



COUNCIL OF THE SHIRE OF MURGON

Minutes of the General Meeting

Held on Wednesday 20th June 2007

Meeting held in the Council Chambers
42 Stephens Street West
Murgon

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COUNCIL OF THE SHIRE OF MURGON

GENERAL MEETING

20TH JUNE 2007

MINUTES

GUESTS

Scott Mead from Mead Consulting is to address Council at 11:00 am

OPENING OF MEETING

The Mayor declared the meeting open at 9:00 am

ATTENDANCE

Councillors

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

Officers

Chief Executive Officer, Peter Hackshaw
Manager Corporate and Financial Services, Andrew McKenzie
Manager Works and Services, Steve Turner

APOLOGIES

7832 **Moved Cr Eisenmenger seconded Cr Hatchett: *THAT the apology of Cr Mobbs be accepted and leave of absence granted.***

CARRIED

PRAYERS

On behalf of the Ministers Fraternal, Ms Christine Mayers Salvation Army gave the day's Bible reading and lead the Council in prayer.

MINUTES SILENCE

The Mayor asked those present to observe a minute's silence for the passing of Shire citizens: Raymond R Cumming, and Betty Ruth Anning aged 67 years, Jayden Williamson aged 9 years.

CONFIRMATION OF MINUTES

7833 Moved Cr O'Neill seconded Cr Eisenmenger: *THAT the minutes of the General Meeting held on the 16th May 2007 and the minutes of the Special Meetings held on 31 May 2007 and 7 June 2007 as circulated, be confirmed.*

CARRIED

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

1.1 Officer's Report

1.1.1 2007/08 Operational Plan (AD 8/1)

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
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<p>Executive Summary: Under Section 508 of the Local Government Act and Section 31 of the Local Government Finance Standard 2005, Council is required to adopt its Operational Plan prior to the commencement of the Financial Year to which it relates. Accordingly, the proposed Operational Plan is tabled for Council's consideration and adoption.</p>
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7834 Moved Cr Eisenmenger seconded Cr Hatchett: *THAT pursuant to Section 508 of the Local Government Act 1993, and Section 31 of the Local Government Finance Standard 2005, Council adopt its Operational Plan for 2007/08, as presented.*

CARRIED

1.1.2 ALGWA Conference 2007 – Charters Towers (LS 4/2)

SUBJECT HEADING:	ALGWA Conference 2007 – Charters Towers
Author and Officer's Title:	Peter Hackshaw, Chief Executive Officer

<p>Executive Summary: The Australian Local Government Womens Association (ALGWA) will be holding its 2007 Annual Conference on 1 – 3 August in Charters Towers.</p>
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7835 Moved Cr Eisenmenger seconded Cr O'Neill: *THAT The Deputy Mayor and Councillor Hatchett be authorised to attend the ALGWA State Conference to be held at Charters Towers on 1 – 3 August 2007, and that the offer by Cr Dennis and Cr Hatchett to pay for the cost of the conference expenses be accepted.*

CARRIED

1.2 Items for Consideration

1.2.1 Amendments to the Local Government and Other Legislation (LG 1/1)

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
Executive Summary: Council has received advice from the Department of Local Government, Planning, Sport and Recreation that the <i>Local Government and other Legislation Amendment Act 2007</i> has implemented significant changes to various parts of the Local Government Act. These changes have become law and are now enforceable. A copy of the Department's advice is attached for Councillor's information.	

7836 **Moved Cr Dennis seconded Cr Eisenmenger: *THAT Council note the effect of the changes introduced by the Local Government and other Legislation Amendment Act 2007 and that the Chief Executive Officer take steps to ensure compliance.***

CARRIED

1.2.2 Friends of Murgon (CS 7/9)

Name of Applicant:	Mr John Bartholomew, Secretary
Location/Address:	C/- PO Box 115
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
Executive Summary: Letter dated 31 st May 2007 requesting Council meet the insurance costs of Friends of Murgon for the current Financial Year.	

7837 **Moved Cr Eisenmenger seconded Cr Burgess: *THAT the Council grant an amount of \$ 382.68 to Friends of Murgon to cover their insurance costs for 2006/07 with the view that this will be the last year in which Council will assist Friends of Murgon Inc with their Insurance, Audit and other governance overheads.***

CARRIED

1.2.3 Yallakool Tourist Park ()

Name of Applicant:	David & Pauline Hair
Location/Address:	29 Semillon Street, Thornlands
Author and Officer's Title:	Peter Hackshaw, Chief Executive Officer

Executive Summary: Request for reimbursement of out of pocket expenses resulting from failure by Council to advise of closure of Yallakool Tourist Park.

