



COUNCIL OF THE SHIRE OF MURGON

Minutes of the General Meeting

Held on Wednesday 21st February 2007

Meeting held in the Council Chambers
42 Stephens Street West
Murgon

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COUNCIL OF THE SHIRE OF MURGON**GENERAL MEETING**21st February 2007**MINUTES**

OPENING OF MEETING

The Mayor declared the meeting at 8:59 am

ATTENDANCE***Councillors***

PW Angel, Mayor
RJ Dennis, Deputy Mayor
RJ Eisenmenger
CL Hatchett
GL Burgess
BD Mobbs
RQ O'Neill

Officers

Acting Chief Executive Officer, Andrew McKenzie
Acting Manager Corporate and Financial Services, Dan Phillips
Manager Works and Services, Steve Turner
Manager Community Services, Gavin Crawford

PRAYERS

On behalf of the Ministers Fraternal, Pastor Des Limkin of the Baptist Church gave the day's Bible reading and lead the Council in prayer.

MINUTES SILENCE

The Mayor asked those present observe a minute's silence for the passing of Shire citizens: John Douglas Goodchild aged 54 years, and Vincent Edgar Litzow aged 87 years.

CONFIRMATION OF MINUTES

7745 **Moved Cr Burgess seconded Cr O'Neill: *THAT the minutes of the General Meeting held on the 17th January 2007 as circulated, be confirmed.***

CARRIED

9:05 am

7746 Moved Cr Angel seconded Cr Dennis : *THAT Council move into closed meeting to discuss the local government's budget and the appointment, dismissal or discipline of employees in accordance with s.463(1)c and 463(1)a of the Local Government Act.*

CARRIED

7747 Moved Cr Eisenmenger seconded Cr O'Neill: *THAT Council move out of closed Meeting.*

CARRIED

Adjournment: *The Meeting adjourned for morning tea at 10.23am, and resumed at 10:50 am*

7748 Moved Cr Burgess seconded Cr Eisenmenger: *THAT Council proceed with the interviews of the candidates for the position of Chief Executive Officer at a Special Meeting convened on Friday 23^d February 2007, with the Acting Manager Corporate and Financial Services participating in the interviews.*

CARRIED

A/MCFS left the meeting at 10:59 am

A/MCFS returned to the meeting at 11:00 am

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

1.1 Officer's Report

1.1.1 Council Property for Sale (LA 9/1) (Ass 2/- 6/- 387/- 578/- 869/- 1131/- 1169/- 1729/5)

Author and Officer's Title:	Dan Phillips, Acting Manager Corporate and Financial Services
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<p>Executive Summary: Council by resolution adopted at its General Meeting on 20th December 2006 nominated properties in Schedule 1 be sold by auction in accordance with s491(2), and that the Mayor and Chief Executive Officer be given Delegated Authority to undertake all necessary actions to fulfil sale requirements. As the property described as Lot 4 on RP862334, being 8.689+ ha under Assess 1729/5 located on Frohloffs Road has been deleted from the sale schedule, Council is required to endorse the action taken to this regard.</p>

7749 Moved Cr O'Neill seconded Cr Hatchett: *THAT Council resolve to support the action of the Acting Chief Executive Officer in having*

Schedule 1 amended, by the deletion of the above lot from the Properties to be Sold at Auction.

CARRIED

1.1.2 Proposal to Change Meeting Date (AD 12/1)

Author and Officer's Title:	Dan Phillips, Acting Manager Corporate & Financial Services
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Executive Summary:	Council's General Meeting scheduled for Wednesday 18 th April conflicts with the Local Government Infrastructure Symposium with the attendance of Mayor Peter Angel, Councillor Burgess and Council's Manager Works and Services, Mr Steve Turner at the symposium.
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7750 Moved Cr Eisenmenger seconded Cr Burgess: THAT Council bring forward the General Meeting date scheduled for Wednesday 18th April 2007 to Tuesday 17th April 2007, commencing at 9:00 am.

