

MURGON SHIRE COUNCIL
MINUTES OF THE GENERAL MEETING
THURSDAY 22ND NOVEMBER 2001

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OPENING The meeting commenced at 9:05 am.

PRESENT Mayor Cr WJ Hubner, Deputy Mayor Cr RJ Eisenmenger, Crs J Brayford, RJ Dennis, CL Hatchett, RQ O'Neill OAM, GL Burgess, EDS Pratt, DG Rewald and CH Sippel.

CEO (full open meeting), and Director of Engineering Services (part of open meeting)

PRAYERS

On behalf of the Ministers Fraternal Pastor Morris Westbrook of the Faith Vision Centre gave the days Bible reading and led the Council in prayer.

MINUTES SILENCE

The Mayor asked those present to stand and observe a minute's silence for the passing of citizens of the Shire: Anthony Arthur Bone, Charlotte Hilda Devantier aged 87 years, Benjamin Goschnick aged 83 years.

CONFIRMATION OF MINUTES – 25th October 2001

4857 **PROPOSED** *Cr Sippel seconded Cr Eisenmenger: That the minutes of the General Meeting of Council held Thursday 25th October, as circulated, be confirmed.*
CARRIED

ACCOUNTS TO BE PASSED FOR PAYMENT

4858 **PROPOSED** *Cr Pratt seconded Cr Eisenmenger: That the accounts totaling \$1,103,400.96 be passed for payment.*
CARRIED

Governance & Economic Development (Cr WJ Hubner)

1a The Peoples Conference Corowa 2001 – 1/2 December 2001 (EC 2/1) (A/Sheet 1)

From Corowa Shire Council sending an invitation to attend the Peoples Conference to be held at Corowa on the weekend of 1-2 December 2001. The Conference will recommend a process for Australia to follow to resolve the head of state issue for the whole federation.

4859 **PROPOSED** *Cr Eisenmenger seconded Cr Brayford: That Council wishes the organisers well for the conference but is unable to accept the invitation to attend.*
CARRIED

1b South Burnett Events Co-ordinator (EC 1/11) (CS 2/5) (A/Sheet 2)

From Wondai Shire Council seeking a commitment from all Council's in the South Burnett to fund the employment of a part-time South Burnett Events Co-ordinator.

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- 4860 **PROPOSED** *Cr Eisenmenger seconded Cr Rewald: That Council supports the concept of the appointment of a South Burnett Events Co-ordinator on a part-time basis.*
CARRIED

- 1c Local Government Systems Improvement Program – Agendas & Minutes (AD 12/3) (A/Sheet 3)
From the Department of Local Government & Planning advising that as part of the Local Government Systems Improvement Program, agenda management and minute recording practices of Local Government are being examined. The first stage of the project is an invitation to Councils to voluntarily submit copies of their agendas and minutes to the Department for independent assessment. Once these assessments have been carried out, the Department will then commence work on developing an *Agendas and Minutes Best Practice Guidelines* for use by Local Government. Copies of agendas and minutes must be forwarded by Friday 30 November.

- 4861 **PROPOSED** *Cr Brayford seconded Cr Eisenmenger: That Council takes part in the Local Government Systems Improvement Program.*
CARRIED

- 1d Council Trade Mark Logo (AD 13/2) (A/Sheet 4)
From Pizeys Patent & Trade Mark Attorneys inviting Council to apply for trade mark protection of its logo. By registering the logo as a trade mark, Council would have exclusive right in Australia to use the logo and also to be able to prevent the unauthorised use of the logo.

- 4862 **PROPOSED** *Cr Eisenmenger seconded Cr O'Neill: That a quotation be obtained to have the Council logo registered as a trade mark.*
CARRIED

- 1e Official Opening – South Burnett Region Timber Industry Museum (EC 1/11)
From Wondai Shire Council forwarding an invitation to attend the official opening of the South Burnett Region Timber Industry Museum on Saturday 24th November.

- 1g Public Liability Cover – Christmas Fair (IS 2/1) (EC 1/6) (A/Sheet 5)
The Murgon Business & Development Association has sought Council's assistance with Public Liability Cover for the annual Murgon Christmas Fair.

- 4863 **PROPOSED** *Cr Eisenmenger seconded Cr Brayford: That:*
- (a) *the Murgon Christmas Fair ("the function") to be held in QEII Park, Lamb Street Murgon on Friday 14th December 2001, be conducted as a Council function;*
 - (b) *an advisory committee comprising Messrs John Robinson, Paul Pratt, Lanse Rea, Mark Smith, Chris Thompson, Leo Geraghty and a Councillor representative be appointed to advise on the conduct of the function;*

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- (c) *the Mayor be the Councillor representative on the advisory committee and be delegated authority to conduct the function on Council's behalf; and*
- (d) *Council notes that the Murgon Business and Development Association will contribute ½ of any insurance excess incurred by the Council in respect of any claim arising from the function.* **CARRIED**

1h Change to Council Committee Structure (AD 12/3) (A/Sheet 6)

4864 **PROPOSED** *Cr Rewald seconded Cr Sippel: That pursuant to s.452 of the Local Government Act 1993, Council appoints the following Standing Committees to replace the current Standing Committees:*

Recreation, Health, Planning & Housing Committee – 8.30am to 11:00am
Mayor, Cr WJ Hubner, Cr J Brayford-Stubbs, CR RJ Dennis & Cr RJ Eisenmenger

Economic Development, Finance & Promotion Committee – 11:00am to 1:00pm
Mayor, Cr WJ Hubner, Cr EDS Pratt, Cr RQ O'Neill OAM & Cr CL Hatchett

Works, Enterprise & Infrastructure Committee 2:00pm to 4:00pm
Mayor, Cr WJ Hubner, Cr GL Burgess, Cr DG Rewald, Cr CH Sippel

CARRIED

1i "Murgon in Focus" Publication (AR 5/2) (A/Sheet 7)

The Mayor reported that about 170 copies of "Murgon in Focus" had been sold and that an order had been placed to the Xerox Shop for another 200 copies.

4865 **PROPOSED** *Cr Eisenmenger seconded Cr O'Neill: That the action in placing an order for an additional 200 copies of "Murgon in Focus" for \$3,630 be endorsed.*

CARRIED

4866 **PROPOSED** *Cr Hatchett seconded Cr Eisenmenger: That Council makes a donation of \$250 to the author of "Murgon in Focus", Mrs Susan Tsicalas, for her out-of-pocket expenses incurred in relation to the publication.*

CARRIED

1j Christmas Shutdown (AD 2/1) (A/Sheet 8)

4867 **PROPOSED** *Cr O'Neill seconded Cr Eisenmenger: That the Council endorses the usual office closure and staffing arrangements over the Christmas-New Year period (office closed from COB 24th December 2001 until 2nd January 2002; with staff available for essential services).*

CARRIED

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- 1k Friends of Murgon Community Inc – Adoption of Concept in Toowoomba (CS 7/26) (A/Sheet 9)
The Volunteer Managers Association of Toowoomba has acknowledged the work with establishment of Friends of Murgon Community Inc., and has requested information to assist them in approaching Toowoomba City Council for a similar project in Toowoomba.
- 1l Murgon Business Awards 2001 (EC 4/3)
The Murgon Business & Development Association has invited nominations for the Murgon Business Awards 2001 in the categories of: “Best New Business”, “Best Tourist Enterprise” and “Employee of the Year”. Nominations close 28th November 2001.
- 1m Murgon Golf Club – Use of Equipment for Golf Course Improvements (SR 1/5) (A/Sheet 10)
The Murgon Golf Club has requested assistance with golf course green improvements, by use of plant, envisaged to be 3-4 hours use of a grader, loader and roller.
- 4868 **PROPOSED** *Cr Pratt seconded Cr Eisenmenger: That the Council approves the request of the Murgon Golf Club and makes the machinery requested available at no cost, provided the Club arranges Council operators of the machinery on a voluntary basis.* **CARRIED**
- B1 BIEDO – Minutes (EC 4/7)
Minutes of the Annual General Meeting of BIEDO held on 22nd October 2001 at Monto have been received.
- B2 2001 Annual Conference Proceedings (LS 2/4)
Proceedings from the LGAQ Annual Conference held in Townsville from 3-6 September have been received.
- B3 Terrorist Attacks – Community Harmony (CS 7/1)
From the Office of the Minister for Local Government & Planning advising that in the wake of the horrific recent terrorist attacks on the United States, there has been speculation that the perpetrators of the attack were of Islamic background and that this has incited backlash against the Muslim community in Queensland. It is encouraged to take every opportunity to promote community harmony and the core principles of multi-culturalism, to assist in calming community tensions at this time.
- B4 Web Presence & E-Commerce (LS 2/5)
The South Burnett EDO has been advised that Murgon Shire commits to maintaining a web presence and e-commerce functionality post 31st December 2001, being the completion date of the SBLGA Council Connect Project, consistent with the Deed of Agreement for NTN funding.

