



COUNCIL OF THE SHIRE OF MURGON

Minutes of the General Meeting

Held on Wednesday 17th January 2007

Meeting held in the Council Chambers
42 Stephens Street West
Murgon

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COUNCIL OF THE SHIRE OF MURGON**GENERAL MEETING**17th January 2007**MINUTES**

GUESTS**OPENING OF MEETING**

The Mayor declared the meeting open at 9:00 am

ATTENDANCE***Councillors***

PW Angel, Mayor
RJ Eisenmenger
CL Hatchett
GL Burgess
RQ O'Neill

Officers

Chief Executive Officer, Scott Greensill
Manager Corporate and Financial Services, Andrew McKenzie
Manager Works and Services, Steve Turner
Manager Community Services, Gavin Crawford

APOLOGIES

7729 **Moved Cr Eisenmenger seconded Cr O'Neill: *THAT the apology of Cr Brian Mobbs and Cr Raelene Dennis be accepted and leave of absence be granted.***

CARRIED**MINUTES SILENCE**

The Mayor asked those present observe a minute's silence for the passing of Shire citizens: Evie Grace Ewart aged 17 months.

CONFIRMATION OF MINUTES

7730 **Moved Cr Burgess seconded Cr Eisenmenger: *THAT the minutes of the General Meeting held on the 20th December 2006 as circulated, be confirmed.***

CARRIED

1. **GOVERNANCE, CONTROLLED ENTITIES, ENTERPRISES & ECONOMIC DEVELOPMENT (Cr PW Angel)**

1.1 **Officer's Report**

1.1.1 **Operational Review (AD 13/4)**

Author and Officer's Title:	Scott Greensill, Chief Executive Officer
<p>Executive Summary: It is now approximately 12 months since Council commenced its operational review, with the review producing many benefits.</p> <p>Council must now focus long term, with a special discussion day to be organised on 23rd January 2007 to review and discuss all previous decisions made under the operational review</p>	

1.1.2 **Shire Electoral Matters (EL 1/ 2)**

Author and Officer's Title:	Scott Greensill, Chief Executive Officer
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In accordance with the provisions of the Local Government Act 1993, Council is required by the first of March in the year immediately preceding a quadrennial election, to consider possible changes in relation to the conduct of the election, and also the number of Councillors comprising the Council.

7731 **Moved Cr Eisenmenger seconded Cr Burgess: *THAT no changes be made to the electoral system in place at Murgon Shire Council in relation to the March 2008 Quadrennial Local Government Elections.*** **CARRIED**

1.1.3 **Size Shape and Sustainability (AD 5/1)**

Author and Officer's Title:	Scott Greensill, Chief Executive Officer
<p>Executive Summary: At this point in time the SSS process has now finalised the initial review stage, and is preparing to enter the Comprehensive Review Phase.</p>	

Discussion followed on the processes involved in the next stages of Size Shape and Sustainability.

1.1.4 Appointment of Chief Executive Officer (PE 9/2)

Author and Officer's Title:	Scott Greensill, Chief Executive Officer
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Executive Summary:	LOGO Appointments has been engaged to commence the recruitment process for a replacement Chief Executive Officer.
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7732

Moved Cr Eisenmenger seconded Cr Burgess: *THAT the Mayor, Deputy Mayor and Councillor O'Neill be given delegated authority to conduct interviews and select an applicant for the position of Chief Executive Officer on the 19th February 2007, with Council to formally appoint by resolution the successful applicant at its general meeting on 21st February 2007.*

CARRIED**1.1.5 Sale of Murgon Medical Centre and Library (LA 13/2) (Ass 611/5)**

Author and Officer's Title:	Scott Greensill, Chief Executive Officer
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Executive Summary:	The Chief Executive Officer presented a verbal report to Council on the proposed sale of the land and building which houses the Murgon Medical Centre and Dermot Tiernan Memorial Library.
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The Mayor adjourned the meeting at 10:04 am