CARRIED

11:03 am

7751 Moved Cr Eisenmenger seconded Cr Dennis: THAT Council in accordance with Section 463 (1) of the Local Government Act now move into closed meeting to discuss issues relating to:

- a. contracts proposed to be made by Council pursuant to s.463(1)(e) of the Local Government Act; and**
- b. other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage in accordance with s.463(1)(h) of the Local Government Act.**

1.1.3 Yallakool Tourist Park (TO 4/6)

Name of Applicant:	Australian Tourist Park Management
Location/Address:	PO Box 862 Tweed Heads, NSW 2485
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services

Executive Summary:	Letter dated 12 th February 2007 providing a counter offer to Council's proposal to enter a management licence for 3-years for the operation of Yallakool.
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1.1.4 Size Shape Sustainability (AD 5/1) (LG 3/ 4)

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
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Executive Summary: The Acting CEO is to give a verbal report on the progress of the Size Shape Sustainability Review.
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1.1.5 Barambah Community Services Ltd (AD 11/4)

Name of Applicant:	Department of Families and Community Services
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services

Executive Summary: The Mayor and Acting CEO met with a Deputation from the Department of Families and Community Services on Wednesday 14 th February 2007 to discuss the renewal of the funding contract for disability employment services operated out of Gumnut Place, and the possibility of publicly advertising the contract.

11:34 am

7752 **Moved Cr Eisenmenger seconded Cr Dennis: *THAT Council resolves to move back into open Council.***

CARRIED

Yallakool Tourist Park

7753 **Moved Cr Burgess seconded Cr Eisenmenger: *THAT as the counter offer proposed varied considerably from the intent of the original documentation, Council rejects the offer proposed by Australian Tourist Park Management, and now invite tenders for a Management Agreement for Yallakool Tourist Park.***

CARRIED

Size Shape Sustainability

7754 **Moved Cr Eisenmenger seconded Cr O'Neill: *THAT this matter be deferred pending further consideration, with a view to prioritise recommendations arising out of the preliminary review phase of size shape and sustainability***

CARRIED

Barambah Community Services

- 7755** ***Moved Cr O'Neill seconded Cr Hatchett: THAT Council offer no objection to the Department of Families and Community Services publicly advertising the contract for the operation of a Disability Employment Service, and should another auspice body be contracted to operate Gumnut Place, Council consider offering the premises under a peppercorn lease to the new contractor.***
- CARRIED**

1.2 Items for Consideration

- 1.2.1** **Nil**

1.3 Items for Information

- 1.3.1** **Castra Retirement Home (AD 11/3)**
- 1.3.2** **LGM Queensland / LGW Roadshow 2007 (IS 2/1) (IS 3/1)**
- 1.3.3** **Glen Vonhoff – Church of Christ, Murgon (AD13/5)**
- 1.3.4** **SBLGA (LS 3/1)**
- 1.3.5** **Local Government Focus ()**
- 1.3.6** **Electoral Matters (EL 1/ 2)**
- 1.3.7** **Karinya Aged Care Inc. (AD 11/2A)**

Cr Dennis left the meeting at 11:56 am

- 1.3.8** **Local Government Act 1993 and City of Brisbane Act 1924 (LG 1/1)**
- 1.3.9** **Circulars and News Releases (LS 2/5)**
- 1.3.10** **Size, Shape and Sustainability (SSS)(AD 5/1)**
- 1.3.11** **Local Government Week (LG 2/2)**

2. ADMINISTRATION, HUMAN RESOURCES & FINANCE (Cr BD Mobbs)**2.1 Officer's Report****2.1.1 Manager Corporate & Financial Services Report (AD 13/2)**

The Acting Chief Executive Officer presented the Manager Corporate & Financial Services report which covered the following items: - financial reports and the rate levy.

Cr Dennis returned to the meeting at 11:58 am

The meeting adjourned for lunch at 12.20 pm

The meeting reconvened at 1:09 pm

7756 Moved Cr O'Neill seconded Cr Eisenmenger: ***THAT Council in accordance with Section 463 (1) of the Local Government Act, now move into closed meeting for the next two (2) items to discuss industrial matters affecting employees pursuant to s.463(1)(b) of the Local Government Act.***

CARRIED

2.1.2 Staffing Matters (PE 9/2)

Author and Officer's Title:	Andrew McKenzie, Acting Chief Executive Officer
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Executive Summary: A report to advise Council of several recent employment matters relating to its workforce.
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2.1.3 Enterprise Collective Agreement (PE 2/1)

Author and Officer's Title:	Andrew McKenzie, Acting Chief Executive Officer
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Executive Summary: Following Council's endorsement of the draft Employee Collective Agreement at its December 20 th , 2006 Meeting, the draft agreement was put to the workforce vote on Wednesday 24 th January 2007. The workforce vote came in less than the required 75% majority at which it would be taken as accepted. As such, the proposed ECA failed to pass the staff vote. A meeting of the negotiating team was held on Wednesday 7 th February 2007 to review the reasons why the ECA was not passed by a majority of Council's workforce.
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1:25 pm