MCFS left the meeting at 9:35 am

MCFS returned to the meeting at 9:36 am

7838 Moved Cr Angel seconded Cr Burgess: THAT Council does not reimburse Mr & Mrs Hair for expenses incurred due to the closure of the Yallakool Tourist Park.

CARRIED

1.3 Items for Information

1.3.1 Castra Retirement Home (AD 11/3)

1.3.2 Petition opposing forced council mergers launched (AD 5/1)

1.3.3 Murgon Saleyards (SA 1/1)

2. ADMINISTRATION, HUMAN RESOURCES & FINANCE (Cr BD Mobbs)

2.1 Officer's Report

2.1.1 Manager Corporate & Financial Services Report ()

The Manager Corporate and Financial Services presented a report to Council on financial reports, 2007/08 budget preparation, Friends of Murgon, Castra Retirement Home, and the Murgon Municipal Saleyards.

2.1.2 Revenue Policy 2007/08 (AF 2/1)

Author and Officer's Title: Andrew McKenzie, Manager Corporate and Financial Services

Executive Summary: Pursuant with Section 513A of the Local Government Act, Council must by resolution adopt a Revenue Policy. The Revenue Policy must be adopted in the year before it is to apply, and the budget for the succeeding financial year must be prepared in accordance with the Revenue Policy.

Accordingly, Council is requested to consider and adopt the attached Revenue Policy.

7839 Moved Cr O'Neill seconded Cr Eisenmenger: *THAT in accordance with section 513A of the Local Government Act 1993 and section 12 of the Local Government Finance Standard 2005, Council adopt the attached Revenue Policy for 2007/08.*

CARRIED

2.2 Items for Consideration

2.2.1 Write off Small Debt – Rate Assessments (1774/57) (1399/-) (AF 13/3)

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
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Executive Summary: The rates and charges on these assessments have been paid, however, small amounts of interest remain outstanding.

7840 Moved Cr Eisenmenger seconded Cr Dennis: *THAT Council write-off the remaining interest outstanding on assessment 1774/57 (Peter M Hall) being \$25.27 and assessment 1399/- (Vivian C Sinnamon & Lorian G Hayes) being \$61.38 as at 20th June 2007.*

CARRIED

2.3 Items for Information

2.3.1 Nil

*The Mayor adjourned the meeting for morning tea at 10:01 am
The meeting reconvened at 10:27 am*

Cr Burgess returned to the meeting at 10:27 am

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 – Realignment of a Boundary (DA 46/07)
(Ass 1641/-)**

Name of Applicant:	Joanne Carr
Location/Address:	C/- PO Box 896, Kingaroy Qld 4610
Author and Officer's Title:	Trudi Smith, Planning Officer

Executive Summary: A development application for a reconfiguration of Lot, boundary realignment at 24 Perkins Street, Murgon described as Lot 1 on RP160737 and Lot 3 on RP190674, Parish Murgon has been received from Mrs Joanne Carr.

7841

Moved Cr O'Neill seconded Cr Burgess: *THAT having considered the application, Council resolves to approve the application for the Realignment of a Boundary 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. 46/07 and the proposed plan for reconfiguring a Lot, boundary realignment on Lots 1 on RP160737 and Lot 3 on RP190674, Parish of Murgon, located at 24 Perkins Street, Murgon in accordance with the Plan of Proposed Boundary Realignment No. 3406/P1 dated 11 May 2007;***
- 2. the relocation or installation of any infrastructure or services***
- 3. required as a result of this approval, including these conditions, is to be carried out at no cost to the Council;***
- 4. All internal services are to be contained within respective lots;***
- 5. Outstanding charges or expenses levied by the Council over the subject land are to be paid prior to Council sealing the plan of subdivision;***
- 6. The subject site is to be clear of declared pests prior to the sealing of plans for subdivision;***
- 7. Property boundaries are to be located to ensure that the setbacks of existing buildings to property boundaries comply with the Building Regulation;***
- 8. Prior to the submission of the plan of subdivision to Council, the developer is to reinstate survey marks and install new survey marks in their correct position in accordance with the plan of subdivision, and***
- 9. The work is to be certified in writing by a licensed surveyor.***

CARRIED

**3.2.2 Request to Extend Period – Reconfiguration at Daniels Road, Murgon
(DA 179/05) (Ass 1369/-)**

Name of Applicant:	PA & RG Braithwaite
Location/Address:	68 Braithwaite's Road, Murgon
Author and Officer's Title:	Trudi Smith, Planning Officer

Executive Summary: A request to extend the period under s 3.5.22 of the Integrated Planning Act 1997 has been received from Mr & Mrs Braithwaite for a reconfiguration at Daniels Road.