B5 Brief to Kingaroy Shire Council – Castra (AD 11/3)

The address given by the Mayor to Kingaroy Shire Council on 23rd October about the formation and structure, facilities and services and management of Castra Retirement Home, is available for interested Councillors to peruse. The purpose of the brief was to assist Kingaroy in their deliberations about purchasing and re-opening St Aubyns Private Hospital. Murgon's experience through Castra was of interest and it also provided a possible corporate model for the hospital's management and operation.

B6 Terrorists Attacks on America (AD 17/3)

From the Consulate General of the United States of America thanking Council for its expression of support and sympathy following the tragic events of September 11.

B7 9th Annual Report – Qld Information Commissioner (AD 16/1)

The 9th Annual Report has been received from the Queensland Information Commissioner.

B8 Controlled Entities – Minutes (CA 11/2) (CA 11/3)

The agendas and minutes of Council's controlled entities, as follows, have been provided for Council's information:

Barambah Community Services Limited – meeting papers and minutes of 24th October 2001 and 21st November 2001;
Castra Retirement Home Limited – 14th November 2001;

Note: The Mayor drew Council's attention to the Castra Board's decision to establish a Working Group to consider the feasibility of a low care Dementia Wing.

B9 FOI External Review (AD 16/2-2001/1)

Section 42(1) and 41(1) exemption claims, as to disclosure to the applicant, have been withdrawn in the external review.

B10 Constitutional Challenge – Section 224A Local Government Act (EL 1/1)

The LGAQ has succeeded in its constitutional challenge to s.224A of the Local Government Act, which sought to require Councillors to resign before standing for election to the Commonwealth Parliament.

Administration & Finance (Cr EDS Pratt)

2a Library Charges – Lost or Damaged Books (LI 1/6) (AF 16/2-2001) (A/Sheet 11)

From PLD forwarding details of replacement cost of any items lost or irreparably damaged while on loan to a borrower.

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4869 **PROPOSED** Cr Pratt seconded Cr Brayford: That the following general charges be adopted under s974 of the Local Government Act 1993 for Lost and Damaged Library Books:

Category	Replacement Cost	
Adult fiction (hardback)	\$36.30	
Adult fiction (paperback)	\$16.50	
Adult non-fiction (hardback)	\$37.40	
Adult non-fiction (paperback)	\$22.00	
Cassettes (music)	\$22.00	
Cd roms	\$60.50	
Compact discs (music)	\$30.80	
Community languages	\$16.50	
Junior easies	\$18.70	
Junior easies (boardbooks)	\$ 8.80	
Junior fiction (hardback)	\$20.90	
Junior fiction (paperback)	\$ 9.90	
Junior non-fiction (hardback)	\$22.00	
Junior non-fiction (paperback)	\$15.40	
Kits	\$19.80 per item in kit (max. \$99)	
Kits (junior)	\$16.50 per item in kit (max. \$55)	
Large print	\$30.80	
Literacy	\$30.80	
Magazines	\$ 8.80	
Microfiche	Set value as applicable	
Paperback (uncatalogued)	\$11.00	
Ready reference	\$37.40	
Talking books	\$6.60 per cassette (max. \$32.50)	
Talking books – commercial	\$18.70 per cassette (max. \$99)	
Talking books – abridged	\$30.80	
Videocassettes	\$48.40	
Videocassettes – captioned	\$48.40	
Young adult fiction	\$16.50	
Young adult non-fiction	\$19.80	CARRIED

It was **agreed** that a notice be displayed in the Library and this information be also included in the next Murgon Mosaic.

2b Quarterly Budget Review 2001/2002 (AD 8/2-2001) (A/Sheet 12)

The DC & FS tabled the Quarterly Budget Review 2001/2002 for the period 1st July 2001 to 30th September 2001.

4870 **PROPOSED** Cr Pratt seconded Cr Eisenmenger: That the Budget and Operational Plan Review be received and that the 2001/2002 Budget be varied to include the Stud Beef Pavilion (Capital Expenditure of \$45,000, Subsidy of \$17,000) and that further discussion items be considered at the next Quarterly Budget Review. **CARRIED**

4871 **PROPOSED** *Cr Pratt seconded Cr Eisenmenger: That quotations be called for a upper-level medium sedan for the Mayoral vehicle and a suitable small to medium vehicle for a Councillor/Office pool vehicle, with the Mayoral vehicle being the trade on both vehicles.* **CARRIED**

B10 Accounting Standards for 2001/2002 (AF 11/1)

From the DLG&P forwarding a Local Government Bulletin to inform local governments of the arrangements for the publication of new and revised Accounting Standards for 2001/2002 and future financial years.

B11 Financial Assistance for Local Government – Report (AF 10/1)

From the Local Government Grants Commission Queensland forwarding the Twenty-fifth Report 2001 on Financial Assistance for Local Government.

B12 Complaints Management Practices (AD 18/3)

From the DLG&P advising that the Complaints Management Guidelines will be launched on 27 November and that training will be offered around the State in February 2002 to assist local governments wishing to implement the Guidelines.

B13 Annual Reports – Audit Office (AF 6/1)

The Annual Report 2001 – *In Focus: Foundations to the Future* and the Audit Report No. 2 2000-2001 have been received from the QAO.

B14 QTC – Annual Report (AF 9/3)

From the QTC forward a copy of their 2000/2001 Annual Report in CD-ROM format.

CEOs Report

1 Audited Statements & Annual Report (AD 6/2) (AF 6/2) (A/Sheet 13)

The audited statements will not be returned from the Queensland Audit Office in time for this meeting. Accordingly, a special meeting is proposed for 9:30am Friday 30th November 2001 for the tabling and receipt of the Annual Report.

4872 **PROPOSED** *Cr Eisenmenger seconded Cr Sippel: That a Special Meeting of Council be held at 9:00am on Friday 30th November 2001.* **CARRIED**

Human Resources & Legislation (Cr RQ O'Neill OAM)

3a Grants & Subsidies – State Emergency Service (ES 3/6) (A/Sheet 14)

From the DES advising that they are currently reviewing all administrative instructions, policies and processes governing the administration of the grants and subsidies programs

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provided and seeking Council's views on how the current grants and subsidies programs can be improved.

- 4873 **PROPOSED** *Cr O'Neill seconded Cr Sippel: That Council seeks a 50% increase in State Emergency Service subsidies.* **CARRIED**

- 3b Emergency Management Project Funding/Australian Safer Communities Awards (ES 3/6) (A/Sheet 15)

Each year Emergency Management Australia (EMA) funds emergency management project work under the EMA Projects Program. The Program does not fund building works or acquisitions of equipment but rather, is aimed at fostering projects which:

- Improve Australia's capabilities for preventing or dealing with natural or technological hazards and disasters
- Improve community awareness of the risks posed by natural and technological hazards
- Focus on prevention, preparedness, response and recovery strategies; and
- Reduce the vulnerability of communities or essential services to natural and technological hazards

Entries are being sought for the Australian Safer Communities Awards which recognise best practice in emergency management at the State/Territory and National level. The awards are designed to recognise and encourage excellence right across Australia's emergency management, with the business sector, all levels of government, and community organisations.

- 4874 **PROPOSED** *Cr O'Neill seconded Cr Rewald: That Council does not submit a nomination for the Australian Safer Communities Award.* **CARRIED**

- 3c Queensland Privacy – The New Privacy Regime (LE 2/4) (A/Sheet 16)

From the LGAQ advising that the State Government have implemented a new privacy regime to ensure public sector agencies respect personal information about Queenslanders.