7757 Moved Cr Burgess seconded Cr Dennis: ***THAT Council resolved to move back into open Council.***

CARRIED

Staffing Matters

- 7758 **Moved Cr Burgess seconded Cr O'Neill: *THAT Council endorse:***
1. *The actions of Council's Chief Executive Officer in renegotiating the contracts of Council's Senior Executive Staff, following the conduct of their performance reviews.*
 2. *The actions of Council's Chief Executive Officer in securing the services (under contract) of a relief Manager of Corporate and Financial Services;*
 3. *The actions of Council's Acting Chief Executive Officer in entering into Australian Workplace Agreements with Council's Water and Sewerage gang.*
- CARRIED**

Enterprise Collective Agreement

- 7759 **Moved Cr Eisenmenger seconded Cr Hatchett : *THAT Council continue with negotiations with staff to refine the draft Employee Collective Agreement, and authorise the Acting Chief Executive Officer and Manager of Engineering Services to negotiate Australian Workplace Agreements with discrete work units or employees that work reasonably independently to the bulk of Council's workforce.***
- CARRIED**

2.2 Items for Consideration**2.2.1 Meat Works Bulk Water Discount (Ass 1257/-) (AF 4/2)**

Author and Officer's Title:	Andrew McKenzie, Acting Chief Executive Officer
Executive Summary: Letter dated 30 th January 2007 advising that payment for Council's water consumption invoice was posted to Council in the usual timeframe to receive discount. However, due to circumstances outside the control of Baron Group, Council did not receive the payment within the discount period, and as such, discount was not allowed. In explaining the circumstances surrounding the late payment, Council is now requested to grant discount.	

- 7760 **Moved Cr Eisenmenger seconded Cr Dennis: *THAT Council notify Baron Group Australia Pty Ltd that Council cannot accede to their request to allow discount on the basis that insufficient evidence has been supplied to determine that Australia Post is responsible for the delay in Council receiving payment.***
- CARRIED**

2.2.2 Marist Brothers – Application for Exemption from General Rate (676/31) (AF 13/3)

Author and Officer's Title:	Andrew McKenzie, Acting Chief Executive Officer
Executive Summary: Letter dated 9 th February 2007 on behalf of Marist Brothers requesting exemption from General Rate for property held at 4 Tiernan Terrace, Murgon, on the basis that that owner is a religious, non-profit, community organisation.	

7761 Moved Cr Mobbs seconded Cr Eisenmenger: *THAT pursuant to Council's 2006/2007 Revenue Statement and Section 957 of the Local Government Act 1993, Council grant exemption from the General Rate and re-categorise assessment 676/31 to Differential Rate Category 6 – Exempt.*

CARRIED

2.2.3 South Burnett Coach Information Book (TO 3/3)

Name of Applicant:	Narelle Duggan, Tourism Project Manager
Location/Address:	PO Box 272, Kingaroy Qld 4610
Author and Officer's Title:	Andrew McKenzie, Acting Chief Executive Officer
Executive Summary: Letter received from Narelle Duggan, Tourism Project Manager, South Burnett Local Government Association – Tourism Project requesting funds to produce a South Burnett Coach Information Book.	

7762 Moved Cr Burgess seconded Cr O'Neill: *THAT Council decline the request to contribute \$200 towards the printing and distribution of The South Burnett Coach Information Book.*

CARRIED

2.2.4 Request for Sponsorship – Team South Burnett (AF 5/1)

Name of Applicant:	SBLGA – Peter O'May, Secretary
Location/Address:	PO Box 42, Wondai Qld 4606
Author and Officer's Title:	Andrew McKenzie, Acting Chief Executive Officer

Executive Summary: Letter received from South Burnett Local Government Association (SBLGA) on behalf of Jason Ford of Team South Burnett Project requesting sponsorship to attend the Lifestyle Food Channel Australian Regional Culinary Competition.

7763 Moved Cr Eisenmenger seconded Cr Hatchett: *THAT Council decline the request to contribute \$500 towards Jason Ford of the Team South Burnett Project attending the 2007 Lifestyle Food Channel Australian Regional Culinary Competition.*

CARRIED

2.3 Items for Information

- 2.3.1 Additional Drought Assistance Rebate (CS 7/15) (ES 1/3) (AF 13/3)
- 2.3.2 Certificate of Recognition (AF 6/2)
- 2.3.3 e-Government Policy Framework for Electronic Records Management (AD 22/1)
- 2.3.4 TIDS Subsidies to Local Government (RA1/5)
- 2.3.5 Crow FM 90.7 (AD 3/1) (LA 13/1)
- 2.3.6 Murgon Business & Development Association (EC 4/2)
- 2.3.7 LG Super (PE 9/7)
- 2.3.8 Local Government Sector Retention and Disposal Schedule (AD 22/1)
- 2.3.9 February 2007 Funding Update (AF 8/1)

