

DALBY TOWN COUNCIL



**MINUTES OF ORDINARY MEETING OF
COUNCIL**

Held at Dalby Town Council Chambers

ON Tuesday 13 February 2007

Commencing at 4.02 p.m.

MINUTES OF ORDINARY MEETING OF COUNCIL

Tuesday 13 February 2007

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DECLARATION OF MEETING OPENING

The Chairperson declared the meeting open at 4.02 p.m.

PRESENT

Mayor Cr W. Geisel (Chairperson)

Councillors Cr J.M. Hart
Cr R.G. Latemore
Cr C.P. Milford
Cr G.M. Nearhos
Cr B.T. O'Shea
Cr D.S. Smiles
Cr R.A. Thornton
Cr C.T. Tillman

Officers S.M. Hegedus, CHIEF EXECUTIVE OFFICER
T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES
M. P. Sullivan, DIRECTOR ENGINEERING SERVICES
B. Patterson, DIRECTOR COMMUNITY SERVICES
T.A. Fagg, UTILITIES MANAGER
K. Anderson, CORPORATE SUPPORT MANAGER
L. Cook, TECHNICAL OFFICER - UTILITIES
Graeme Preston, SPECIAL PROJECTS ENGINEER
M. Wilson, PLANNING MANAGER
C.M. Harding, CEO's PERSONAL ASSISTANT

Observers Nil

Delegation Nil

APOLOGIES

Nil

ORD/1 **CONDOLENCES**

Nil.

ORD/2 **CONGRATULATIONS**

Nil.

ORD/3 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY MEETING

ORD/3.1 ADOPT MINUTES PREVIOUS ORDINARY MEETING TUESDAY 23RD JANUARY 2007

To His Worship the Mayor and Councillors

File No 1/2/10

Date 7th February 2007

Responsible Officer Cr W. Geisel, MAYOR

Signed: _____

Summary/Purpose

Minutes of the Ordinary Meeting of Council held on Tuesday, 23rd January 2007.

Officer's Recommendation

That the minutes of the last Ordinary Meeting held on Tuesday, 23rd January 2007 copies of which have been printed and circulated to Members, be taken as read and confirmed.

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes of the last Ordinary Meeting held on Tuesday, 23rd January 2007 copies of which have been printed and circulated to Members, be taken as read and confirmed.

CARRIED

ORD/4 BUSINESS ARISING OUT OF THE MINUTES OF PREVIOUS ORDINARY MEETING

Nil.

ORD/5 ON THE TABLE

Nil.

ORD/6 PRESENTATION OF PETITIONS AND MEMORIALS BY COUNCILLORS

Nil.

ORD/7 ADOPTION OF REPORTS OF GENERAL PURPOSES COMMITTEE MEETING/S

ORD/7.1 ADOPT REPORT GENERAL PURPOSES COMMITTEE MEETING TUESDAY 6TH FEBRUARY 2007

To His Worship the Mayor and Councillors

File No 1/2/10

Date 7th February 2007

Responsible Officer Cr W. Geisel, MAYOR

Signed: _____

Summary/Purpose

Report of the General Purposes Committee Meeting held on Tuesday, 6th February 2007.

Officer's Recommendation

That these four (4) Officers Reports be received and the Report of the General Purposes Committee Meeting held on Tuesday, 6th February 2007 be received and adopted.

COUNCIL RESOLUTION

MOVED and SECONDED

That these four (4) Officers Reports be received and the Report of the General Purposes Committee Meeting held on Tuesday, 6th February 2007 be received and adopted.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1

REPORTS

ORD.CW/1.1

REPORT SHOWGROUNDS MANAGEMENT ADVISORY COMMITTEE MEETING TUESDAY 30TH JANUARY 2007

To

S M Hegedus, CHIEF EXECUTIVE OFFICER

File No

1/2/16, 5/1/35 & P1046,

Date

2nd February 2007

Prepared by

A. Shepherd, CUSTOMER SERVICE OFFICER - CORPORATE SERVICES

Responsible Officer

B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A copy of the minutes of the Showgrounds Management Advisory Committee Meeting held on Tuesday 30th January 2007.

Officer's Recommendation

That the minutes be received and the recommendations contained therein be adopted.

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes be received and the recommendations contained therein be adopted.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1 REPORTS

**ORD.CW/1.2 COMMUNITY SERVICES SPECIAL REPORT RE: DALBY
SHOWGROUNDS MANAGEMENT**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No P1046, 5/1/35, Doc. No.

Date 6 February 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

To make comment on the future management of the Dalby Showgrounds for Council consideration.

Officer's Recommendation

That this report be received and noted.