- 4875 **PROPOSED** *Cr O'Neill seconded Cr Brayford: That the advice from the LGAQ be received and no further action be taken at this stage.* **CARRIED**

- 3d Permission to Keep Three Dogs – 5 Harm Street (AL 3/2) (951/-) (A/Sheet 17)

From Mrs Noela Vonhoff seeking permission to temporarily keep two (additional) dogs at her mother's premises at 5 Harm Street until her business is sold.

- 4876 **PROPOSED** *Cr O'Neill seconded Cr Eisenmenger: That approval be given to the request for the temporary keeping of three (3) dogs at 8 Harm Street until the 31st March 2002.* **CARRIED**

- 3e Permission to Keep Three Dogs – 62 Douglas St (AL 3/2) (A/Sheet 18)

From Mr A Ansell seeking permission to keep three dogs at 62 Douglas Street.

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4877 **PROPOSED** *Cr O'Neill seconded Cr Burgess: That permission to keep three dogs at 62 Douglas Street be declined and that Mr Ansell be given one (1) month to remove the third dog.* **CARRIEDE**

3f Dog Complaint – 25 Watt Street (AL 3/3) (A/Sheet 19)

From Sherrill G Kuss advising of an incident which occurred on Monday 29th October involving a dog at 25 Watt Street

Note: This matter is in the hands of staff.

3g Murgon SES - Purchasing Procedures (ES 3/6) (A/Sheet 20)

Local Controller Mr Kel Bond and Group Leader/Welfare Officer, Mrs Kathy Bond have written to Council about purchasing procedures for sustenance during activations, the purchase of a computer and video camera in July, and their relationship with the Council and its staff.

4878 **PROPOSED** *Cr O'Neill seconded Cr Sippel: That:*
1. *the Council endorses the CEO's actions in providing the SES Controller with authorisation to purchase sustenance for volunteers during properly authorised activations of up to \$8.00 per meal, per person;*
2. *the SES Controller and Council staff liaise on procedures; and*
3. *the SES Budget be further considered in the next Budget Review.* **CARRIED**

3h Rural Addressing (PL 10/2)

Cr O'Neill advised that the protocol between the LGAQ and QSIS in relation to Rural Addressing has been signed.

3i Local Laws (A/Sheet 21)

Council's proposal to make a local law and a subordinate local law as follows:-

1. Murgon Shire Council Local Law No.4 Keeping and Control of Animals (Amendment) Local Law (No.1) 2001; and
2. Murgon Shire Council Subordinate Local Law No.4 Keeping and Control of Animals (Amendment) Subordinate Local Law (No.1) 2000.

has been advertised in the South Burnett Times, inviting public comment, for the prescribed period. The advertisement stated that Murgon Shire Council Local Law No.4 (Keeping and Control of Animals) is the authorising local law for Murgon Shire Council Subordinate Local Law No.4 Keeping and Control of Animals (Amendment) Subordinate Local Law (No.1) 2001. It further stated that the purpose and general effect of the new local law and the new subordinate local law is to:-

1. give the local government the power to seize and destroy dangerous dogs in certain specified circumstances; and

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2. give the local government the power to seize and destroy dogs (whether or not they have been declared as a dangerous dog) in certain specified circumstances; and
3. expand the powers of entry of authorised persons in relation to the seizure of dogs; and introduce a regime in relation to the keeping of dogs in townships in the area of the local government such that:
 - (a) a permit is required to keep three or four dogs over the age of 3 months on any land in a township in the area of the local government except land which is the subject of a kennel permit under the local law.
 - (b) the keeper of any dog over the age of 3 months in a township is required to have the animal registered

The public consultation period was from Friday 5th October 2001 until 4:30pm Thursday 1st November 2001, during which time the local law and subordinate local law were available for inspection and purchase at Council's offices and at the Dermot Tiernan Memorial Library.

One copy of the proposed local law and subordinate local law was purchased. No written submissions by any person, supporting or objecting to the proposed local law or proposed subordinate local law were received during the public consultation period.

The Minister previously agreed, pursuant to s.867 of the *Local Government Act 1993* that Council may proceed further in making the proposed local law without satisfying Step 7 (second State interest check) subject to conditions (drafting amendments) which have been dealt with.

Accordingly, Council may now resolve to make the proposed Local Law and proposed Subordinate Local Law.

4879 **PROPOSED** *Cr O'Neill seconded Cr Pratt: That pursuant to s.873(1)(a) of the Local Government Act 1993, Council hereby resolves to make the advertised proposed law: Murgon Shire Council Local Law No.4 (Keeping and Control of Animals) (Amendment) Local Law (No.1) 2001.* **CARRIED**

4880 **PROPOSED** *Cr O'Neill seconded Cr Burgess: That pursuant to s.881(1) of the Local Government Act 1993, Council hereby resolves to make the advertised proposed subordinate local law: Murgon Shire Council Subordinate Local Law No.4 (Keeping and Control of Animals) (Amendment) Subordinate Local Law (No.1) 2001* **CARRIED**

*It was **agreed** that these new Local Law powers and requirements will publicised in the next Murgon Mosaic.*

3j Enterprise Bargaining – Bargaining Fees (PE 2/2) (A/Sheet 22)

From the LGAQ advising that the Industrial Relations Commission has upheld the lawfulness of clauses in enterprise agreements requiring non-members of unions to pay bargaining agent's fees. The Association has been advised that a number of union officials are telling

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Local Government employers and employees that this is an arbitrated decision requiring Council's to insert these provisions in their agreements. The LGAQ is urging Council's to reject any claims of this nature.

4881 **PROPOSED** *Cr O'Neill seconded Cr Eisenmenger: That this matter be raised in the next EBT meeting.* **CARRIED**

3k Counter Disaster Plan (ES 1/2) (A/Sheet 23)

From the State Counter Disaster Organisation forwarding a copy of their State Counter Disaster Plan, which was released in January 2001.

Note: A local Counter Disaster Meeting was held on Tuesday 6th November 2001 at which it was agreed that a meeting be held with the Executives from Murgon and Cherbourg Councils and Ms Jenny Millers at Cherbourg on Monday 19th November 2001 to finalise the plan. The meeting at Cherbourg was held on 19th November, from which a final draft of the joint plan will be produced (when town and area maps are received from Cherbourg). It was also agreed that a meeting of the Committee will be held at Cherbourg on Tuesday 18th December 2001 (9:30am for 10:00am) to consider and if thought fit to adopt the joint plan.

3l ET Fire Vehicle (ES 3/4) (PT 1/4) (A/Sheet 24)

Discussion was raised about ownership of the Emergency Tender (ET) Fire Vehicle.

4882 **PROPOSED** *Cr O'Neill seconded Cr Burgess: That the ownership of the Emergency Tender (ET) Fire Vehicle be confirmed and that subject to ownership of the vehicle, Council calls tenders for its sale.* **CARRIED**

B15 Interventions to Prevent Crimes Against Older Australians (ES 3/5)

The Australian Institute of Criminology is undertaking a research project on interventions to prevent crimes against older people. The initial stage of the project will involve the cataloguing of existing crime prevention programs for older people. Information on programs presently in place is requested by 15 December.

Tourism & Promotions (Cr CL Hatchett)

4a Homelessness – South Burnett (CS 7/22) (A/Sheet 25)

4f Family & Community Support – Request for Assistance (CS 7/9)

From Queensland Health forwarding a survey being completed by services and agencies in the South Burnett dealing with issues of homelessness. Representatives of Council are most welcome at the South Burnett Network Meetings due next in Murgon at Graham House on the 20th November at 10am.

Note: Cr Hatchett reported on her attendance at the meeting on 20th November 2001, which facilitated an exchange of information.

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A letter was also received from Family & Community Support Kingaroy (Kywong) advising that they support women and children escaping domestic violence by supporting and assisting families in crisis and seeking financial support from Council.

- 4883 **PROPOSED** *Cr Hatchett seconded Cr Sippel: That the Demands on Emergency Accommodation survey from the South Burnett Community Network be completed and the letter from Kywong be deferred to the December Council Meeting.* **CARRIED**

- 4b Qld Tourism Industry Corporation (TO 1/1) (A/Sheet 26)

From Qld Tourism Industry Corporation inviting Council to become a QTIC member.