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 Nil

3.3 Items for Information

- 3.3.1 Building Statistics (BU 1/9)

- 3.3.2 **Development Applications – Status Report (PL 3/1)**
- 3.3.3 **Incorporating Economic Development into Local Government Planning (PL 2/1) (EC 2/1)**
- 3.3.4 **Mobile Food Vehicles (LE 3 /4)**
- 3.3.4 **Media Release - Infected Health Care Worker (HA 1/ 2)**

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

4.1 *Officer's Report*

4.1.1 **Community Housing (LA 4/1)**

Author and Officer's Title:	Gavin Crawford, Manager Community Services.
Executive Summary:	The Department of Housing has provided written advice that effective 1 August 2007, "One Social Housing System" will apply to applicants for community housing. Long term and affordable housing providers may no longer maintain individual waitlists and must advise the Department of Housing of the details of any applicants for community housing. Vacancies would then be filled from the Department of Housing waitlist.

7764 Moved Cr Hatchett seconded Cr Dennis: *THAT Council apply to the Director General, Department of Housing for an exemption to the combined waitlist for community housing.*

CARRIED

4.2 *Items for Consideration*

4.2.1 **Tidy Towns 2007 (EC 1/10)**

Author and Officer's Title:	Dan Phillips, Acting Manager Corporate and Financial Services
Executive Summary:	Each year Murgon Shire Council enters the Ergon Energy Tidy Towns Competition.

7765 Moved Cr Hatchett seconded Cr Eisenmenger: *THAT Council endorse the actions of the Acting Chief Executive Officer in entering Murgon Shire Council as an entrant in this year's Tidy Towns Competition.*

CARRIED

4.2.2 Queensland 150th Legacy Infrastructure Program (AF 8/1) (LA 3/2)

Name of Applicant:	The Hon. Peter Beattie, Premier
Location/Address:	George Street, Brisbane
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services

Executive Summary: Letter dated 8th February 2007 advising that Council has been successful in applying for a grant under the Queensland 150th Legacy Infrastructure Program to upgrade the Murgon Museum Complex. Council is now required to submit a detailed application by 1st April 2007 should it wish to accept the offered grant.

7766

Moved Cr Dennis seconded Cr Hatchett: *THAT Council*

- 1) *thank the Premier for the offer of funding under the Q150 LIP program and advise that the amount is insufficient to allow the project to proceed as indicated on our application, and request that the Premier consider funding a smaller project (est. at \$50,000) for the same value of the grant proposed, and*
- 2) *contact the Qld Dairy & Historical Museum Volunteer Group to advise that the grant under the Q150 LIP is insufficient to enable the project to proceed and request that they contribute \$25,000 toward the proposal should the State Government fund the smaller project.*

CARRIED

4.3 Items for Information

- 4.3.1 Library Report (LI 1/2)
- 4.3.2 Visitor Information Centre Report (TO 5/2)
- 4.3.3 Blueprint for the Bush – Graham House (CS 7/10)
- 4.3.4 2007 Young Endeavour Voyages (CS 7/18)
- 4.3.5 State Library of Queensland (LI 2/1)
- 4.3.6 Tourism Impact Model (TIM) (TO 6/1)
- 4.3.7 beyondblue (CS 7/1)
- 4.3.8 Queensland's 150th Legacy Infrastructure Program (LA 3/1) (AF 8/1)
- 4.3.9 Wide Bay Burnett Young Women's Leadership & Mentoring Pilot Program (CS 7/17)
- 4.3.10 2007 Suncorp Queensland & Young Queensland of the Year Awards (CS 1/3)

- 4.3.11 Public Transport (RA 11/1)
- 4.3.12 Living Buildings and Places (AR 4/1)
- 4.3.13 National Aboriginal & Islander Day of Celebrations Funding for 2007 (AB 2/1)
- 4.3.14 Murgon District Baptist Church's Easter Family Weekend (TO 3/1) (EC 1/1)

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 those items under his direction.

