



COUNCIL OF THE SHIRE OF MURGON

Minutes of the General Meeting

Held on Wednesday 21st November 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 November 2007

MINUTES

OPENING

The Mayor declared the meeting open at 9.00am

ATTENDANCE

Councillors

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

Officers

Chief Executive Officer, Peter Hackshaw
Manager Works and Services, Steve Turner
Minutes Secretary, Kerrie Spiro

PRAYERS

On behalf of the Ministers Fraternal, Sister Carmel Hodgenson from the Catholic Church gave the day's Bible reading and led the Council in prayer.

CONFIRMATION OF MINUTES

7993 Moved Cr Eisenmenger Seconded Cr Dennis: *THAT the minutes of the General Meeting held on the 19th September 2007 as circulated, be confirmed.*

CARRIED

In Committee

7994 Moved Cr Mobbs Seconded Cr Dennis: *THAT Council move into closed meeting to discuss the appointment, dismissal or discipline of employees pursuant to s.463(1)(a) of the Local Government Act.*

CARRIED

9.04am MWS, CEO and Minutes Secretary left the meeting

9.50am CEO returned to the meeting

7995 **Moved Cr Eisenmenger Seconded Cr O'Neill: *THAT Council move out of closed meeting.***

CARRIED

*The Mayor adjourned the meeting for morning tea at 10.20am
The meeting reconvened at 10.32am
10.32am MWS and Minutes Secretary returned to the meeting*

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

1.1 Officer's Report

1.1.1 Chief Executive Officers Report (AD 12/3)

*The Mayor declared a material personal interest and left the chambers at 10.55am
And the Deputy Mayor took the chair*

Staff break-up at Christmas

7996 **Moved Cr O'Neill Seconded Cr Eisenmenger: *THAT council give a half ham, Australian produced at best value, and a suitably embossed glass to all employees and paid members as a goodwill gesture for Christmas 2008.***

CARRIED

*10.03am MWS left the meeting
10.04am MWS left the meeting*

The Mayor returned to the meeting 11.07am

7997 **Moved Cr Eisenmenger Seconded Cr Hatchett: *THAT Council agree to close the Shire Office on Monday 24th December and advise the public accordingly. The office will reopen on Wed 2nd Jan 08.***

CARRIED

1.2 Items for Consideration

1.2.1 Nil

1.3 *Items for Information*

1.3.1 **Castra Retirement Home (AD 11/3)**

Agenda Papers and Minutes from the Board of Directors Meeting Held on 16th October 2007 and 28th November 2007 and Castra News.

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

2.1 **Officer's Report**

2.1.1 **Manager Corporate & Financial Services Report (AD 12/3)**

11.25 am CEO left the meeting

11.27am CEO returned to the meeting

11.34am Cr Mobbs left the meeting

11.42am Cr Mobbs returned to the Meeting

Gumnut Place

7998 Moved Cr Eisenmenger Seconded Cr O'Neill: *THAT Council offer to sell Lot 1 SP 135018 Parish of Murgon to South Burnett CTC for an amount to be negotiated by the Mayor and CEO, to whom authority is hereby delegated, which seeks the best outcome and furthermore on condition that in the event that South Burnett CTC ceases to exist or is unable to continue to operate the facility, then the ownership in the premises revert back to Council.*

CARRIED

The meeting moved to Item 3.2.1

3.2.1 **Reconfiguration of a Lot – (1 rural lot into 27 low density residential lots plus balance area) 822 Barambah Road, Moffatdale (DA 34/07) (Ass 1754-12)**

7999 Moved Cr O'Neill Seconded Cr Dennis: *THAT the reconfiguration of Lot 131 on RP 803668 Parish of Barambah, as proposed in Development Application 34/07 by F & M Prendergast be approved by the Murgon Shire Council, subject to the following conditions:*

- 1. The development must generally comply with the facts and circumstances set out in Development Application No 34/07 and the proposed plan for reconfiguring a Lot 131 on RP 803668, Parish of Barambah, and situated at 822 Barambah Road, Moffatdale, described on Drawing No. GH1664/07/P1 dated 1st May 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. 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. *At the time of lodgement of a Building Application on any proposed allotment, the owner to provide potable water by either a 45,000 litre rainwater storage tank, or other means satisfactory to Council.*
6. *This approval relates to staged development as depicted on Drawing NO. GH 1664/07/82. In this regard, the development shall be sequenced accordingly. Any stage not commenced within the currency period shall expire.*

Engineering Design

7. *Where Council is not the designing and constructing authority*
 - a) *Detailed engineering plans for roadworks and stormwater drainage are to be submitted for approval.*
 - b) *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.*
 - c) *Inspection of the work is to be carried out by Council staff. Fees payable for inspection are in accordance with Council Schedule of Fees and Charges.*
 - d) *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.
 - e) *A bond of \$ 30,000 will be required by Council for a period of twelve months from completion of roadworks.*
8. *Where Council is the designing and or constructing authority*
 - a) *Designing work – cash payment of engineering fees as per Council's charges is required before the release of any document.*
 - b) *Construction works – the subdivider will be required to contract with the Council and lodge cash advance and / or security for the cost of the works prior to the work being commenced.*