That as required under the Memorandum of Understanding, Council request the Show Society formally approve the make up of the Showgrounds Management Advisory Committee being:

- Three (3) representatives from Dalby Town Council;
- One (1) representative from Wambo Shire Council;
- One (1) representative from the Dalby & District Show Society;
- One (1) representative from the Dalby & District Active Riders Association;
- Two (2) representatives from the community.

That Officers draft an agreement for Council consideration allowing for a caretaker at the Dalby Showgrounds and outlining roles and responsibilities of the parties involved.

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1

REPORTS

ORD.CW/1.2

COMMUNITY SERVICES SPECIAL REPORT RE: DALBY
SHOWGROUNDS MANAGEMENT ...(Cont'd)

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and as required under the Memorandum of Understanding, Council request the Show Society formally approve the make up of the Showgrounds Management Advisory Committee being:

- Three (3) representatives from Dalby Town Council;
- One (1) representative from Wambo Shire Council;
- One (1) representative from the Dalby & District Show Society;
- One (1) representative from the Dalby & District Active Riders Association;
- Two (2) representatives from the community.

That Officers draft an agreement for Council consideration allowing for a caretaker at the Dalby Showgrounds and outlining roles and responsibilities of the parties involved.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/2 **INWARDS CORRESPONDENCE**

ORD.CW/2.1 **LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND
ADDITIONAL INFORMATION REMINDER NATIVE TITLE
INSTRUCTIONS SOUGHT WESTERN WAKKA WAKKA PEOPLE**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 6/1/15, Doc. No. 432954

Date 8th February 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

An email dated 24th January 2007 advising that an affidavit filed of behalf of the Western Wakka Wakka people has just been served on MacDonnells Law, indicating that the strike out application will be contested by the Group.

Attached is a copy of the affidavit together with a second report from MacDonnells Law in which its initial advice to support the strike out application is reconfirmed on the basis that the new information provided does not cure the defects of the original native title application.

Officer's Recommendation

That the emails and letters be received, the contents noted and Council advised its support for the strike out application.

COUNCIL RESOLUTION

MOVED and SECONDED

That the emails and letters be received, the contents noted and Council advised its support for the strike out application.

CARRIED

ORD.CW/3 **GENERAL BUSINESS**

Nil.

KRA 2 - OUR ORGANISATION

ORD.ORG/1

REPORTS

ORD.ORG/1.1

CHIEF EXECUTIVE OFFICER'S SPECIAL REPORT RE: CORPORATE AND OPERATIONAL PLAN REVIEW SECOND QUARTER 2006/07

To His Worship the Mayor and Councillors

File No 1/12/3

Date 7th February 2007

Responsible Officer S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed: _____

Summary/Purpose

The purpose of this report is to report on the implementation of Council's Corporate and Operational Plan for the second quarter of the 2006/07 financial year.

Under the Queensland Local Government Act Section 463 (1) (c) Council may resolve that a meeting be closed to the public to discuss the local government budget.

Officer's Recommendation

That this Report be received and that the Corporate and Operational Plan quarterly review as at 31st December 2006 be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that the Corporate and Operational Plan quarterly review as at 31st December 2006 be received and noted.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

ORD.ORG/1.2 FINANCIAL & INFORMATION SERVICES REPORT RE: DECEMBER QUARTER REVIEW BUDGET 2006/07

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 2/1/1-29

Date 22 January, 2007

Responsible Officer T Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed: _____

Summary/Purpose

The purpose of this report is to present the Budget Financial Statements following the operational review for the period ended 31 December, 2006.

Under the Queensland Local Government Act Section 463 (1) (c) Council may resolve that a meeting be closed to the public to discuss the local government budget.

Officer's Recommendation

That the Review for the period ending 31 December, 2006 be received and noted and that the amendments as detailed in the Account Management Report for year to December 2006, be applied to the original budget allocations.

COUNCIL RESOLUTION

RESOLUTION INTO COMMITTEE OF THE WHOLE

MOVED and SECONDED

That the Meeting resolve into a Committee of the Whole at 5.00 p.m. to discuss local government budget issues.

CARRIED

COUNCIL RESOLUTION

MOVED and SECONDED

That the Review for the period ending 31 December, 2006 be received and noted and that the amendments as detailed in the Account Management Report for year to December 2006, be applied to the original budget allocations.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/1

REPORTS

ORD.ORG/1.2

FINANCIAL & INFORMATION SERVICES REPORT RE: DECEMBER
QUARTER REVIEW BUDGET 2006/07 ...(Cont'd)

COUNCIL RESOLUTION

MOVED and SECONDED

That Council investigate a suitable engineering consultant to design an appropriate transfer station.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

**ORD.ORG/1.3 FINANCIAL & INFORMATION SERVICES' MONTHLY REPORT RE:
INVESTMENTS DECEMBER 2006**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/3; 2/4/12

Date 8 January, 2007

Prepared by E. Phillips, FINANCE MANAGER

Responsible Officer T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed: _____

Summary/Purpose

This report details the cash investments for Dalby Town Council for the month of December 2006.