The Mayor reconvened the meeting at 10:17 am

7733

Moved Cr O'Neill seconded Cr Eisenmenger: *THAT*

- 1. Council give delegated authority to the Mayor and Chief Executive Officer to enter into lease arrangements with Banda Pty Ltd for the on going leasing of the Murgon Medical Centre, and that Council considers that in accordance with s486(1)(a) that only one suitable supplier being a medical practice is available to continue with the use of the premises, as currently operated;***
- 2. The building housing the Murgon Medical Centre and the Murgon Library be sold by auction with a condition on sale that Council will lease the area currently utilized as a library for a period of 5 years, with an option of an additional 5 years; and***
- 3. The Mayor and Chief Executive Officer be given delegated authority to negotiate and finalise all matters relating to the sale of the premises and associated leases.***

CARRIED

1.2 Items for Consideration

1.2.1 Nil

1.3 Items for Information1.3.1 **Castra Retirement Home Ltd (AD 11/3)****2. ADMINISTRATION, HUMAN RESOURCES & FINANCE (Cr BD Mobbs)****2.1 Officer's Report****2.1.1 Manager Corporate and Financial Services ()**

The Manager Corporate and Financial Services presented a report to Council on the following items:

- a. Financial Reports
- b. Rate Levy
- c. Other Duties
- d. Forthcoming Priorities

2.1.2 6-Monthly Budget Review (AF 2/1)

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
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Executive Summary: A Six (6) Monthly Budget Review has been performed. In general terms the Budget is holding up quite well with very few budget allocations showing signs of concern.

7734

Moved Cr Burgess seconded Cr Eisenmenger: *THAT Council receive the six (6) monthly budget review as presented.*

CARRIED**2.1.3 Surplus Land for Sale (Ass 361/1)**

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
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Executive Summary: Further to Council's December 2006 resolution, expressions of interests have been sought from local real estate agents / auctioneers for proposals to advertise and auction land identified as surplus to Council's requirements. A late inclusion on the list of surplus land is the house located in (41) Watt Street. Council is requested to confirm that this property is also surplus to its requirements.
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- 7735 Moved Cr Burgess seconded Cr O'Neill: *THAT Council endorse the Chief Executive Officer's actions in including the house situated at 41 Watt Street in the list of properties to be sold by auction.* **CARRIED**

*Cr Burgess left the meeting at 11:20 am
MCFS left the meeting at 11:21 am*

Matter regarding sale of excess land deferred pending further research.

2.1.4 Additional Allotments for Sale (LA 9/1) (1078/-) (677/5)

- 7736 Moved Cr Burgess seconded Cr Eisenmenger: *THAT Council*
- 1. Subdivide Lot 56 on RP 102214 being 25 Nutt Street, Murgon into two (2) residential allotments and approve an extension of the sewerage main as required;*
 - 2. Sell by auction Lots 49, 56, & 57 on RP855764 being located in Goodchild Drive, Murgon; and*
 - 3. All five (5) blocks be sold as part of the same process.*
- CARRIED**

2.2 Items for Consideration

2.2.1 Nil

2.3 Items for Information

2.3.1 Nil

3. HEALTH, BUILDING, HOUSING & PLANNING (Cr RQ O'Neill)

3.1 Officer's Report

3.1.1 Nil

3.2 Items for Consideration

3.2.1 Reconfiguration of a Lot – 37 Perkins Street, Murgon

Cr Burgess returned to the meeting at 11:22 am

Name of Applicant:	Constantine & Anna Comino
Location/Address:	PO Box 639, Cooroy Qld 4563
Author and Officer's Title:	Gavin Crawford, Manager Community Services

Executive Summary: Max Watterson is applying to reconfigure one residential allotment into two residential allotments on behalf of Constantine & Anna Comino at 37 Perkins Street, Murgon.