- 4884 **PROPOSED** *Cr Hatchett seconded Cr Brayford: That Council does not take out membership of the QTIC.* **CARRIED**

- 4c Service Clubs Town Entrance Signs (CS 9/4) (IE 11/3) (AD 14/3) (A/Sheet 27)

Cr Hatchett declared an interest in this matter and left the meeting room.

A request has been received from the Quota Club to change their meeting details on the Service Club signs on the entrances to town.

- 4885 **PROPOSED** *Cr Eisenmenger seconded Cr Pratt: That the Quota Club's request to change the town entrance service clubs' information sign about their meeting venue be approved on a 50/50 cost sharing basis and that this be the Council's policy on changes to both of these signs.* **CARRIED**

Cr Hatchett returned to the meeting room.

- 4d Shire Promotional Sign – Collards Transport (IE 11/4) (A/Sheet 28)

The Mayor referred to Council's previous decision to display a promotional sign on a Collards Transport vehicle and displayed a draft design proposal for that sign.

- 4886 **PROPOSED** *Cr Eisenmenger seconded Cr O'Neill: That Council delegates authority to the Mayor, in consultation with Cr Hatchett, to make a decision about this matter.* **CARRIED**

- 4e "Touring the South Burnett" - Advertising (EC 1/14) (A/Sheet 29)

- 4g South Burnett Tourism Association – New Tourism Brochure (TO 3/4)

The Times Newspaper Group invites Council to advertise in the 2002 edition of "Touring the South Burnett".

The South Burnett Tourism Association Inc has advised that they will be producing a full colour (A4, 24 pages) South Burnett Tourism Brochure and seeking Council's support to assist in the cost of printing of the publication, through advertising.

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4887 **PROPOSED** *Cr Hatchett seconded Cr Sippel: That Council advertises in the new publication to be produced by the South Burnett Tourism Association.*

CARRIED

Attendance at High School Graduation

Cr Hatchett reported on her attendance (on the Mayor's behalf) at the Year 12 Graduation, at the invitation of the School Captains. She conveyed to Council the thanks of the Year 12 students for the Council's donation of \$250 towards their beautification project.

Volunteers Bus Trip

The Mayor and Crs Dennis and Sippel reported on the successful volunteers bus trip on 18th November 2001.

B16 FCSBRTB – AGM (TO 1/2)

From the FCSBRTB inviting representatives to attend their AGM on Tuesday 13 November at Dimititis Cottage Restaurant & Tea Gardens, Wondai.

Note: The Mayor and Cr Hatchett attended this meeting.

Enterprise Activities (Cr CH Sippel)

5a Agreement for Roadworks – Saleyards Improvements (1257/-) (EC 3/4) (SA 2/3)

From Bindaree Beef forwarding a letter from Messrs Cameron Kirk Rose, Auditors for Bindaree Beef confirming the number of full-time employees employed by South Burnett Beef at the Murgon facility on 30 June 2001.

5b 2001 Bjelke-Petersen Dam Inland Fishing Classic (TO 4/2)

From BP Dam Fish Management Committee thanking Council for its sponsorship of the Inland Fishing Classic and forwarding a certificate of appreciation.

5c Permission to Erect Signage – Saleyards (SA 3/1) (A/Sheet 30)

From the Wide Bay-Burnett Charolais Breeders' Group seeking permission to erect a 2400mm x 1200mm sign at the Saleyards. The caption on the sign reads "Wide-Bay Burnett Charolais Breeders' Group, Annual Charolais Bull Sale, Murgon Saleyards 3rd Thursday in July".

4888 **PROPOSED** *Cr Sippel seconded Cr Brayford: That as a general policy for special sales, Council will approve the erection of a temporary sign up to six weeks prior to an event, subject to final approval of details of the sign and location.* **CARRIED**

5d Yallakool Tourist Park – Comments (TO 4/1) (A/Sheet 31)

Letters have been received with comments about Yallakool Tourist Park.

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Council was advised that a meeting had been held with the YTP Managers. Discussions were beneficial and the matters raised are being addressed.

5e YTP Cottage – Curtains (TO 4/1) (A/Sheet 32)

Cr Sippel advised that there were no curtains in the YTP Cottage and tabled two quotations to provide same.

4889 **PROPOSED** *Cr Sippel seconded Cr Eisenmenger: That the quotation of Murgon Furniture Discounts for curtains for nine windows at the cottage at YTP at a cost of \$492.50 be accepted.* **CARRIED**

5f Mr R Clark – Dipping Charges (AF 4/2) (A/Sheet 33)

Cr Sippel raised discussion about an outstanding account in the name of Mr R Clark.

4890 **PROPOSED** *Cr Sippel seconded Cr Burgess: That the charge for Invoice Ref 15672 of 6th July 2001 for private weighing of 22 head of cattle on 20th June 2001 be \$2.20 per head (SA 23) plus \$22 (SA 24B) for the operator (including GST) and that the balance of the account be waived.* **CARRIED**

5g Bobcat Purchase (PT 1/2)

Cr Sippel raised discussion about a bobcat for use at the Saleyards.

5h Sub-Lease – YTP (TO 4/4) (A/Sheet 34)

4891 **PROPOSED** *Cr Sippel seconded Cr Pratt: That, subject to building approval, the Council approves on-site camping of Mr Edwards at his sub-lease area at YTP pending the construction of an on-site dwelling.* **CARRIED**

5i Relocatable Home Park – YTP (TO 4/1) (A/Sheet 35)

4892 **PROPOSED** *Cr Sippel seconded Cr Brayford: That Council calls for expressions of interest from relocatable home manufacturers to display homes at the YTP area.* **CARRIED**

5j YTP Swimming Pool Fence (TO 4/1) (A/Sheet 36)

Quotations are being invited for a 2 metre security fence for the swimming pool at Yallakool Tourist Park

The DES tabled quotations for supply of materials for the fence: Adriatic Pools & Spas \$14,135.00; Direct Fencing \$13,507.61 (approx – quote not complete); Graham Carmichael \$13,500.00. Labour to erect was included in the Adriatic and Carmichael quotations but could not be assessed accurately on the basis that some work may be done by Council.

4893 **PROPOSED** *Cr O'Neill seconded Cr Sippel: That the quotation of Adriatic Pools & Spas for the Yallakool Tourist Park swimming pool fence be accepted, being the most*

advantageous quotation on the basis of completeness and the convenience of the contractor being on site outweighing the price differential. **CARRIED**

B16a Saleyards Statistics

Cr Sippel advised of changes in Saleyards statistics.

B16b Sale of the Month

Cr Sippel reported on the Sale of the Month.

CEOs Report

3 Yallakool Tourist Park – Sublease - Water Slide & Amusement Park (TO 4/4) (A/Sheet 37)

As the proposed Sub-lessee is now Yallakool Tourist Park Water Slide and Amusement Park Pty Ltd as trustee, the draft sublease has been amended to incorporate a personal guarantee, for the Sub-lessee's obligations, from the company's director. The DNR has now approved the draft sublease (with minor corrections) and has approved the subdivision plan. The revised draft has been sent to the Sub-lessees.

The Sub-lessee is responsible for extending power to the site. After discussions between Ergon, the Sub-lessee and the CEO, Ergon are prepared to provide power for an initial payment by the Sub-lessee and the balance being provided by a power usage guarantee from Council (similar to the guarantees provided by Council for other extensions). The Sub-lessee will provide the Council with a Bank Guarantee as security for the Council's guarantee to Ergon.

- 4894 **PROPOSED** *Cr Brayford seconded Cr Pratt: That the provision of a usage guarantee for power extensions to the Yallakool water slide and amusement park be approved subject to receipt of a bank guarantee as security equivalent to the usage guarantee.* **CARRIED**

Saleyards MOUTHING CRUSH (SA 3/1) (A/Sheet 38)

- 4895 **PROPOSED** *Cr Sippel seconded Cr O'Neill: That the new mouthing crush be installed and ready for operation by the start of sales in the New Year.* **CARRIED**

Cattle Impounding - Poundkeeper (AL 2/2) (A/Sheet 39)

Cr Sippel raised discussion about cattle impounding after hours and the need for a Poundkeeper. This was left in the CEOs hands.