Cash payments to Council are in accordance with Council Schedule of Fees and Charges
 - c) *Alternatively a bond for the total value of the work may be lodged with Council and released as the work is completed.*
9. *Telecommunications infrastructure is to be provided to each allotment.*
10. *The developer must construct the new roadway to a minimum of 6.5 metre bitumen seal formation with concrete kerb and channelling, and provide 9 metre radius to the cul-de-sacs.*
11. *The sealed surface of the roadway constructed on the pavement of asphalt surface with a minimum thickness of 30mm;*
 - a) *Pavement thickness of the roadway of 200 mm of compacted gravel of a suitable standard;*
 - b) *Alternative specifications may be utilised provided they are to the satisfaction of the Manager Works and Services.*
12. *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;*

13. *Site stormwater runoff shall be collected, detained and discharged where appropriate in a manner that does not significantly increase the quantity of stormwater flow in comparison to the pre-development condition. Where necessary, suitable easements to legal points of discharge shall be provided to Council. An operational Works Permit must be obtained for these works in accordance with the Integrated Planning Act.*
14. *Street signs are to be provided to the satisfaction of the Manager Works and Services.*
15. *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.*
16. *Evidence of such copies shall be supplied for Council at the time of sealing the survey plan.
Evidence that a supply of underground or above ground bundled 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.*
17. *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.
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.*
18. *An Operational Works Development Permit must be obtained in accordance with the Integrated Planning Act for operational works required by conditions 7 – 13.*
19. *The applicant must provide a copy of their receipt as proof of payment of Q Leave prior to any roadworks or earthworks construction commencing.*
20. *The developer shall provide a list of at least three names (and name meanings) to Council for each new road to be opened. The list of names should be submitted as early as practical to allow Council to approve the names in time for sign manufacture and erection prior to the opening of the new roads. A theme may be used for any larger subdivision should this be considered appropriate.*
21. *A contribution of \$500 per allotment, which in this case will total \$ 13,500 is to be paid to Council for Parks and Recreational space contribution. This is in accordance with Council's Local Law Policy No. 9 and must be paid prior to the sealing of the survey plan by Council.*
22. *The proposed allotments which have building exclusion areas (i.e. buffers) as shown on Drawing No. GH1664/07/P1 dated 1 May 2007 are to be provided with a Statutory Covenant to prevent Class 1 or any other habitable buildings being built within these areas;*
23. *That a 20 metre wide buffer be provided along the entire length of the boundary adjacent to Barambah Road to dampen noise from the traffic;*
24. *Compliance with Department of Natural Resources and Mines letter dated 13 August 2007;*
25. *Compliance with Department of Main Roads letter dated 30 May 2007;*

26. That a 2.0m wide easement for pedestrian and bicycle accommodation be provided along the entire length of the boundary adjacent to Barambah Road.

CARRIED

The Council moved back to item 2.1.1

Queensland Dairy and Heritage Museum

8000 Moved Cr Eisenmenger Seconded Cr Mobbs: THAT Council surrender Trusteeship of Reserve for Park R749, described as lot 320 on Plan FY 2740, Parish of Murgon, and nominate the Queensland Dairy and Heritage Museum Inc as the new Trustee.

CARRIED

Castra Retirement Home

8001 Moved Cr Eisenmenger Seconded Cr O'Neill: THAT Council include the transfer of Lot 76 RP102216 Parish Murgon in the negotiations with Southern Cross Care (Qld) Inc for the transfer of Castra Retirement Home Ltd subject to the Mayor and CEO, to whom authority is hereby delegated continuing negotiations towards a satisfactory outcome regarding continuity of Castra.

CARRIED

2.2 Items for Consideration

2.2.1 2006/07 Annual Report (AD 6/2)

8002 Moved Cr Mobbs Seconded Cr Burgess: THAT pursuant to Section 531 (3) Council apply to the Minister for Local Government, Sport and Recreation for an extension of two months in which to complete its Annual Report for 2006/07, citing delays in receiving its audit certificate.

CARRIED

2.2.2 3 - Monthly Budget Review (AF 2/1)

**Cr Dennis left meeting 1.47pm
Cr Dennis returned to Meeting 1.48pm**

8003 Moved Cr Mobbs Seconded Cr Eisenmenger: THAT Council receive the Three (3) monthly budget review as presented and request further information and explanation at the December General Meeting.