MCFS returned to the meeting at 11:22 am

CEO left the meeting at 11:23 am

CEO returned to the meeting at 11:25 am

7737 Moved Cr O'Neill seconded Cr Eisenmenger: ***THAT the Development Application DA 02/07 for the reconfiguration of one (1) residential allotment into two (2) residential allotments, described as Lot 1 on RP58523, Parish of Murgon be approved with the following conditions:***

- 1. The development, the subject of this approval, must generally comply with the facts and circumstances set out in Development Application No. 02/07 and the proposed plan for reconfiguring a lot described as Lot 1 on RP58523 and situated at 37 Perkins Street, Murgon described on Plan No. 06/2257A dated 4th October 2006.***
- 2. All conditions of development, the subject of this approval, must be complied with prior to Council's endorsement of the plan for subdivision, unless satisfactory security is given to Council to ensure compliance with the conditions.***
- 3. The developer must bear the cost of any alterations necessary to public utilities resulting from compliance with conditions of this approval.***
- 4. In accordance with the Integrated Planning Act, all rates, charges or any expenses being a charge over the subject land under any Act shall be paid prior to the plan of survey being signed by Council.***
- 5. This approval in no way removes the duty of care responsibility of the applicant under the Aboriginal Cultural Heritage Act 2003, pursuant to Section 23(1) of the Aboriginal Cultural Heritage Act 2003, a person who carries out any activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care");***
- 6. This approval in no way authorises the clearing of any remnant vegetation under the Vegetation Management Act 1999;***
- 7. The developer will pay Council an amount of \$ 750.00 per additional allotment for Parks and Recreation Space, a contribution under Murgon Shire Council Planning Policy No. 7. In this case a total of \$ 750.00 and must be paid prior to Council signing of the survey plan.***
- 8. The applicant shall submit a survey plan prepared by an authorised surveyor for Council's approval.***
- 9. That all fees that remain outstanding to Council be paid prior to the sealing of the survey plan.***

Roadworks

- 10. The developer must construct the remainder of Hanley Lane to a 9 metre***

bitumen seal formation with concrete kerb and channelling.

- a. *The sealed surface of the roadway constructed on the pavement of asphalt surface with a minimum, thickness of 25 mm, or a two-coat bitumen chip seal surface using multigrade bitumen (with the first layer being 14 mm screened material and second layer being 7 mm screened material) and application rate determined following suitable testing of the aggregate;*
 - b. *Pavement thickness of the roadway of 225 mm of compacted gravel of a suitable standard;*
 - c. *All roadworks are to be to the satisfaction of the Manager Works and Services.*
 - d. *Alternatively, prior to Council's sealing of the survey plan, a road contribution of \$ 6,970.00 for the widening of Hanley Lane adjacent to the development to a 9 m wide bitumen seal is to be paid by the developer with the proposed works to be undertaken by Council.*
11. *The work in Condition 10 must be completed in full and certified by Council's Manager of Works and Services when the work has been completed to the required performance standards, before operation of the road commences;*
 12. *The applicant shall lodge a certificate signed by a licensed surveyor stating that after the completion of all works associated with the subdivision, survey marks were reinstated where necessary and all survey marks are in their correct position in accordance with the plan of survey as of a particular date.*
 13. *The Council shall not endorse the plan of survey until the required certificate has been lodged or, alternatively, where it has signed the plan of survey prior to the completion of all works, the Council shall withhold the release of securities until the certificate relating to the survey marks has been submitted.*
 14. *An Operational Works Permit must be obtained in accordance with the Integrated Planning Act for operational works required by condition 10.*
 15. *The developer must in accordance with Council's Policy for Contributions towards headworks for the water supply and sewerage make the following contributions.*
 - a. *Towards the cost of augmenting the Murgon Water Supply Scheme, and Murgon Sewerage Supply Scheme headworks contribution applicable to the proposal of the subject land is \$866 per additional allotment, for water and \$1,374.40 per additional allotment for sewerage, to be paid prior to sealing of the survey plan.*
 16. *The developer in accordance with Council's Policy for Contribution, the following contributions are necessary for infrastructure works and are to be paid to Council prior to sealing of the survey plan;*
 - a. *\$ 6,995.00 for extension of sewerage mains*

Engineering & Design

Where Council is not the designing and constructing authority

17. *Detailed engineering plans for roadworks and stormwater drainage are to be submitted for approval.*
18. *Fees for checking of Engineering Plans of works designed by others is to be paid for on lodgement of plans for checking. Fees to be paid are in accordance with Council's Schedule of Fees and Charges.*
19. *Inspection of the work is to be carried out by Council staff. Fees payable for inspection are in accordance with Council's Schedule of Fees and Charges.*
20. *Before the Plan of Survey will be released by Council, either all work shall be completed or a bond to the value of any remaining works must be lodged with Council. As the remaining work is completed, application may be made to Council for progressive reduction of the value of the bond.*
21. *A maintenance bond of \$ 10,000 will be required by Council for a period of twelve months from completion of roadworks. Part or all of the maintenance bond may be used by Council during the 12 month period to undertake repairs to the road and associated drainage, should such repairs be necessary.*