Sports, Recreation & Environment (Cr RJ Dennis)

6a Youth Recreation Area (ES 3/1) (639/0-) (A/Sheet 40)

From the Department of Public Works referring to previous correspondence regarding the Council's proposal for future accommodation of Murgon Emergency Services. The matter of

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collocation of these services is still under review and they are seeking to obtain a clear position of whole of government accommodation needs for Murgon.

In the meantime, further information regarding the proposed Youth Recreation Area is sought. In particular, the amount of land considered necessary for this development.

- 4896 **PROPOSED** *Cr Dennis seconded Cr Eisenmenger: That the Department be advised that Council is considering alternatives and will advise the outcome in due course.* **CARRIED**

- 6b Clean Up Australia Day – March 2002 (EC 1/12) (A/Sheet 41)

From Clean Up Australia Ltd inviting Council to register for Clean Up Australia Day being held on Sunday 3 March 2002.

- 4897 **PROPOSED** *Cr Dennis seconded Cr Eisenmenger: That Council registers to participate in Clean Up Australia Day in March 2002 and contact be made with Mr Bill Keen to determine his interest in coordinating the clean up activities.* **CARRIED**

The Mayor reported that Mr Keen is interested in coordinating the clean up activities.

- 6c Swimming Pool Report (SR 3/2) (A/Sheet 42)

From Mrs T Wex detailing a number of maintenance, risk management and workplace health and safety items to be considered in relation to the operation of the swimming pool.

- 4898 **PROPOSED** *Cr Dennis seconded Cr Rewald: That:*
1. *the floor in the Kiosk area be attended to prevent slipping;*
 2. *the footwash wells be filled in with concrete;*
 3. *the middle sail be removed and its future use be considered in due course;*
 4. *the table area around the BBQ shelter be removed and*
 5. *the remaining proposals be considered in conjunction with the 2002/03 budget.* **CARRIED**

- 6d "Lest We Forget Run" (CS 7/23) (A/Sheet 43)

Athletics Australia has invited local participation in the "Lest We Forget Run" to be held on the nearest Sunday following Anzac Day (28 April 2002).

- 4899 **PROPOSED** *Cr Dennis seconded Cr Eisenmenger: That Council liaise with the local RSL Sub-Branch to determine their interest in participating in the "Lest We Forget Run" in 2002.* **CARRIED**

- 6e SB Sport & Recreation Officer (LS 2/5) (SR 4/3) (A/Sheet 44)

Wondai Shire have forwarded a copy of the financial statement for the period ending 30th September 2001 for the Local Government Recreation Officer Pilot Program, and advising

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that the contribution for 2001/2002 will be \$8,184. \$15,000 has been received from Sport & Recreation Queensland to extend the present program to the end of February 2002.

- 4900 **PROPOSED** *Cr Dennis seconded Cr Brayford: That the Council's contribution of \$8,184 for the SB Sports & Recreation Officer Pilot Program be paid.* **CARRIED**

- B17 Annual Return – EPA (PL 4/11)

The annual return for the year 1 July 2000 to 30 June 2001 has been submitted to the EPA.

- B18 Council Olympics – 13 October 2001 (SR 4/8)

From Isis Shire Council expressing the appreciation of Isis Shire Council's team for the opportunity to participate in the Council Olympics and forwarding comments on the day.

- B19 Booklet for Local Government on Growing Trees (PL 4/1)

From the LGAQ advising that the Australian Greenhouse Office has released a booklet designed to stimulate Local Government interest in tree planting for carbon sequestration throughout Australia.

- B20 National Biodiversity Policy Documents (PL 4/1)

From the LGAQ advising that the Federal Government has recently released the following three national biodiversity documents that provide a strategic focus for our efforts to conserve Australia's unique biodiversity:

- Review of the National Strategy for the Conservation of Australia's Biological Diversity;
- Biodiversity Conservation Research – Australia's Priorities; and
- National Objectives and Targets for Biodiversity Conservation 2001 - 2005

- B21 A Guide to Developing and Managing Skate Facilities in Queensland (SR 2/1)

From the LGAQ forwarding *A Guide to Developing and Managing Skate Facilities in Queensland*. This document is designed to inform, advise and support local government and other key stakeholders in the planning, design construction and management standards and processes for skate facilities across Queensland.

- B22 "Pulse" Report (SR 5/1) (A/Sheet 45)

A Report by the Manager of "The Pulse" was tabled for consideration.

- 4901 **PROPOSED** *Cr Dennis seconded Cr Brayford: That in the 2002/03 Budget, Council considers allocating funds annually for the future replacement of the stadium floor at "The Pulse".* **CARRIED**

- 4902 **PROPOSED** *Cr Dennis seconded Cr Burgess: That the closure and hours of operation for "The Pulse," Sports & Recreation Centre, during December 2001/January 2002 as follows be approved:*

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- closed from COB 24th December 2001 until 6th January, 2002 inclusive;
 - week commencing 7th January 2002 – Monday – Friday 4.00pm to 7.00pm, with special functions prior appointment;
 - week commencing 14th January 2002 – Monday – Friday 4.00pm to 7.00pm, with special functions prior appointment;
 - week commencing 21st January 2002 – Normal operating hours; with appropriate leave arrangements to be made with individual staff members.
- CARRIED**

Swimming Pool Heating

(A/Sheet 46)

- 4903 **PROPOSED** Cr Dennis seconded Cr Burgess: That authority be delegated to the Planning, Sports & Recreation and Housing & Culture Committee to make a decision about quotations for the swimming pool heating. **CARRIED**

Health, Building & Planning (Cr RJ Eisenmenger)7a Lease of Ex-Fuel Depot Site – Rewald Street (866/-)

The following resolution was passed at the September Meeting:

That the tender not be accepted and the Mayor and CEO be authorised to negotiate and decide on the sale or lease of the property.

Note: The Mayor & CEO have made an offer based on \$500pa plus rates equivalent, but this has not be accepted to date.

7b RSL – Emergency Exit Door (265/-) (DA 1/01) (A/Sheet 47)

From Rubicon Constructions forwarding a proposal regarding the Emergency Exit Door leading out from the existing Function Room of the RSL to the Gore Street footpath.

- 4904 **PROPOSED** Cr Eisenmenger seconded Cr O'Neill: That the Council supports the action of staff in rejecting the proposal for glass doors opening outward onto the Gore Street footpath as proposed by Rubicon Constructions. **CARRIED**

7c DA – Reconfiguring - C & M Sippel and L & D Davis (DA 43A/01) (1777/-) (1780/8) (1775/-) (1745/-) (A/Sheet 48)

A development application for a reconfiguration of Lot 1 on RP211481, Lot 38 on RP7168, Lot 2 on RP7177 and Lot 44 on RP7168. This application is to supercede Development Permit DA 43/01 given by Council in October.

Description of Land:- Tipperary Road, Moffatdale
Lot 38 on RP7168, Lot 2 on RP7177 and Lot 44 on RP7168

Proposal:- Existing Use 3 rural allotments
Proposal 2 rural allotments

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Applicant:-	O'Reilly Nunn & Associates PO Box 896 KINGAROY QLD 4610
Owner:-	C & M Sippel and L & D Davis
Nature of Application:-	Development Approval Reconfiguration of Allotment
Referral Triggers:-	Nil
Details at Land:-	Zoning: rural
Proposed Details:-	Reconfigure 3 allotments to 2 allotments
Planning Scheme:-	Part 5 Minimum Lot Size 40 hectares
Assessment:-	Complies with requirements of the Planning Scheme for the Shire of Murgon.