CARRIED

2.2.4 **New Bank Account – Swimming Pool Commonwealth Funding A/c (AF 1/2, SR 5/1)**

8004 Moved Cr Mobbs Seconded Cr Dennis: *THAT Council agree to the opening and operation of a completely new and separate bank account to be called “Murgon Shire Council Swimming Pool Commonwealth Funding Bank Account”.*

CARRIED

2.24pm CEO left the meeting

2.25pm CEO returned to the meeting

Moved Cr Dennis Seconded Cr Hatchett: *THAT Council endorse the CEOs letter dated 19th October 2007 addressed to Mr Bob Jarvis and the contents therein.*

MOTION LOST

8005 Moved Cr O’Neill Seconded Cr Dennis: *THAT the Mayor and CEO be given delegated authority to negotiate further with Mr Bob Jarvis regarding the payment of chemical and electricity costs at the Murgon Swimming Pool.*

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

3.1 Items for Consideration

3.2.2 **Tenders received for Sale of the Medical Centre Building (LA 13/2, Ass 611/5)**

8006 Moved Cr O’Neill Seconded Cr Eisenmenger: *THAT Council move into closed meeting to discuss contracts proposed to be made by Council pursuant to s.463(1)(e) of the Local Government Act.*

CARRIED

8007 Moved Cr Burgess Seconded Cr Eisenmenger: *THAT Council move out of closed meeting.*

CARRIED

**The Mayor adjourned the meeting for lunch at 12.25pm
The meeting reconvened at 1.20pm
1.23pm Cr Burgess left the Meeting**

8008 Moved Cr O'Neill Seconded Cr Mobbs: *THAT Council accept the highest tendered price submitted for the purchase of the land and buildings comprising of Murgon Medical Centre and Library.*
CARRIED UNANIMOUSLY

1.31pm Cr Burgess returned to the meeting

3.2.3 Holidays Act 1983 (AD 20/1) (LE 2/1)

8009 Moved Cr O'Neill Seconded Cr Eisenmenger: *THAT the Department of Industrial Relations be advised that Council nominates Monday the 11th August 2008 which is the Brisbane Exhibition Holiday as the Murgon Shire Show Holiday in accordance with the Holidays Act 1983.*
CARRIED

3.3 *Items for Information*

3.3.1 Nil

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 Crèche & Kindergarten Association (AD 11/2B)

Moved Cr Hatchett Seconded Cr Eisenmenger: *THAT Council agree to reimburse C&K Association \$2,805 as requested to replace the shed flooring and soft-fall area.*

MOTION LOST

4.2.2 Murgon Town Hall Stage Floor (LA 16/1, AR 3/1, AF 5/1)

8010 Moved Cr Hatchett Seconded Cr Eisenmenger: *THAT because Council has not provided for repairs in this years budget and a more suitable solution would be permanent repair to the stage floor Susan Mollenhauer be advised that Council is unable to assist on this occasion however the South Burnett Regional Council will be requested to include upgrade of the Murgon Hall Stage and Supper Room Floor in its initial budget.*
CARRIED

4.2.3 Murgon Town Hall Charges (LA 16/1, AR 3/1, AF 5/1)

8011	Moved Cr Hatchett Seconded Cr Eisenmenger: <i>THAT Council agree to allow Susan Mollenhauer to hire the Town Hall at the 2006-2007 charges. Thus granting an effective discount as seen below:-</i>			
	<i>Category</i>	<i>06/07</i>	<i>07/08</i>	<i>Discount</i>
	<i>Rehearsal - without lighting</i>	<i>\$13.00</i>	<i>\$55.00</i>	<i>\$42.00</i>
	<i>Rehearsal – with lighting</i>	<i>\$19.50</i>	<i>\$66.00</i>	<i>\$46.50</i>
	<i>Show</i>	<i>\$198.00</i>	<i>\$200.00</i>	<i>\$2.00</i>
				CARRIED

4.3 Items for Information

4.3.1 Library Report (LI 1 /2)

The Mayor adjourned the meeting for a short recess at 3.13pm
The meeting reconvened at 3.24pm

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

5.1 Officer's Report

5.1.1 Manager Works and Services Report (AD 12/3)

The Mayor declared a material personal interest and left the chambers at 3.29pm and the Chair was left empty

Incident on the Murgon – Gayndah Road.

3.43 pm Cr Dennis left the meeting

3.44pm Cr Dennis returned to the meeting

3.45pm The Mayor returned to the chair

5.2 Items for Consideration

5.2.1 Tenders to Replace Plant (PT 1/2)

8012	Moved Cr Burgess Seconded Cr O'Neill: <i>THAT Council authorise the Manager of Works and Services to proceed with the calling of tenders to replace the plant listed in the schedule as tabled in Manager of Works and Services Report.</i>
	CARRIED

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 Review of Water Restrictions (IE 5/12)**

- 8013** Moved Cr Burgess Seconded Cr Hatchett: *THAT Council*
- *Reappraise the current water restrictions at the General Meeting December 2007; and*
 - *Immediately Inform the public that the use of hand held hoses for all outside watering is banned completely except during allocated times and for garden maintenance only.*
- CARRIED**

7.2 Items for Consideration**7.2.1 Nil****7.3 Items for Information****7.3.1 State Emergency Service – Vehicle replacement (ES 3/6, PT 1/2)**

- 8014** Moved Cr Dennis Seconded Cr O'Neill: *THAT Council advise the Murgon SES that the vehicle they are requesting to replace is already included in Councils 5 year forward plan, which will be referred to the South Burnett Regional Council for inclusion in the regional plant replacement program for 2008/2009 and beyond and accordingly Council is unable to consider replacement at this point in time.*
- CARRIED**

Closure

There being no further business the Mayor declared the meeting closed at 5.21pm.

Peter Angel
MAYOR