



COUNCIL OF THE SHIRE OF MURGON

# Minutes of the General Meeting

Held on Wednesday 18 July 2007

Meeting held in the Council Chambers  
42 Stephens Street West  
Murgon

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**COUNCIL OF THE SHIRE OF MURGON****GENERAL MEETING**18<sup>th</sup> July 2007**MINUTES**

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**OPENING OF MEETING**

The Mayor declared the meeting open at 9:07 am

**ATTENDANCE*****Councillors***

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

***Officers***

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

**APOLOGIES**

7856            **Moved Cr Eisenmenger seconded Cr O'Neill: *THAT the apology of Cr Burgess be accepted and leave of absence granted.***

**CARRIED****PRAYERS**

On behalf of the Ministers Fraternal, Pastor Sam Davis of the Lutheran Church gave the day's Bible reading and lead the Council in prayer.

**CONFIRMATION OF MINUTES**

7857            **Moved Cr Eisenmenger seconded Cr O'Neill: *THAT the minutes of the General Meeting held on the 20 June 2007 and the Special Meeting held on 6 & 9<sup>th</sup> July 2007 as circulated, be confirmed.***

**CARRIED****1. GOVERNANCE, CONTROLLED ENTITIES, ENTERPRISES & ECONOMIC DEVELOPMENT (Cr PW Angel)****1.1 *Officer's Report***

**1.1.1 Yallakool Tourist Park (TO 4/1)**

Author and Officer's Title:	Peter Hackshaw, Chief Executive Officer
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**Executive Summary:** Councillors were advised that as a result of a lack of water out of Barambah Creek to adequately service the needs of the Park, the park was closed on Friday 18<sup>th</sup> May 2007. As much equipment as possible was removed from the camp kitchen to avoid vandalism.

**7858** Moved Cr Dennis seconded Cr O'Neill: *THAT Council move into closed meeting to discuss contracts proposed to be made by Council pursuant to s.463(1)(d) of the Local Government Act.*

**CARRIED**

**9.28 am**

**7859** Moved Cr Eisenmenger seconded Cr Hatchett: *THAT Council resume open meeting.*

**CARRIED**

**7860** Moved Cr Eisenmenger seconded Cr O'Neill: *That Council call expressions of interest for the sale of Yallakool Tourist Park, subject to the requirements of the Local Government Act 1993.*

**CARRIED**

*Adjournment for morning tea at 10.30am  
The meeting reconvened at 10:50 am*

**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** Elected Member Update 2007

**2. ADMINISTRATION, HUMAN RESOURCES & FINANCE (Cr BD Mobbs)****2.1 Officer's Report**

**2.1.1** Nil

**2.2 Items for Consideration**

**2.2.1 Request for Financial Assistance (SC 2/1) (AF 5/1)**

Name of Applicant:	Goomeri State School P&C Assn
Location/Address:	5 Munro Street Goomeri
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services

**Executive Summary:** Letter dated 31<sup>st</sup> May 2007 advising that the School received a grant to construct new playground equipment, however, did not receive enough money to erect a shade structure over it. Consequently, the P&C Association are holding a 'mega' cent auction in October 2007 to help fundraise for the shade structure. As such, they are seeking Council's assistance / donation.

**7861 Moved Cr Mobbs seconded Cr Eisenmenger: *THAT Council decline the request.***

**CARRIED**

**2.2.2 Waiving of Hall Hire Fees (LA 16/1) (CS 2/2)**

Name of Applicant:	Salvation Army
Location/Address:	C/- PO Box 347
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services

**Executive Summary:** Letter dated 4<sup>th</sup> March 2007 requesting Council waive the Hall Hire Fee for the Salvation Army's Centenary Celebration in Murgon Shire, to be held 16/17 August 2007.

**MCFS left the meeting at 11:00 am**

**MCFS returned to the meeting at 11:01 am**

**7862 Moved Cr O'Neill seconded Cr Hatchett: *THAT Council waive the Hall Hire Fee in this instance, and request that the costs involved in cleaning the Town Hall following the event be requested to be paid by the Salvation Army.***

**CARRIED**

**7863 Moved Cr Dennis seconded Cr Eisenmenger: *THAT Council review its policy on Donations to Community Organisations at the next Council Meeting.***

**CARRIED**

**Cr Dennis declared a material personal interest and left the meeting at 11:09 am**

**2.2.3 Waiving of Hall Hire Fees (LA 16/1)**

Name of Applicant:	Tablelands Rural Fire Brigade
Location/Address:	C/- PO Box 85
Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services

**Executive Summary:** Letter dated 4<sup>th</sup> July 2007 requesting Council waive the Hall Hire Fee for an Adam Harvey concert, with all funds raised going toward the Tableland Rural Fire Brigade.