4905 **PROPOSED** *Cr Eisenmenger seconded Cr Burgess: That having considered the application, Council resolves to approve the application for the reconfiguration of Lot 38 on RP7168, Lot 2 on RP7177 and Lot 44 on RP7168, Tipperary Road, Moffatdale, subject to the following conditions:*

1. *This Development Permit supercedes Development Permit DA 43/01 issued 2nd August 2001.*
2. *The reconfiguration shall be generally in accordance with proposal plan no. 1971P/3, which accompanied the application. **CARRIED***

7d Development Application – Office And Depot For Taxi Service – 2 Webster Street, Murgon
(DA 63/01) (1067/-) (A/Sheet 49)

KJ Merchant and CT Lesleighter are proposing to operate an office and taxi depot at premises 2 Webster Street, Murgon, as described in the enclosed information, which accompanied the development application, details of which are as follows:

<i>Description of Land:</i>	2 Webster Street, Murgon Lot 97 on RP105937
<i>Proposal:</i> Existing use:	Dwelling/Garage
Proposal:	Dwelling/Office and Depot for Taxi Service
<i>Applicant:</i>	KJ Merchant and CT Lesleighter
<i>Owner/s:</i>	TM & LI Schultz
<i>Nature of Application:</i>	Development Approval – Material Change of Use – Office and

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Depot for Taxi Service

Referral Triggers:

Nil

Details of Land:

Zoning: Urban
Containing existing dwelling

Proposal details:

Number of employees: 2
Hours of Operation: Mon-Fri 7:00am – 6:00pm

Planning scheme use category and description:

Urban Zone – Table 2.5.1

Impact Assessable Development – Potentially Compatible
Column 6 – Commercial Premises

Assessment:

The proposed use constitutes a minor change in respect of existing premises, within the urban zone.

Structural alterations to the premises are proposed in the application which will not be externally noticeable.

Approval of a change of building works are required.

The proposal should not cause detrimental impact on the local amenity.

Parking is to be provided within the premises and facilities in the building would be used by staff. Building, health and fire safety matters should be satisfactory before the proposed use commences. Disabled access and facilities will be required.

Submission:

Submission period closed 20th November 2001. There were no submissions.

4906 **PROPOSED** *Cr Eisenmenger seconded Cr Pratt: That having considered the application for material change of use of premises at 2 Webster Street, Murgon described as Lot 97 on RP105937, for the purpose dwelling office and depot for taxi service, the Council approves the application subject to the following conditions*

1. *The applicant shall submit a Development Application for Building Work, together with satisfactory plans and specifications, for the construction of a radio aerial associated with the taxi base, or any other construction, which constitutes a structure under the Building Act, prior to any such work commencing.*
2. *Plumbing and Drainage Approvals be obtained prior to any plumbing or drainage works.*

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3. *The office operating hours are to be limited to Monday to Friday from 7:00am to 6:00pm.*
4. *Disabled access and facilities are to be provided for the office.*
5. *The approved use must not be operated in a manner which causes any nuisance (by way of, or arising from, hours of operation, noise, visual pollution, etc) or any lessening of amenity of the neighbourhood.*
6. *The number of taxi vehicles based or garaged at the premises shall be limited to a maximum of three (3). For the purposes of this approval, a taxi vehicle shall be a taxi registered as such by the Department of Transport or any other vehicle used in association with the commercial taxi business operated from the premises.*
7. *The office and taxi depot is to be limited to the hatched areas identified in the plans that accompanied the application.* **CARRIED**

B22 Assessment of Piggery Application – McUtchen – 120 Piggery Rd (DA 18/00)

From the DPI advising that in accordance with the Integrated Planning Act, DPI will again extend its referral agency's assessment period by 4 weeks for the development application of Mr B McUtchen of 120 Piggery Rd. The DPI is now required to respond by 27th November 2001. Once the assessment has been completed, both the Council and the applicant will be advised of the Department's concurrence decision and of any conditions that must be attached to any development approval for this proposal.

B23 Retirement Village Application (P4/00)

From Crossborder Investments Pty Ltd, Pamview Pty Ltd and James Heading Vineyards Pty Ltd advising that they no longer wish to proceed with the development application for a retirement village at 866 Barambah Road, Moffatdale.

B24 Summary of Feedback on the Draft Private Forestry Model Planning Framework (PL 7/4)

From the LGAQ forwarding a copy of a document that has been prepared by the Farm Forestry Project in response to the feedback on the draft Private Forestry Model Planning Framework.

B25 State Coastal Management Plan – Queensland's Coastal Policy (PL 2/10)

From the EPA forwarding copies of the State Coastal Management Plan – Queensland's Coastal Policy which was released in September. The Plan provides a vision and direction for integrated coastal zone management in Queensland.

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B26 Pre-development Enquiry – Light Industry (LA 7/3) (PL 3/2)

A garden supply company from Jandowae is interested in establishing an acetone bottling plant that would involve estimated investment of \$100,000 in three stages and creation of 5 jobs.

They have been provided with information about the available land at the Gesslers Road industrial estate as well as detailed information about town planning and regulatory approval requirements.

B27 Bush Fire Planning (BU 1/1)

From the Hon Nita Cunningham MP advising that they are proposing to prepare a State Planning Policy (SPP) to help address the prevention of natural disasters throughout Queensland, through land use planning and development assessment approaches and encouraging Councils to consult with QF&RA in determining bush fire prone areas for identification in Council's planning Scheme.

B28 Building Certifiers (BU 1/2)

From the Hon Nita Cunningham advising that the Queensland Development Code is now available. The Code, which complements the national Building Code of Australia, consolidates Queensland specific building requirements into a uniform code. Comments are welcome.

Infrastructure (Cr GL Burgess)

8a National Action Plan for Salinity & Water Quality and LGAQ NRM Project (IE 14/1) (PL 7/6)

From the LGAQ forwarding an update regarding the development of a Local Government position regarding the NAPSWQ and future institutional arrangements for natural resource management (NRM).

8b Kingaroy Rural Community Meeting (IE 9/1)

From QR extending an invitation to attend the Kingaroy Rural Community Meeting taking place on the 29th November 2001 from 10am to 12pm at the Wondai RSL. It is believed that the meeting would be an ideal way of updating country Queensland of QR's operations and future plans while also giving local communities an opportunity to spend time with QR staff to discuss local issues and opportunities for rail transport.

It was noted that the Mayor and interested Councillors will attend this meeting.

B27 National Action Plan for Water Quality & Salinity Regional Panel – Burnett West (PL 7/6)

From Kingaroy Shire Council advising that the results of the recent ballot for representative on the National Action Plan for Water Quality & Salinity Regional Panel are as follows:

- Representative: Paul Lobegeier (Monto Shire Council)

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- Proxy: Cheryl Dalton (Kingaroy Shire Council)

8c Infrastructure Upgrades (IE 6/5)

From DLGP and the Minister for Local Government and Planning forwarding booklets on reviews of Infrastructure Delivery Options and Sewage Management. Regional information sessions will be carried out in February and March 2002.

Works, Plant & Rural Services (Cr DG Rewald)

9a Tableland Hall Parking Area (RA 2/12) (A/Sheet 50)

From the Tableland Hall Committee advising that as a result of the recent road works at the intersection of Crownthorpe Road and Levers Road it is now very difficult or possibly dangerous for some traffic to enter the Tableland Hall parking area. It is possible a small amount of grader work would be all that is required and asking that Council consult with Mr Neil Collard in this matter.

4907 **PROPOSED** Cr Rewald seconded Cr Hatchett: That the work at the intersection of Crownthorpe Road and Levers Road, as requested, be carried out. **CARRIED**

9b VG Tickle Place (RA 2/7) (CA 11/3) (A/Sheet 50A)

At the last Castra Board meeting discussion was raised about the erection of the road naming sign "Tickle Place". It was noted that the name requested by the RSL, agreed to by Castra and approved by the Council was "VG Tickle Place". Castra and the RSL have requested that the sign be replaced.

It was noted that the new sign has been erected.

9c Vehicle Incident – Mobil Roadhouse (AF 4/2) (A/Sheet 51)

From G & H Sander Earthmoving detailing an incident which occurred in the drain in front of the Mobil Roadhouse and requesting that Council reconsider the account sent.

Note: It was noted that the full costs were not charged to the debtor's account.

4908 **PROPOSED** Cr Rewald seconded Cr O'Neill: That G & H Sander Earthmoving be advised that the debtors account (Ref Sanderg 15254) stands. **CARRIED**

9d Street Lighting Design (RA 9/1)

From the Regional Operations Manager of Ergon Energy advising that as of 1st December, the Wide Bay Region of Ergon Energy can no longer provide a lighting design service, nor provide advice on lighting requirements to suit the Australian standard and apologises for any inconvenience that this change may cause.