7842

Moved Cr O'Neill seconded Cr Dennis: *THAT Council in accordance with s3.3.6(8) of the Integrated Planning Act 1997 extend the information request period to 15 December 2007 to enable Mr & Mrs Braithwaite to complete the information request by Council.*

CARRIED

**3.2.3 Reconfiguration of a Lot – 80 Braithwaite's Road (DA 50/07) (P16/97)
(Ass 1274/-)**

Name of Applicant: BK Braithwaite
Location/Address: 80 Braithwaite's Road, Murgon
Author and Officer's Title: Trudi Smith, Planning Officer

Executive Summary: Council received an application to reconfigure a lot at 80 Braithwaite's Road on 23 October 1996 by Mrs BK Braithwaite. The application has since lapsed, and Mrs Braithwaite has requested that the assessment of the reconfiguration continue to be assessed by Council under the original lodgement.

7843

Moved Cr O'Neill seconded Cr Eisenmenger: *THAT Council endorse the actions of the Chief Executive Officer in finalising the development application for Mrs BK Braithwaite for a reconfiguration at 80 Braithwaite's Road, and that Council's offer of half the fees \$ 350.00 is Council's only and final offer.*

CARRIED

3.2.4 Request to Extend Approval – Dick Wright (DA 28/05) (Ass 1138/-)

Name of Applicant: Dick Wright
Location/Address: C/- O'Reilly Nunn Favier, PO Box 896
Kingaroy
Author and Officer's Title: Trudi Smith, Planning Officer

Executive Summary: A request to extend approval has been received from Mr Dick Wright on a Decision Notice given on 28th September 2006. Mr Wright has not developed the site due to financial reasons, and is requesting an extension to 28 September 2009 to complete the development.

7844

Moved Cr O'Neill seconded Cr Eisenmenger: *THAT Council extend the period for the approval to 28th September 2009, to allow the reconfiguration of Lot 1 on RP170779, Parish of Murgon located at 199 Ferris Road to be developed.*

CARRIED

3.2.5 Request to Change Existing Approval (DA 28/05) (Ass 1138/-)

Name of Applicant:	Dick Wright
Location/Address:	C/- O'Reilly Nunn Favier, PO Box 896 Kingaroy
Author and Officer's Title:	Trudi Smith, Planning Officer

Executive Summary: A request to change an existing approval under section 3.5.33 has been received from Mr Dick Wright on a Decision Notice given on 28th September 2006. Mr Wright wishes to complete the reconfiguration in two (2) stages. This was not requested in the Development Application 28/05.

7845

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

1. *Council offer no objection to Mr Wright's request to change an existing approval to undertake the reconfiguration of Lot 1 on RP170779, Parish of Murgon located at 199 Ferris Road in two (2) stages as per Proposed First Stage of Subdivision Plan No. 2650P/2 dated 22 May 2007, with the second stage to be developed as per Proposed Subdivision Plan No. 2650P/1 dated 29 August 2005, and*
2. *The Mayor and the Chief Executive Officer be authorised to determine the application upon the expiry of the 20 business day period.*

CARRIED

3.3 Items for Information

3.3.1 Nil

Independent Business Advisor ()

Mayor Angel welcomed Mr Scott Mead from Mead Consulting to the meeting.

7846

Moved Cr Dennis seconded Cr Eisenmenger: *THAT Council move into closed meeting to discuss the local government's budget pursuant to section 463(1)(c) of the Local Government Act.*

CARRIED

7847

Moved Cr O'Neill seconded Cr Eisenmenger: *THAT Council resume open meeting.*

CARRIED

*The Mayor adjourned the meeting for lunch at 12 midday.
The meeting reconvened at 12:46 pm*

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

4.1 Officer's Report

4.1.1 Nil

4.2 Items for Consideration

**4.2.1 Relocatable Home Park – Yallakool Tourist Park (TO 4/10)
(Ass 1754/15001)**

Name of Applicant:	Terrence and Margaret Hull
Location/Address:	Lake Tinaroo, Atherton
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
CLASSIFICATION:	(if confidential)

Executive Summary: Letter dated 29th May 2007 requesting Council's permission to install a long-term tenant in their home at Yallakool.

Cr Dennis returned to the meeting at 12:47 pm

7848

Moved Cr Hatchett seconded Cr Dennis: *THAT Council offer no objection to Mr & Mrs Hull's request, provided that Mr & Mrs Hull: -*

- 1. Obtain the necessary permissions from the Department of Natural Resources and Water prior to installing any residential tenant in their house situated in the relocatable home park at Yallakool Tourist Park - specifically, all approvals from the Minister of Natural Resources and Water for an assignment of an interest (sub-sub lease) to a residential tenant(s); and*
- 2. Note and include within any and all residential tenancy agreement(s) / lease(s);*
 - a. Murgon Shire Council as a party to the residential tenancy agreement holding an interest in the land upon which the relocatable home is situated,*
 - b. Assign compliance with the sub-lease instrument between themselves and Council as a special condition(s) to any and all residential tenancy lease(s); and*
 - c. Specifically include a termination clause in the residential*

tenancy agreement enabling Council to terminate the residential tenancy lease for breach of the sub-lease agreement.