**7864 Moved Cr Mobbs seconded Cr O'Neill: *THAT Council decline the request.***

**CARRIED**

***Cr Dennis returned to the meeting at 11:10 am***

**2.2.4 Funding Application 2007 (EC 4/2) (AF 5/1) (EC 1/2)**

Name of Applicant:	Murgon Business & Development Association
Location/Address:	PO Box 166, Murgon
Author and Officer's Title:	Peter Hackshaw, Chief Executive Officer

**Executive Summary:** The Murgon Business & Development Association (MBDA) have sought further advice from Council following Council's decision at the May General Meeting to limit its support to the MBDA of \$650.00 per month for a two (2) page spread in the Murgon Moments.

***MCFS left the meeting at 11:18 am***

***MCFS left the meeting at 11:21 am***

**7865 Moved Cr Eisenmenger seconded Cr Dennis: *THAT Council advise the Murgon Business & Development Association that Council will assist with the supply of wheelie bins, traffic control and clear and cleanup after the Christmas Fair to a maximum value of \$3,000, with amounts in excess of \$ 3,000 to be borne by the Murgon Business and Development Association.***

**CARRIED**

**2.2.5 2007/08 Schedule of Fees and Charges**

Author and Officer's Title:	Andrew McKenzie, Manager Corporate and Financial Services
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**Executive Summary:** Attached for Council's adoption is the proposed Fees and Charges Schedule for 2007/08.

**7866**            **Moved Cr Mobbs seconded Cr O'Neill: *THAT Council adopt the 2006/07 Schedule of Fees and Charges as presented.***

**CARRIED**

**2.2.6            Request from Tambo Shire – Remote Area Planning and Development Board (RAPDB) ( )**

A request from Tambo Shire Council has been received regarding funds originally paid by many Councils including Murgon in 1995 into a Rural Council Action Group Fighting Fund to fight the proposed Council amalgamations being threatened at the time, and seeking Council's decision about these funds.

**7867**            **Moved Cr Dennis seconded Cr Eisenmenger: *THAT Council advise the Tambo Shire Council that the \$500 be contributed to the current Fighting Fund being administered by the Remote Area Planning and Development Board.***

**CARRIED**

**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            Request to Extend the relevant period of Development Approval (DA 34/02) (Ass 1774/57)**

Name of Applicant:	Peter Hall
Location/Address:	2 Steinhardt's Road, Moffatdale described as Lot 8 & 9 on RP848003
Author and Officer's Title:	Trudi Smith, Planning Officer

**Executive Summary:** A request to extend approval has been received from Mr Peter Hall by letter dated 26 June 2007 on a Decision

Notice given on 26<sup>th</sup> June 2003. Mr Hall has not developed the site, and is requesting an extension of four (4) years to complete the development.

**CEO left the meeting at noon**

**CEO returned to the meeting at 12:03 pm**

**7868 Moved Cr O'Neill seconded Cr Eisenmenger: *THAT***

- 1. Council extend the period for the development approval for Material Change of Use – Visitor Accommodation / Tourist Facility (Motel, Restaurant and Tavern) on Lot 8 & 9 on RP848003, Parish of Barambah and located at 2 Steinhardt's Road, Moffatdale until 21 August 2009; and**
- 2. The Mayor and the Chief Executive Officer be authorised to determine the application upon receipt of responses from the Referral Agencies.**

**CARRIED**

**3.2.2 Reconfiguration of a Lot – 12 McLucas Street, Murgon (DA 54/07)  
(Ass 574/-)**

Name of Applicant:	J McGuinness
Location/Address:	12 McLucas Street, Murgon, described as Lot 57 on RP28462
Zone:	Residential Zone
Author and Officer's Title:	Trudi Smith, Planning Officer

**Executive Summary:** Mr McGuinness is applying to reconfigure one residential allotment into two residential allotments at 12 McLucas Street, Murgon.

**7869 Moved Cr O'Neill seconded Cr Eisenmenger: *THAT the Development Application DA 54/07 for the reconfiguration of one (1) residential allotment into two (2) residential allotments, described as Lot 57 on RP28462, 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. 54/07 and the proposed plan for reconfiguring a lot described as Lot 57 on RP28462 and situated at 12 McLucas Street, Murgon described on Plan No. 3444P/1 dated 6 June 2007;**
- 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. 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.*