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- 9e ALGA National Road Funding Campaign – Coalition Government Commitment (RA 8/2) (A/Sheet 52)
From the LGAQ advising that the Coalition Government announced a part of its Election Campaign a commitment to continue the Blackspot Funding Program.
- 4909 **PROPOSED** *Cr Rewald seconded Cr Sippel: That application be made for Blackspot Funding for the Byee-Gayndah Road intersection and Byee/Frieberg/Silverleaf Road intersection.* **CARRIED**
- 9f African Love Grass (RU 2/3) (A/Sheet 53)
Cr Rewald advised that he and Council's Noxious Weeds Supervisor attended a recent meeting in Eidsvold where the control of African Love Grass was discussed.
- 4910 **PROPOSED** *Cr Rewald seconded Cr Brayford: That the use of Taskforce herbicide be trialed for African Love Grass treatment for a period of twelve months.* **CARRIED**
Cr Rewald advised that submissions for subsidised plant and equipment for weed control (dealt with previously by Council and referred to staff) have to be sent through the local Lands Protection Officer.
- 9g Intersection – Haager Drive/Barambah Road (RA 2/10) (RA 5/4) (A/Sheet 54)
The DES tabled a report on the intersection of Wessling Road/Haager Drive with Barambah Road.
- 4911 **PROPOSED** *Cr Rewald seconded Cr Sippel: That Council endorses the re-routing of Wessling Road to intersect with Haager Drive and that approval be sought from DMR for funding for this work.* **CARRIED**
- 9h Cloyna West Road – Fencing Material (RA 2/14) (A/Sheet 55)
Cr Rewald raised discussion about a landholder pushing old fencing material onto the Cloyna West Road Reserve.
- 4912 **PROPOSED** *Cr Rewald seconded Cr Brayford: That the DES makes inquiries about a landowner pushing old fencing material onto the Cloyna West Road Reserve.* **CARRIED**
- 9i Upgrading of Wooroonden/Wilsons Road Intersection (RA 2/14) (A/Sheet 56)
Note: The DES will present a report on the upgrading of the Wooroonden/Wilsons Road Intersection at the next meeting.
- 9j Dingo Baiting Program (AL 1/2) (A/Sheet 57)
- 4913 **PROPOSED** *Cr Rewald seconded Cr Eisenmenger: That Council places an advertisement for expressions of interest from landholders to participate in a dingo baiting program.* **CARRIED**

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9k Footpath Upgrading – Macalister and Lamb Street (RA 2/3) (DA 42/01) (AD 14/3) (A/Sheet 58)

Cr Burgess declared an interest in this matter and left the room during discussion of this item.

The DES tabled quotations for footpath upgrading work, from the Mobil in Macalister Street to the Star Theatre in Lamb Street: J Bartlett \$19,580; Going Homes \$18,700; RI & PA McIntosh \$13,670.00.

4914 **PROPOSED** Cr Brayford seconded Cr Pratt: That the quotation of RI & PA McIntosh for footpath upgrading work in Macalister and Lamb Streets for \$13,670 (with the addition of exposed aggregate if required) be accepted. **CARRIED**

Cr Burgess returned to the meeting room.

9l Gessler's Lane – Upgrading (RA 2/12) (A/Sheet 59)

A request from Dr McAllister for upgrading of Gessler's Lane for some 400 metres. It is now used daily by 4 people.

4915 **PROPOSED** Cr Rewald seconded Cr Hatchett: That the DES report on upgrading required on Gessler's Lane, Campbells Lane and Richards Road. **CARRIED**

B29 Commissioner for Declarations (Staff)

From Ms Shirley Jones thanking Council for giving her the opportunity to become a Commissioner for Declarations.

Housing & Culture (Cr J Brayford-Stubbs)

10a Housing (LA 4/1) (A/Sheet 60)

From the Community Housing Resource Worker inviting Council to be part of planning for the regions current and future housing needs and requesting completion of an attached form.

4916 **PROPOSED** Cr Brayford seconded Cr Pratt: That the survey be completed and returned. **CARRIED**

10b Wright Way Unit – Request for Carport (LA 4/8) (A/Sheet 61)

From Ms Dulcie O'Neill seeking Council's permission to erect a carport behind her unit at 3 Wright Way, Murgon.

Note: DES will further investigate the request from Ms Dulcie O'Neill and report to the General Meeting on the outcome.

4917 **PROPOSED** Cr Brayford seconded Cr Pratt: That a meeting be held with the tenant and her requirements and associated costs be reported to the Council. **CARRIED**

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10c QCHC Annual Meeting (LA 4/1) (A/Sheet 62)

From QCHC advising that Ms Jen Anselme has been elected as a Director of the QCHC Board for the Central Queensland Region and forwarding a supplementary Ballot Paper for confirmation of the appointment to that position.

4918 **PROPOSED** *Cr Brayford seconded Cr Eisenmenger: That Council abstains from voting, due to the lack of information about the candidate.* **CARRIED**

10d Native Title Assistance (AB 3/2) (A/Sheet 63)

From MacDonnells Solicitors detailing the specialist Native Title assistance that they are able to provide Councils. Complimentary services include registration of Councils as a party to a claim and introductory seminars detailing the claim process.

4919 **PROPOSED** *Cr Brayford seconded Cr Pratt: That this matter be referred to the SBLGA for inclusion on their Agenda on 7 December, 2001 and that further action by the Council be considered in due course.* **CARRIED**

Note: Council is registering as a party to the claim, as per the resolution at the previous meeting.

10e Grant Funding Resource (LI 1/2) (A/Sheet 64)

From the CEO of Our Community advising that a "How-to Guide" publication is available for purchase for Libraries, Schools and Non-Profit Groups at a cost of \$24.95.

4920 **PROPOSED** *Cr Brayford seconded Cr Hatchett: That the "How-to Guide" be purchased for Council's Library.* **CARRIED**

B30 Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund (AB 3/1)

From the LGAQ advising that the Parliamentary Joint Committee report into Indigenous Land Use Agreements has been released and detailing a number of recommendations relevant to Local Government.

B31 Survey – Native Title and Local Government (AB 3/1) (A/Sheet 64A)

From the LGAQ forwarding a survey on Native Title and Local Government. The findings from this survey will assist the LGAQ to develop a more informed understanding of Queensland Local Government's response to Native Title. This in turn will assist us to better represent the issues and concerns of all Councils.

Note: The survey will be completed and sent by the due date.

B32 Library - Aurora Software (LI 1/2) (A/Sheet 65)

From the State Library of Queensland confirming the installation of the Aurora software at the Murgon Library during the week of the 3 December.

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- 4921 **PROPOSED** Cr Brayford seconded Cr Sippel: That Council accepts the charges for the Aurora software upgrading. **CARRIED**

Library Statistics (LI 1/9)

(A/Sheet 66)

It was noted that the Library Statistics had not been provided.

CEOs Report

- 2 GP Accommodation (AD 8/5)

(A/Sheet 67)

Settlement of the purchase of 8 Tiernan Terrace took place on Friday 16th November 2001. Subject to side fencing, the premises will be ready for GP's accommodation. The medical practice has been advised of availability of the premises and the rent and have been sent a residential lease.

Endorsement of the action and the proposed rent is sought.

- 4922 **PROPOSED** Cr Brayford seconded Cr Eisenmenger: That the proposal to set the rent for the GP accommodation at 8 Tiernan Tce at 80% of market rental be endorsed. **CARRIED**

MOTION Cr Eisenmenger seconded Cr Brayford: That market rent be deemed to be \$130.00 for the first 12 months, then to be reviewed.

AMENDMENT Cr Pratt seconded Cr Dennis: That market rent be deemed to be \$130.00 for the first 6 months, then to be reviewed.

The AMENDMENT was PUT and LOST.

The MOTION:

- 4923 **PROPOSED** Cr Eisenmenger seconded Cr Brayford: "That market rent be deemed to be \$130.00 for the first 12 months, then to be reviewed"

was PUT and

CARRIED

CHIEF EXECUTIVE OFFICERS REPORT

- 1 Audited Statements & Annual Report (AD 6/2) (AF 6/2)

Dealt with in Finance & Administration portfolio report.

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2 GP Accommodation (AD 8/5)

*Dealt with in **Housing & Culture** portfolio report.*

3 Yallakool Tourist Park – Sublease - Water Slide & Amusement Park (TO 4/4)

*Dealt with in the **Enterprise Activities** portfolio report.*

4 Financial Statements & Audit (AF 6/2)

(A/Sheet 68)

An analysis of the capital funding statement for the year ended 30th June 2001 has shown that the Council has over-stated funded depreciation in the previous year.