5.1.2 Theebine – Kingaroy Rail Corridor (IE 1/7)

Cr Dennis and MCS left the meeting at 2:32 pm

Author and Officer's Title:	Andrew McKenzie, Acting CEO
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<p>Executive Summary: Council has previously been notified of the impending closure of the Theebine – Kingaroy Rail Line, and the possible offer to divert line maintenance allocations to the declared road network within the shire areas affected by the closure. A meeting has now been scheduled with the Minister for Main Roads and Transport to further this proposal. The A/CEO in consultation with the Mayor and Crs Dennis & O'Neill has developed a submission for the meeting with the Minister, which needs to be endorsed by Council.</p>
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MCS returned to the meeting at 2:33 pm

Cr Dennis returned to the meeting at 2:43 pm

7767	<p>Moved Cr Eisenmenger seconded Cr O'Neill: <i>THAT Council endorse the actions of the Mayor and Acting Chief Executive Officer in meeting with the Minister for Main Roads and Transport to negotiate an arrangement for the lease of part of the rail corridor and the allocation of additional funding for the declared road network in the Murgon Shire.</i></p>
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CARRIED

5.2 Items for Consideration

5.2.1 Nil

5.3 Items for Information

5.3.1 Gardens Fronting Gore Street (RA 6/7) (Ass 270/-)

AMCFS left the meeting at 2:49 pm

5.3.2 Roads Alliance Information Forum (RA 1/1) (PE 9/9)

5.3.3 Property Management Plan - MK & BA Quinn (Ass 1748/2) (RU 1/ 2)

AMCFS returned to the meeting at 2:53 pm

5.3.4 Roads Alliance Information Forum (RA 1/1)

5.3.5 W & JE Whitaker – African Lovegrass (1364/-) (RU 1 /2)

5.3.6 322 Paul Holznagel Road (1244/-) (RA 6/6)

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 Burnett Catchment Care (PL 5/5)

6.3.2 Barambah Garden Club (IE 5/1) (SR 2/5)

6.3.3 Burnett Mary State of Region Reporting (PL 5/2)

6.3.4 Bjelke Petersen Dam Fish Management Committee (TO 4/3) (AF 5/1)

6.3.5 Drought Management Plan (AD 18/1) (ES 2/1) (IE 5/11)

6.3.6 Acknowledging Local Government Initiatives that Support and Improve Heart Health (HA 2/3)

6.3.7 Mercury Levels in Native Freshwater Fish (TO 4/3)

6.3.8 Draft Burnett Basin Water Resource Plan Amendment (PL 5/5)

6.3.9 Natural Resource Management Newsletter – January 2007 (PL 5/1)

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

7.1 Officer's Report

Matter brought back from 17th January 2007 meeting pending further discussions with affected parties.

7.1.1 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.

MWS left the meeting at 3:24 pm

MWS returned to the meeting at 3:25 pm

Cr Burgess left the meeting at 3:27 pm

Cr Burgess returned to the meeting at 3:28 pm

7768 Moved Cr Dennis seconded Cr Eisenmenger: *THAT Council write to the Murgon Golf Club referring to the meeting held on Monday 19th February 2007, and advise that Council is awaiting their response to enable a resolution to this matter.*

CARRIED

7.2 Items for Consideration

7.2.1 QFRS Volunteer Fire Brigade Locations (ES 3/ 4)

Name of Applicant:	Warren Edwards, Area Director rural Operations
Location/Address:	Maryborough
Author and Officer's Title:	Andrew McKenzie, Acting CEO

Executive Summary: Letter dated 19th January 2007 expressing interest in Lot 3 RP56382 Par Cloyna, as a location for the Cloyna Volunteer Fire Brigade. Also in conversations with Council's Acting Chief Executive Officer,

has also requested that land be set aside at Yallakool Tourist Park as a possible location for the Moffatdale Brigade.

7769 Moved Cr Eisenmenger seconded Cr Burgess: *THAT Council approve the request for Lot 3 RP56382 Parish Cloyna, and an area at Yallakool Tourist Park as the sites for Volunteer Rural Fire Brigades, and the Acting Chief Executive Officer be given delegate authority to finalise these arrangements.*

CARRIED

7.3 Items for Information

7.3.1 Barker Barambah Water Supply Scheme (IE 5/10)

7.3.2 Fire (ES 3/ 4)

7.3.3 Barker Barambah Water supply Scheme – Critical Water Supply Arrangement (IE 5/10)

7.3.4 Burnett Mary Regional Group (PL 5/2)

Castra Retirement Home (AD 11/3)

7770 Moved Cr Eisenmenger seconded Cr O'Neill: *THAT Council delegate authority to the Mayor and Acting Chief Executive Officer to investigate water pressure requirements and possible solutions for the water supply to Castra Retirement Home to satisfy Queensland Fire and Rescue Service requirements.*

CARRIED

Closure

There being no further business, the mayor declared the meeting closed at 3:47 pm

Peter Angel
Mayor