- 4. The relocation or installation of any infrastructure or services required as a result of this approval, including these conditions, is to be carried out at no cost to Council.*
- 5. 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. Such work is to be certified in writing by a Licensed Surveyor.*
- 6. Property boundaries are to be located to ensure that the setbacks of existing buildings to property boundaries comply with the Standard Building Regulation.*
- 7. Both lots are to be given an appropriate street number. Such numbers are to be installed prior to Council sealing the survey plan.*
- 8. Construct a vehicle crossover on the frontage of proposed Lot 2, to the satisfaction of Council and to relevant engineering standards in accordance with the design and construction standards in Schedule 2 of the Planning Scheme – for the Urban Locality – as per IPWEA Standard Drawings – Road/Street - R-0050 (Residential).*
- 9. Each proposed lot shall be connected to Council's reticulated water supply system to the satisfaction of Council and in accordance with Planning Scheme Policy 7 – Infrastructure Provisions and Schedule 2 of the Planning Scheme. Such connection is to provide not less than 20 metres of head of pressure at the property boundary for fire fighting purposes, in accordance with Schedule 2 of the Planning Scheme. Construction works are to comply with the Water Supply Code of Australia (WSA03-2002) (or substituting Queensland versions) or if the matter is not dealt with by WSA03-2002, the IPWEA Standard Drawings – Water.*
- 10. Each proposed lot shall be connected to Council's reticulated sewerage system to the satisfaction of Council and in accordance with Planning Scheme Policy 7 and Schedule 2 of the Planning scheme – Infrastructure Provisions. Works are to be constructed in accordance with the Sewerage Code of Australia (WSA04-2001) and the Sewerage Pumping Station Code (WSA04-2001) (or substituting Queensland versions) or if the matter is not dealt with by these Codes, the IPWEA Standard Drawings – Sewerage.*
- 11. The subject site shall be adequately drained and all stormwater shall be disposed of to the satisfaction of Council and in accordance with Planning Scheme Policy 7 – Infrastructure Provisions and with the design and construction standards set out in Schedule 2 of the Planning Scheme.*
- 12. Each proposed lot shall be connected to the electricity supply system to the satisfaction of Council and to relevant engineering standards.*
- 13. The cost of providing services to each proposed lot shall be at the expense of the applicant.*
- 14. Full engineering drawings and specifications shall be provided for all crossovers, stormwater drainage, water supply, sewerage works and*

*earthworks for the approval of Council's Engineer, to appropriate engineering standards.*

15. *All works necessitated by the conditions of approval for crossovers, stormwater drainage, water supply, sewerage, utilities and earthworks shall be completed prior to the submission to Council of the plan of survey, unless such works and payments are bonded to the satisfaction of Council.*
16. *During construction, soil erosion and sediment is to be controlled by complying with Soil Erosion and Sediment Control – Engineering Guideline for Queensland Construction Sites, Institute of Engineers, Australia (Queensland Division), 1996.*
17. *Pay to the Council water supply headwork contributions in accordance with Planning Scheme Policy 7 – Infrastructure Provisions at the rate applicable at the time of payment. This is currently calculated at \$866.00 per additional allotment.*
18. *Pay to the Council sewerage headwork contributions in accordance with Planning Scheme Policy 7 – Infrastructure Provisions at the rate applicable at the time of payment. This is currently calculated at \$1,374.40 per additional allotment.*
19. *Pay to the Council a contribution to public parks infrastructure in accordance with Planning Scheme Policy 7 – Infrastructure Provisions at the rate applicable at the time of payment. This is currently calculated at \$500.00 per additional allotment.*

**CARRIED**

### 3.2.3 Request to Change Approval (DA 61/02) (Ass 1755/-)

Name of Applicant:	Jan Brydges
Location/Address:	Waterview Road, Moffatdale and described as Lot 91 & 92 on SP133326, Parish of Barambah
Author and Officer's Title:	Trudi Smith, Planning Officer
<b>Executive Summary:</b>	A request to change an existing approval has been received from Ms Jan Brydges on 13 June 2007 with regard to a Decision Notice issued by Council on 14 April 2004.

*The meeting adjourned for lunch at 12:17 pm*

*The meeting reconvened at 1:15 pm*

**7870 Moved Cr O'Neill seconded Cr Eisenmenger: THAT**

*Council offer no objection to Ms Brydges' request to change an existing approval for a Mixed Use Development (Multiple Dwellings, Tourist Facility and Integrated development) & Reconfiguration of a Lot (over two stages) at 59 Waterview Drive, Murgon and described as Lot 91 on SP133326 and Lot 92 on RP133326, Parish of Barambah, and that the condition in question be reworded to:*