Telecommunications / Electricity

22. *Telecommunications infrastructure is to be provided to each allotment or documentation provided from Telstra that free connection to the telecommunication infrastructure is available..*
23. *One (1) copy of the proposal plan shall be forwarded to the regional office of Ergon Energy, PO Box 163, Maryborough 4650 and one (1) copy to the Telstra New Developments, Locked Mail Bag 3550, Brisbane 9008 Qld. A copy shall also be given to the Postal Manager, Australia Post, 14 Harwood Street, Maryborough DC Qld 4650.*
24. *Evidence of such copies shall be supplied for Council at the time of sealing the survey plan.*
25. *Evidence that a supply of underground or above ground electricity is connected to the proposed lots or that the applicant has entered into a suitable binding contract with Ergon Energy for the supply of electricity to the proposed lots and installation for their development application. This is to be provided prior to the sealing of the survey plan by Council. Alternatively documentation provided from Ergon Energy that connection to the electricity network will be available at no cost for the proposed new allotment in Hanley Lane.*

CARRIED

3.3 Items for Information

3.3.1 Building Statistics (BU 1/1)

4. TOURISM, COMMUNITY SUPPORT & CULTURE (Cr CL Hatchett)

4.1 Officer's Report

4.1.1 Yallakool Tourist Park – Selection of Manager (TO 4/6)

7738 Moved Cr Eisenmenger seconded Cr Hatchett: *THAT tenders be sought from Australian Tourist Park Management with a view to the appointment of the company for a three (3) year interim period to undertake the role of Park Managers, and that they be engaged on a Management Licence, and that the negotiation in relation to this matter be delegated to the Mayor and Chief Executive Officer.*

CARRIED

4.2 Items for Consideration

4.2.1 Friends of Murgon (CS 7/9)

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
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<p>Executive Summary: Council has been approached to attend an extraordinary general meeting of the Friends of Murgon during which they plan to review their constitution and strategic direction. Part of this review will also address the roles and responsibilities of Friends of Murgon and Murgon Shire Council. Council should give consideration as to its position toward Friends of Murgon and appoint a representative (s) to the Meeting.</p>
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MCS left the meeting at 11:50 am

MCS returned to the meeting at 11:55 am

MCS left the meeting at 12:05 pm

7739 Moved Cr O'Neill seconded Cr Eisenmenger: *THAT the Mayor and Acting Chief Executive Officer be given delegated authority to represent Council at the Extra Ordinary General Meeting of the Friends of Murgon Inc. to outline Council's concerns and proposed actions in relation to the future operation of the association.*

CARRIED

The Mayor adjourned the meeting for lunch at 12:06 pm

The Mayor reconvened the meeting at 12:58 pm

4.2.2 Heartbreaker Cycling Road Race and Criterium (SR 4/3a) (SR 4/3b)

The Chief Executive Officer presented a verbal report to Council on the proposal to hold the Murgon Heartbreaker Cycling Road Race and Criterium in Murgon this year.

7740 Moved Cr Eisenmenger seconded Cr O'Neill: *THAT Council continue its association with the Murgon Heartbreaker Cycling Road Race and Criterium, and that Council accept the offer from Mr Scott Greensill to assist with the organization of the 2007 event, scheduled for 22nd*

September, with Council to provide accommodation.

