider applications for approval to enter into a major policy decision during the caretaker period which are based on genuine emergent situations and which are supported with advice on the exceptional circumstances warranting a decision in the public interest.

It is important councils elected on 15 March 2008 and their ratepayers are not burdened with unreasonable decisions that are made by an outgoing council during the caretaker period.

In order that any applications received are dealt with expeditiously, I strongly suggest that applications be addressed to me using the application form on the Stronger Councils website www.strongercouncils.qld.gov.au The application form will be available on the website from 2 February 2008.

Any applications received by email and correspondence will be considered by this may cause a delay in the assessment and decision making process for the application.

Should you require any further advice on the information contained in this letter please contact Mr Peter Carman of Local Government Collaboration Division on telephone number 3237 1731.

G17/02/08 Moved: Cr J. Watt

Seconded: Cr S.S. Jocumsen

That the information be received.

Carried

SECTION 8: LATE ITEMS

Late Item 1: “Celebrating With Mary – a Community River Festival”

Re: **G18/02/08** “Celebrating with Mary – a Community River Festival”
 From: Cooloola community Arts Council Inc, Vicki Shapcott, Secretary,
 PO Box 342, Gympie Qld 4570
 File:
 Date: 4 February 2008

“The Cooloola Community Arts Council would like to suggest to Council that they send an invitation to the Environment Minister Peter Garrett and Warren Truss on our behalf to attend the official opening of the ‘Celebrating with

Mary – a Community River Festival’ on Sunday 2 March at 3pm at Nelson Reserve, Gympie.

The reason for this request is that we believe it would be a good opportunity to have Mr Garrett visit the area, meet the Save the Mary Group and perhaps visit the Mary Valley. We believe that he may respond to an invitation to a celebration rather than for a purely political reason.

Could you please advise on the decision of Council to this request.”

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

An invitation has been forwarded to both the Hon Peter Garrett MP and the Hon Warren Truss to attend the official opening of the “Celebrating with Mary – a Community River Festival’ on Sunday 2nd March 2008 at 3pm.

G18/02/08 Moved: Cr J. Watt

Seconded: Cr S.S. Jocusen

That the actions of the Mayor in inviting the Hon Peter Garrett MP and the Hon Warren Truss to the official opening of the “Celebrating with Mary – a Community River Festival” be endorsed.

Carried

SECTION 9: GENERAL BUSINESS

Park Contributions – Corella Road Bikeway Area

Cr Ellis questioned at what stage park contributions will be required for the Golf Residential Gympie Pty Ltd development on Corella Road, as he has heard that Stage 3 is now being advertised. He said that Council has previously decided not to impose park contributions towards the Corella Road bikeway, however with Stage 3 of the Golf Residential Gympie Pty Ltd development commencing soon, now is the time to ask for contributions to enable the bikeway to be completed.

Resolved that the matter be referred to the Director of Planning & Development to respond to Cr Ellis.

Ombudsman's Enquiries

Cr Owen requested the Acting Chief Executive Officer to provide him with a list of Council's current enquiries and investigations with the Ombudsman's Office and that it be placed in his mail box by 7 February 2008.

The Acting Chief Executive Officer Mr C Manson responded by saying he will discuss this matter with the Ombudsman's Office and provide the information to Cr Owen if available for distribution.

Garbage Service to 91 Counter Road, Wolvi

Cr Owen tabled the following email he received from S.J. Dawson, 91 Counter Road, Wolvi.

Addressed to Coloola Shire Council, C/- Cr R Owen.

"This email is in reference to the forecast distribution of wheelie bins to Counter Road, Wolvi.

With respect to the unique characteristics of our property, it is not reasonable or feasible for us to have wheelie bins. Our footpath is not accessible from the roadway, as it is a set back slope some 10-15 feet above the roadway. This would make it impossible for the refuse truck to empty our bins if placed in a safe position on the footpath.

The only other alternatives would be to place the wheelie bins in our driveway or upon the Counter Road carriageway itself. Either alternative is not safe or legal and may result in an incident or incidents that could cause personal or material injury to a person or persons. It is therefore that we ask that we do not receive wheelie bins.