Officer's Recommendation

That the report on Council's Investments for the month of December 2006 be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That the report on Council's Investments for the month of December 2006 be received and noted.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

**ORD.ORG/1.4 FINANCIAL & INFORMATION SERVICES MONTHLY REPORT RE:
INVESTMENTS JANUARY 2007**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/3; 2/4/12

Date 1 February, 2007

Prepared by E. Phillips, FINANCE MANAGER

Responsible Officer T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed: _____

Summary/Purpose

This report details the cash investments for Dalby Town Council for the month of January 2007.

Officer's Recommendation

That the report on Council's Investments for the month of January 2007 be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That the report on Council's Investments for the month of January 2007 be received and noted.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

**ORD.ORG/1.5 FINANCIAL & INFORMATION SERVICES SPECIAL CONFIDENTIAL
REPORT RE: HARDSHIP POLICY**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 2/5/2; 1/12/1; 1/12/5

Date 5 February, 2007

Responsible Officer T Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed: _____

Summary/Purpose

The purpose of this report is for Council to consider an application for Financial Hardship and the development of a policy in this regard.

Under the Queensland Local Government Act Section 463 (1) (c) Council may resolve that a meeting be closed to the public to discuss rating concessions.

Officer's Recommendation

That the Draft Financial Hardship Policy be adopted and Delegation 2.40 be approved.

COUNCIL RESOLUTION

MOVED and SECONDED

That the Report be received and that the ability for a payment plan be addressed in the review of the Debt Recovery Policy.

CARRIED

COUNCIL RESOLUTION

RESUMPTION OF COUNCIL MEETING

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 5.47 p.m.

CARRIED

Mr Leigh Cook, Technical Officer Utilities joined the Meeting at 5.47 p.m.

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

ORD.ORG/1.6 DRAFT POLICY - NOTIFICATION OF CRIME MISCONDUCT COMMISSION INQUIRY TO COUNCIL

To His Worship the Mayor and Councillors

File No 1/12/1 & 1/12/1-1

Date 9th February 2007

Prepared by K. Anderson, CORPORATE SUPPORT MANAGER

Responsible Officer S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed: _____

Summary/Purpose

A copy of the draft policy Notification of CMC Inquiry to Council is attached for your consideration and adoption.

Officer's Recommendation

That the policy be received and adopted.

COUNCIL RESOLUTION

MOVED and SECONDED

That the policy be received and adopted.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/2 **INWARDS CORRESPONDENCE**

ORD.ORG/2.1 **QUEENSLAND LOCAL GOVERNMENT WORKCARE SCHEME
DETAILS LOCAL GOVERNMENT WORKCARE LGW LICENCE
RENEWAL OCCUPATIONAL HEALTH SAFETY MANAGEMENT
SYSTEMS AUDIT**

To His Worship the Mayor and Councillors

File No 1/7/5, Doc. No. 434518

Date 8th February 2007

Responsible Officer S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed: _____

Summary/Purpose

A letter dated 31st January 2007 advising that the Queensland Government requires workers compensation self-insurers to satisfy a range of occupational health and safety obligations as a condition of renewal of their self-insurance licence. Compliance with the obligations is determined through independent audits of a sample of the self-insurer's workplaces.

The Queensland Local Government Workers' Compensation Self-Insurance was renewed in 2005 following a successful audit and advising that the 2007 audit has been scheduled for 21st-23rd November 2007.

Officer's Recommendation

That this letter be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this letter be received and noted.

CARRIED

ORD.ORG/3 **GENERAL BUSINESS**

Nil.

KRA 3 - BUILT ENVIRONMENT

ORD.BE/1

REPORTS

ORD.BE/1.1

ENGINEERING SERVICES SPECIAL REPORT RE:- INSTALLATION OF SPEED BUMPS THOMPSON'S LANE

To

S M Hegedus, CHIEF EXECUTIVE OFFICER

File No

1/2/2 & Doc. No 422255

Date

30 January 2007

Prepared by

T. Dredge, ENGINEERING SUPPORT OFFICER

Responsible Officer

M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

Council directed that surrounding businesses be consulted in relation to the installation of speed bumps in Thompson's Lane and report results to Council.

Officer's Recommendation

That speed bumps be installed in Thompson's Lane.

Mr Graeme Preston, Special Projects Consultant joined the Meeting at 5.53 p.m.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that Council install speed bumps in Thompson's Lane.