4924 **PROPOSED** *Cr Pratt seconded Cr Eisenmenger: That Council resolves to:*

(a) transfer \$817,381 to accumulated surplus; and

(b) further to undertake a determination of its future capital funding needs.

CARRIED

5 NCP – Local Govt Financial Incentive Payments Scheme (LG 5/5)

The Queensland Competition Authority has reviewed our NCP return for a Competition Reform Compliance Assessment 2000/01, assessing performance against assessment criteria of Structural Change, Reform Implementation and Ongoing Performance in relation to COAG Water Reform, Other Roads, Tourism, Water & Sewerage and Flagfall. The factual basis and comprehensiveness of the assessment appears reasonable. QCA will recommend 2001 Progressive Assessment payments; the amounts will be advised when Treasury has considered their recommendations.

6 Natural Disaster Risk Assessment (ES 1/1) (AF 8/2)

(A/Sheet 69)

An Interim Disaster Mitigation Plan and a commitment from Council to undertake a natural Disaster Risk Assessment are required to enable continued reduction of the threshold for NDRA from \$98,000 to \$50,000 until 31st March 2003.

An Interim Disaster Mitigation Plan setting out Natural Hazard Identification, Mitigation Actions and Council Certification has been prepared and is tabled for consideration and endorsement.

4925 **PROPOSED** *Cr Pratt seconded Cr O'Neill: That Council:*

(a) endorses the Interim Disaster Mitigation Plan, and

(b) commits to undertaking a Natural Disaster Risk Assessment by 31st March 2003.

CARRIED

Receipt of Report

4926 **PROPOSED** *Cr Brayford seconded Cr Sippel: That the CEOs Report be received.* **CARRIED**

ADJOURNMENT

The meeting adjourned for lunch at 1:00pm and resumed at 1:40pm.

DIRECTOR OF ENGINEERING SERVICES REPORT

Lamb Street Pedestrian Crossing (PA 1/2) (RA 5/5)

(A/Sheet 70)

The DES reported on discussions with DMR about the most suitable type of pedestrian crossing in Lamb Street, adjacent to the VIC (previously approved by the Council). Council considered options.

- 4927 **PROPOSED** Cr Brayford seconded Cr Eisenmenger: That:
- (a) a pedestrian crossing be constructed in Lamb Street adjacent to the Visitor Information Centre;
 - (b) across the parking bay/pull-off lane there be a raised protected area (with physical barriers – bollards or similar) from the footpath to the edge of the through lane; and
 - (c) the crossing at the through lane to be at road level with vehicles to have the right-of-way.
- CARRIED**

Refuse Removal – Meatworks (IE 10/2) (1257/-)

(A/Sheet 71)

The DES reported on appropriate charges for the Meatworks to deliver their refuse to the Murgon Refuse Tip (they are proposing to dispense with their 3 cu m bins currently served).

- 4928 **PROPOSED** Cr Pratt seconded Cr Sippel: upon removal of the 3 cu.m. industrial refuse bins from the Murgon Meatworks at Micken Street, Murgon (assessment 1257/-):
- (a) a proportion of the industrial refuse charges levied by rate notice for the current financial year, based on the remaining part of the financial year, be waived and refunded; and
 - (b) for bulk refuse delivered to the Murgon Refuse Tip by the Meatworks, general charges for bulk waste (general charges ref. SE11) apply.
- CARRIED**

DIRECTOR OF COMMUNITY SERVICES REPORT

Receipt of Reports

- 4929 **PROPOSED** Cr Pratt seconded Cr Brayford: That the Reports of the Director of Engineering Services and Director of Community Services be received. **CARRIED**

Closed Meeting

- 4930 **PROPOSED** Cr Eisenmenger seconded Cr Brayford: That the Council moves into closed meeting. **CARRIED**

Council considered matters in closed meeting and then moved **back into Open Meeting**.

CJC REPORT (CS 3/2)

(A/Sheet 72)

- 4931 **PROPOSED** Cr Eisenmenger seconded Brayford: That the report from the Criminal Justice Commission on their investigation concerning the matters raised by the

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Queensland Audit Office be received and the following action be taken in regards to each of the recommendations the Commission recommended the Council consider.

Recommendation 1

1. that Council consider creating specific sacrificing accounts, rather than using accounts which are established or used primarily for other purposes;

4931A RESOLVED *That appropriate specific accounts be established in the General Ledger / Job Costing system under employee costs for salary sacrificing expenditure.*

Recommendation 2

2. as noted, the investigation revealed there is no accounting policy manual for Council, although such a manual should exist. It is important that policies for the treatment of income, expenses, assets and liabilities are clearly set out and available for all Councillors and Council employees. It is recommended that Council takes steps to ensure that an appropriate accounting policy manual is created;

4931B RESOLVED *That the CEO be instructed to develop a draft Accounting Policy Manual in accordance with the Local Government Accounting Standards for consideration by Council.*

Recommendation 3

- 1 that Council consider having a suitably qualified person examine the details of existing salary sacrificing arrangements to determine if Council has attracted a fringe benefits tax liability, particularly in relation to Higher Education Contribution Scheme benefits provided by way of salary sacrificing (as referred to in Ms Godfrey's report);

4931C RESOLVED *That the CEO be requested to obtain a private tax ruling on self education fees salary sacrificed by him for legal studies to determine if such expenses are tax deductible in the employee's hand and therefore the salary sacrifice would be FBT exempt.*

Recommendation 4

- 1 as salary packing arrangements may have complex income and fringe benefits tax implications, it may be beneficial for Council to consider the need to provide information to staff (who have access to salary packaging options), in a manner similar to how information is provided to state government employees about their options and the financial implications;

4931D RESOLVED *That the Council request the Qld Audit Office to provide a copy of the information that is provided to state government employees about their options and the financial implications pertaining to salary packaging.*

Recommendation 5

- 1 in order to maintain better control over the salary packaging system, it may be prudent for the Council to consider whether it should restrict the types of expenses it will allow to be subject to salary packaging.

4931E RESOLVED *That the Council adopt a policy limiting the amount of salary that can be sacrificed to a maximum ten percent of gross salary including any FBT liability and the items that can be sacrificed be limited to superannuation, education expenses (when they are tax deductible in the employee's hand), professional fees and uniforms, or any other matter approved by Council.*

CARRIED

GENERAL BUSINESS

Works Matters (WO 4/2) (RA 2/11) (LA 16/3) (RA 5/12)

(A/Sheet 73)

Councillors raised the following:

Cr Burgess – washout Arnell Street - to be attended to

new storage tank Retschlag Street – of interest to Councillors

water leak in Committee Room – whether repaired

possible side door awning blockage – administration building

Cr Dennis - exit lights Town Hall – not alight when hall in darkness

Cr Brayford - deterioration of the Mayor's split system air conditioning motor

Cr Sippel - standard of cleaning of the Town Hall.

gravelling needed near the entrance to the Railway yards in Macalister Street

Cr Hatchett - request for more slashing along Main Roads in the Shire – improvement needed to the approaches to Town.

Rates – Pensioner Rebate (AF 13/4)

(A/Sheet 74)

Cr Burgess requested clarification of the entitlement to pensioner rates rebate for Mr Ted Rogers.

Regional Waste Management Study (IE 10/6)

Cr Burgess reported that the next committee meeting for the regional waste management study is to be held on 21st January 2002.

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Swimming Pool Attendance and Management (SR 3/2)

(A/Sheet 75)

Cr Dennis raised the matter of swimming pool attendance statistics and advised that attendance for the season to date was over 8,000.

4932 **PROPOSED** *Cr Dennis seconded Sippel: That Council writes to the Manager of the Swimming Pool commending her on her work to date as Manager. **CARRIED***

Highway 17 / Country Way Promotions Meeting (EC 1/14)

(A/Sheet 76)

*Cr Hatchett conveyed a request that the next meeting of the Highway 17 / Country Way Promotions Committee be held at Murgon on 21st January 2002. This was **agreed** to by Council, with the meeting to be held at the Council Chambers. Cr Hatchett requested that the Monto CEO be notified.*

CLOSURE

There being no further business, the meeting closed at 3.05pm.

Confirmed

W J Hubner
Mayor