If Council enforces the imposition of wheelie bins upon us with no regard to addressing the dangerous situations stated above, then notice is hereby served, that in any and all legal situations arising from any and all incident or incidents involving the imposed wheelie bins, then Council will be named respondent because of prior knowledge and failure to address any and all dangerous situations resulting from the enforced imposition of wheelie bins.

This e-mail is deemed prior knowledge to Council, whether Council accepts this notice or not. Failure to accept this e-mail will result in it's publication in a public newspaper so that prior knowledge is further enforced."

G19/02/08 Moved: Cr R. Owen

Seconded: Cr N.R. Ellis

That the correspondence be received and referred to the Health & Community Services Manager for investigation and report to a future Works & Services Committee Meeting.

Carried

DA15186 – 32 Vantage Road, Chatsworth

Cr Owen tabled the following letter:-

From: **G20/02/08** Fiona Rye, 32 Vantage Road, Chatsworth
Re Proposed Subdivision at Irvine Road Chatsworth
File: DA15186

"I am writing in response to your letter dated 15th January 2008, to express my concern with the application, reference number DA15186, to subdivide Irvine Road, Chatsworth, into an additional 19 blocks. When this situation first arose the proposed development application was made to reconfigure the property into 3 additional blocks, whilst this was a concern then to myself and neighbours it is now of utmost importance with the sudden appearance of an additional 16 blocks.

I need to express my anxiety over this proposal as my property adjoins this new project. Firstly, as stated in our Vantage Rd petition in May 2007, we are still worried about where this new subdivision will be accessed from the Bruce Highway. As you are well aware the interaction of Irvine Rd and Bruce Highway will not handle extra traffic either in or out of a larger subdivision. It has no feed off lanes and the intersection is already difficult to negotiate with the increased flow of traffic on the highway as we await the upgrade, as the recent spate of traffic accidents indicate.

Secondly, this subdivision is planned directly over the natural watercourse in this area. The area is where the unnamed tributaries of Chatsworth Creek all converge and carry water flow from directly off the hills. When weather conditions permit it, large volumes of water move freely through this natural channel very quickly. I have witnessed this several times in the past 20 years and on one occasion in 1992 during a tropical depression, we were completely inundated after the channels overflowed with water that could not escape causing the flooding of our house. What will happen to new dwellings built in the path of the natural flow of the water? Will these new dwellings divert the water to find another path to bet away? My property stands at the bottom of this chain and is the most likely to be disadvantaged.

We are at the moment coming out of one of the worst droughts recorded in the last 10 years and the natural resources from the underground water table have been severely stretched, any new subdivision would further tax these precious resources. Is there a plan for town water to come out this far?

Thirdly, if the subdivision was to go ahead and the approval given for further building what assurance would we be given that sewerage/reticulated water from these new dwellings would not flow through the natural watercourse and pass into dams and farms already located on the linked keyways. What will happen in times of flood if these new properties construct dams and these overflow?

Lastly, how are the engineers going to address the water back-up problem that already occurs during periods of heavy rain when the pipes and drainage system can't handle what is already there. There is no alternative once the ponds in Chatsworth Park overflow but for the water to flow over Vantage Rd and surely with increased diversion and altering of natural water flow even new dwellings located here would be at risk from this back-up water, especially those near the tributaries.

On finishing I would like to ask: What is the purpose of the large unnumbered stretch of land on the current proposal before council? Will it also be offered as part of the subdivision?"

G20/02/08 Moved: Cr R. Owen

Seconded: Cr L.J. Friske

That the correspondence be received and referred to the Director of Planning & Development for investigation and report to a future Planning & Development Committee Meeting.

Carried

Cr Watt left the meeting at 10.53am.

Joint Tenancy Arrangements over Inskip Point

Cr Friske questioned the validity of joint tenancy arrangements between Council and National Parks and Wildlife Services over Inskip Point.

The Mayor advised that he believes legal advice exists noting that Council does have a joint tenancy arrangement with National Parks over Inskip Point.

Discussion ensued.

That matter is to be investigated by relevant staff and reported back to Council.