- 3. Meet all legal costs incurred by Murgon Shire Council associated with entering into and terminating any residential tenancy agreement over their property located within the Relocatable Home Park – Yallakool Tourist Park.**

CARRIED

4.3 Items for Information

4.3.1 Library Report (LI 1/2)

In the absence of the Manager of Works and Services, Council moved onto Cr Eisenmenger's portfolio.

6. SPORT, RECREATION & ENVIRONMENT (Cr RJ Eisenmenger)

6.1 Officer's Report

6.1.1 Nil

6.2 Items for Consideration

6.2.1 Application for Term Lease No. 209213 (Ass 291/11)

Name of Applicant:	Murgon Bowls Club Inc
Location/Address:	Lot 333/FY2936: Parish Murgon
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services

Executive Summary: Letter dated 8th May 2007 from the Department of Natural Resources and Water advising that Term Lease No. 209213 over Lot 333/FY2936 Parish of Murgon is due to expire and seeking Council's views on the renewal of the Term Lease.

7849 Moved Cr Eisenmenger seconded Cr O'Neill: THAT Council offer no objection to the renewal of Term Lease 209213 being Lot 333 on Plan FY2936, Parish of Murgon.

CARRIED

6.2.2 Murgon Swimming Pool Closure (SR 5/1) (SC 2/1)

Name of Applicant:	Trish Wex Swimming
Location/Address:	40 Baynes Street, Wondai
Author and Officer's Title:	Peter Hackshaw, Chief Executive Officer

Executive Summary:	At the Special Meeting on 27 March 2007 it was resolved to immediately close the Murgon Swimming Pool for a period of 12 months., with the decision being conveyed to all local schools, Cherbourg Council and the Swimming Club. Trish Wex, previous Manager of the Murgon Pool has met with me and presented a proposal to open the pool not to the public, but for certain events only.
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7850 Moved Cr Eisenmenger seconded Cr Dennis: *THAT Council thank Mrs Wex for her proposal, but advise that regrettably it is unable to consider the proposal because it conflicts with Council's previous decision to permanently close the pool for 12 months, does not provide for a full opening of the pool, and perpetuates the costs, all of which prohibits Council's consideration.*

CARRIED

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 Revised Watering Restriction Times (IE 5/12)

Author and Officer's Title:	Peter Hackshaw, Chief Executive Officer
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Executive Summary:	The current water restriction times were put in place on 24 th October 2006, and with the winter months upon us, it is more desirable for shire residents to water in daylight hours rather than at sunrise and twilight.
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7851 Moved Cr Dennis seconded Cr Eisenmenger: *THAT Council alter the Watering Restriction Times to the following:*

Watering on Mondays is banned altogether

Premises with odd street numbers may water with hand held hoses only on Tuesdays, Thursday, and Saturdays between the hours of:

7:00 am – 9:00 am and 4:00 pm and 6:00 pm

Premises with even street numbers may water with hand held hoses only on Wednesdays, Fridays and Sundays between the hours of:

7:00 am – 9:00 am and 4:00 pm and 6:00 pm

TOTAL ban on all sprinklers now applies.

CARRIED

7.2 Items for Consideration

7.2.1 Natural Disaster Risk Management Report ()

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

Executive Summary: This report is the Natural Disaster Risk Management Report for the Shires of Murgon and Cherbourg and is a requirement of the Department of Emergency Services to enable Council to seek funding in the event of a Natural Disaster.

7852 Moved Cr Dennis seconded Cr O'Neill: THAT Council formally adopt the Natural Disaster Risk Management Study Final Report and the Natural Disaster Risk Mitigation Plan as presented.

CARRIED

7.3 Items for Information

7.3.1 Nil

**Cr Burgess presented his portfolio at 1:22 pm
MCFS left the meeting at 1:23 pm**

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 his report to Council, which

covered, RMPC, Council Works, water and sewerage functions, water, sewerage, and building maintenance.

MCFS returned to the meeting at 1:25 pm

5.2 *Items for Consideration*

5.2.1 Nil

5.3 *Items for Information*

5.3.1 Nil

Closure

There being no further business, the Mayor declared the meeting closed at 1:34 pm

Peter Angel
Mayor