CARRIED

4.2.3 21 Taylor Street (Ass 470/-)

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
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<p>Executive Summary: In reviewing our records, it has come to light that the Lease agreement between the State of Queensland and Murgon Shire Council for 21 Taylor Street (Graham House) will expire on 31st December 2007. Council has been leasing this building for some years, and has made it available to Graham House as a Neighbourhood Centre.</p>

7741 Moved Cr Hatchet seconded Cr Eisenmenger: *THAT prior to the expiry of the current lease on 31st December 2007, Council facilitate a new lease over 21 Taylor Street between Graham House and the Department of Families and Community Care.*

CARRIED

4.3 Items for Information

4.3.1 Public Transport in the South Burnett Region (RA 11/1)

5. WORKS, PLANT & RURAL SERVICES (Cr GL Burgess)

5.1 Officer's Report

5.1.1 Manager Works and Services Report (WO 4/1)

The Manager Works and Services presented a report to Council on the following items:

1. Main Roads
 - a. RMPC
 - b. Council Works
2. Water and Sewerage Functions
 - a. Water Maintenance
 - b. Water Treatment Plant
 - c. Sewerage Maintenance for the Period included:
3. Building Maintenance
4. Items arising from the December 20th 2006 General Meeting
 - a. Traffic Calming at Murgon Showgrounds
 - b. Main Oval Fencing
 5. Sewage Effluent Recycling

5.2 Items for Consideration**5.2.1 Gardens – Gore Street (RA 6/7)**

Cr Hatchett declared an interest in this item and left the meeting at 1:26 pm

Author and Officer's Title:	Scott Greensill, Chief Executive Officer
Executive Summary:	It has been raised as a concern by Mayor Peter Angel as to the extent of Council involvement in the maintenance of gardens adjoining commercial premises in Gore Street.
	Council's consideration is required as to the extent that the maintenance of its garden's operation is to apply.

7742 Moved Cr Burgess seconded Cr O'Neill: *THAT Council no longer undertake maintenance of gardens on the eastern side of Gore Street abutting properties, and that Council advise the proprietors of these properties of Council's decision, and request that they undertake any necessary garden maintenance.*

CARRIED

Cr Hatchett returned to the meeting at 1:31 pm

5.3 Items for Information

5.3.1 Nil

6. SPORT, RECREATION & ENVIRONMENT (Cr RJ Eisenmenger)**6.1 Officer's Report**

6.1.1 Nil

6.2 Items for Consideration

6.2.1 Nil

6.3 Items for Information

6.3.1 Nil

7. WATER, WASTE MANAGEMENT & EMERGENCY SERVICES (Cr RJ Dennis)

7.1 Officer's Report

7.1.1 Nil

7.2 Items for Consideration

7.2.1 Report on Sewage Effluent Recycling (IE 3/1) (Ass 1144/-) (175/-) (PL 4/4)

Author and Officer's Title: Steve Turner, Manager of Works and Services

Executive Summary Murgon Shire Council currently holds an Environmental Authority no CM0017, which permits discharge of sewage effluent into Murgon Creek, provided it meets the guidelines set out in the authority. Council has been recycling partly treated effluent to Mrs Rodgers and the Murgon Golf Club in the past; this practice contravenes Environment Protection Authority guidelines and they are now insistent that the effluent be treated to the required standard.

7743 **Moved Cr Burgess seconded Cr Eisenmenger: *THAT the matter be deferred pending further discussions with affected parties, and that it be brought back to the next meeting.***

CARRIED

7.2.2 Total Management Plan for Sewerage (IE 3/3)

Author and Officer's Title: Steve Turner, Manager of Works and Services

Executive Summary Murgon Shire Council is a Registered Water Service Provider (No SP95) and as such is required to provide Total Management Plans, Strategic Asset Management Plans and Customer Service Standards for both water and sewerage. These are a requirement to access funding support for capital works.

The Total Management Plan (TMP) for Sewerage has been completed and is presented to Council for consideration and endorsement.

7744 **Moved Cr Eisenmenger seconded Cr O'Neill: *THAT Council:***

1. *Adopt the Total Management Plan for Sewerage as presented; and*
2. *Forward the Total Management Plan to the Department of Natural Resources and Water for their formal approval.*

CARRIED

7.3 Items for Information**7.3.1 The State of Waste and Recycling in Queensland 2005 (IE 5/1)**

This being the Chief Executive Officer's last General Meeting of Council, the Mayor and Councillors expressed their appreciation of Mr Greensill's work over the past three (3) years, and thanked him for providing Council with a strong direction for future sustainability and viability.

Closure

There being no further business, the Mayor declared the meeting closed at 1:37 pm

Peter Angel
Mayor