Tin Can Bay City Farm

Cr Prior informed of the Council of the progress of Tin Can Bay City Farm site. The Gympie Cooloola Rotary Club, by way of volunteers, has connected power to the site. An excellent job has been done. A \$50,000 grant has been received for the new nursery to be built.

Cr Prior suggested Council take a more proactive role in the construction of the nursery.

Council resolved that the matter be referred to the City Farm Committee to discuss with Council staff to make the necessary arrangements.

Waste Management Committee Meetings

Cr Jocumsen requested that a Waste Management Committee Meeting be arranged.

A few suggestions were made for an appropriate date for such a meeting.

G21/02/08 Moved: Cr S.S. Jocumsen Seconded: Cr R. Owen

That a Waste Management Committee Meeting be arranged for Tuesday 12 February after the Council meetings.

Carried

Queensland Heritage Commission Meeting - Brisbane

For Council's information, Cr Neilson advised that she attended the Queensland Heritage Commission Meeting in Brisbane recently and briefed Council on the meeting. A member from Queensland Heritage Commission will be addressing Council at its Planning & Development Meeting next week.

Brisbane Business – 4 February 2008

Cr Petersen advised that he, along with the Mayor Cr M.J. Venardos OAM, Acting Chief Executive Officer Mr C Manson and Director of Engineering Mr R Fredman attended Deputations in Brisbane yesterday and they also attended a Community Futures Taskforce Meeting.

Taskforce Meeting – Cr Petersen said that one topic of the Taskforce Meeting was the road to the Muster. Council has been having ongoing discussions with the Taskforce with a view to receiving funding assistance for bridges and culverts.

Other topics were

- the land for the Central tip and negotiations with Forestry (requesting a more realistic price for the purchase of the property).

- Central School Pre-School building – tenders to be called this Friday but following discussions with various organisations Council has asked for a three month extension to call tenders which today we have been advised has been granted.

A Deputation was held with the Hon Andrew McNamara MP Minister for the Environment – EPA is prepared to waive the \$20,000 per annum fee for the Cooloola Coast Water supply line through the National Park.

A further Deputation was held with Mr Alan Tesch, Director of Main Roads to discuss the future of the Gympie Regional Main Roads Office.

Abandoned Vehicles - Kandanga

Cr Sachs advised that he had received a phone call from a resident in Kandanga advising that a couple of abandoned cars remain in Kandanga. This matter is to be referred to relevant staff for attention.

Gympie Subway

Cr Sachs advised that the Gympie Subway in Mellor Street is in a very derelict condition and needs some urgent rectification work – resolved that the matter be referred to the Director of Engineering for attention.

Sewerage Smell – Victory Street

Cr Sachs advised that residents of Victory Street are still experiencing a terrible Sewerage Smell. This has been the subject of months of discussion and nothing seems to have been done to abate the smell – Cr Sachs requested action be taken immediately.

Unveiling Function for Sir William Glasgow’s Statue

Cr Venardos advised that he had attended as a guest speaker, the Unveiling of the Sir William Glasgow Statue by the Hon Campbell Newman, General Richard Wilson AM and Mr Angus McDowell in Brisbane last week. The Mayor advised that in his address, he informed guests that Gympie was Sir William Glasgow’s home town where he attended school and grew up. He felt the statue should have been unveiled in Gympie however it has now been repaired and placed in Post Office Square in Brisbane. Cr Venardos advised that four members of the Gympie Light Horse Brigade attended the function as guards of honour.

The Mayor briefed Councillors of the history of Sir William Glasgow and his relationship with Gympie.

SECTION 10: IN COMMITTEE MATTERS

COUNCIL IN COMMITTEE

The Mayor advised the meeting that Council was going “Into Committee” to discuss a legal matter.

G22/02/08 Moved: Cr S.S. Jocumsen Seconded: Cr L.J. Friske

That pursuant to the provisions of Section 463 of the Local Government Act, Council resolves to close the meeting to the public and move “into committee” to consider a legal matter.

Further, that in relation to the provisions of Section 250 of the Act, Council resolves that following the closing of the meeting to the public and the moving ‘into committee’ that all matters and all documents (whether in hard copy, electronic, optical, visual or magnetic form) discussed, raised, tabled and/or