- (a)
- (i) *Approval is granted for the purpose of the reconfiguration of a Lot-subdivision of Lot 91 on SP133326 to create two (2) Lots, and subdivision of proposed Lot 94 by a Community Title Scheme to create 42 Lots in an accommodation scheme.*
- (ii) *The approval shall be a staged development approval in two (2) basic scheme stages of thirty two (32) Community Title Scheme (CTS) Lots in the first stage and ten (10) CTS Lots in the second stage as follows:*
- A. *The first stage shall be endorsed after the issuing of this development consent and compliance with the conditions of consent and shall comprise a CTS of 32 Lots within an area of three quarters (more or less) of the total area of proposed Lot 94 in a plan of subdivision and Community Management Statement – Accommodation Module (CMS) requiring and restricting the use of the accommodation units to only short term residential / tourist / resort accommodation purposes and for no other purpose unless such other purpose is a lawful use permitted from time to time by the local government.*
- B. *The second stage shall be a part of the basic scheme staged development, being a further subdivision of proposed Lot 94 to incorporate a further area of one quarter (more or less) of Lot 94 into the CTS, to be subdivided into ten (10) CTS Lots and the lodging for Council endorsement and subsequent registration of a new plan of subdivision and CMS.*
- C. *The criteria for endorsement of the second stage shall be:*
- (i) *Construction and use in accordance with the CMS of a minimum of fifteen (15) cabins on accommodation lots in the first stage.*
- (ii) *Occupancy rates for the previous stage generally in accordance with the occupancy rates forecast in the application.*
- (iii) *No unacceptable adverse environmental effects having occurred as a result of the development of the previous stage; and*
- (iv) *All of the accommodation units in the previous stage having been used from each unit's commencement only for the use specified in subclause (a)(ii)(A) above.*

**CARRIED**

**3.2.4 Request to Extend the relevant period of Development Approval (DA 61/02) (Ass 1755/-)**

Name of Applicant:	Jan Brydges
Location/Address:	Waterview Road, Moffatdale, described as lot 91 and 92 on SP133326
Author and Officer's Title:	Trudi Smith, Planning Officer

**Executive Summary:** A request to extend approval has been received from Ms Jan Brydges on 13 June 2007 on a Decision Notice for a development application / Material Change of Use – Mixed use Development (Multiple Dwellings, Tourist Facility and Integrated development) – Reconfiguration of a Lot given on 14 April 2004. Ms Brydges has not developed the site because of issues in relation to the conditions set down in the decision notice. Ms Brydges is requesting an extension of four (4) years in which to complete the development.

7871 Moved Cr O'Neill seconded Cr Dennis: **THAT**

1. **Council extend the period for the development approval Material Change of Use – Mixed Use Development (Multiple Dwellings, Tourist Facility and Integrated Development) - Reconfiguration of a Lot over Lot 91 on SP133326 and Lot 92 on SP133326, Parish of Barambah, located at Waterview Drive, Moffatdale until 29 October 2009; and**
2. **Correspondence received from the Environmental Protection Agency dated 4 July 2007, Department of Main Roads dated 26 June 2007, Department of Natural Resources and Water dated 14 June 2007 and Department of Primary Industries and Fisheries dated 18 June 2007 offering no objection to the extension of the currency period be noted.**

**CARRIED**

### 3.3 Items for Information

#### 3.3.1 Building Statistics (BU 1/9)

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

### 4.1 Officer's Report

#### 4.1.1 Cloyna Hall Refurbishment ( )

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

**Executive Summary:** A briefing is provided on recent communication between the Cloyna Hall Committee and Council concerning the proposed painting of the Cloyna Hall

7872 Moved Cr Dennis seconded Cr Hatchett: **THAT Council temporarily close the Cloyna Hall to all functions / events and patrons whilst a full**

*Workplace Health and Safety audit and rectification plan is conducted and costed, and further that Council consult with the various stakeholders regarding the implications of divesting Council of Trusteeship and responsibilities for the land and building comprising the Cloyna Hall.*

**CARRIED**

#### **4.2 Items for Consideration**

4.2.1 Nil

#### **4.3 Items for Information**

4.3.1 Library Report (LI 1/2)

4.3.2 RADF

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

#### **5.1 Officer's Report**

*MCFS left the meeting at 2:05 pm*

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

The Manager Works and Services presented a report to Council Main Road and Council work, water and sewerage functions, and sewerage and building maintenance.

*MCFS returned to the meeting at 2:07 pm*

7873 Moved Cr Dennis seconded Cr Eisenmenger: *THAT Council write to Department of Natural Resources and Water with respect of the water allocation to the Shire, recently advised, and object to the reduction in allocation in view of the towns industrial requirements and also the amount of water supplied to users outside the shire.*

**CARRIED**

#### **5.2 Items for Consideration**

5.2.1 Nil

#### **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 Nil

**7.3 *Items for Information***

7.3.1 Nil

**Closure**

There being no further business, the Mayor declared the meeting closed at 2:21 pm

Peter Angel  
**Mayor**