CARRIED

KRA 3 - BUILT ENVIRONMENT

ORD.BE/1 REPORTS

ORD.BE/1.2 ENGINEERING SERVICES SPECIAL REPORT RE: - STREET LIGHTING REQUESTS

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2, Doc. No. 406637, 398583 & 391996

Date 7 February 2007

Prepared by M. Searles, CADET TECHNICAL OFFICER – ENGINEERING SERVICES

Responsible Officer M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This report has been compiled in response to several requests received by Council to upgrade the street lighting in Marble Street, Black Street and Yumborra Road.

Officer's Recommendation

It is recommended that the intersection of Black Street and Leichhardt Avenue be upgraded as the visibility at this intersection is poor.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that Council resolve that Mr Matt Sullivan, DES is to investigate the possibility of utilising existing poles to upgrade the intersection of Black Street and Leichhardt Avenue.

CARRIED

KRA 3 - BUILT ENVIRONMENT

ORD.BE/1 REPORTS

**ORD.BE/1.3 ENGINEERING SERVICES SPECIAL CONFIDENTIAL REPORT RE:
REVIEW ROADSIDE MEMORIAL POLICY**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2; 1/12/1 & 12/1/1

Date 6 February 2007

Prepared by T.J. Dredge, ENGINEERING SUPPORT OFFICER

Responsible Officer M.P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

To review Council's Policy CW 2.2 - Roadside Memorial Marker Policy.

Officer's Recommendation

That this Report be received, the contents be noted and Council's direction is required.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received, the contents noted and that Council resolve to advise the applicant that Council will preserve the status quo and await State Government's introduction of a policy on the matter.

The MOTION was LOST

COUNCIL RESOLUTION

MOVED and SECONDED

That Council amend the Roadside Memorial Marker Policy to allow the erection of a white cross only with no time limit for removal of the cross.

The MOTION was LOST

KRA 3 - BUILT ENVIRONMENT

ORD.BE/1 REPORTS

ORD.BE/1.3 ENGINEERING SERVICES SPECIAL CONFIDENTIAL REPORT RE:
REVIEW ROADSIDE MEMORIAL POLICY ...(Cont'd)

COUNCIL RESOLUTION

MOVED and SECONDED

That Council's policy remain as presented.

The MOTION was LOST

COUNCIL RESOLUTION

MOVED and SECONDED

That Council defer the review of the policy pending discussions with members of the family in relation to the monument and adherence to Council's Policy.

CARRIED

KRA 3 - BUILT ENVIRONMENT

ORD.BE/2 **INWARDS CORRESPONDENCE**

Nil.

ORD.BE/3 **GENERAL BUSINESS**

ORD.BE/3.1 **VERBAL UPDATE ON CLOSED CIRCUIT TELEVISION PROJECT**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/15/11

Date 9th February 2007

Responsible Officer M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed:

Summary/Purpose

Mr M P Sullivan, DES provided a verbal update on the CCTV Project.

System is not commissioned due to:-

- Major problems with cameras dropping out
- Council not happy with progress and have written to the State Manager expressing Council's concerns in an effort to resolve defects
- System operating on an intermittent basis
- Not achieving transfer of data
- Problems with wiring resulting in some units getting over heated due to transmitting large volumes of data
- Problem appears to be that the system can handle 16 cameras and presently we have only 11 cameras - need to fine tune rate to make sure we have capacity to run 16 cameras

KRA 4 - UTILITY SERVICES

ORD.UTS/1

REPORTS

ORD.UTS/1.1

REDEVELOPMENT DALBY WATER SUPPLY PROJECT REPORT OF STEERING COMMITTEE MEETING HELD 7TH FEBRUARY 2007

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2 & 9/2/4

Date 8 February 2007

Prepared by K.M. Gillespie, UTILITIES SERVICES ADMINISTRATION OFFICER

Responsible Officer M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

To present to Council the minutes of the Redevelopment of the Dalby Water Supply Project Steering Committee Meeting held on Wednesday 7 February 2007 (unconfirmed).

Committee Recommendations

Engineering Services Special Confidential Report Re: Review of Tenders for the Design of a 23km Raw Water Pipeline and Pumpstation - Contract No. 4.1/3/06-07

It is recommended that Council accept the offer by Parsons Brinckerhoff Australia Pty Ltd for Contract No. 4.1/3/06-07 - Detailed Design of a 23km Raw Water Main and Pumpstation for the Dalby Water Supply for the sum of \$219,070.50 (inc. GST) as per their submitted offer.

Land Purchase

That it be recommended that Council approval the progression of the acquisition of land adjacent to the Water Treatment Plant and report back to Council.

Officer's Recommendation

That the minutes be received and that the Steering Committee recommendations contained therein be adopted.

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes be received and that the Steering Committee recommendations contained therein be adopted.

CARRIED

KRA 4 - UTILITY SERVICES

ORD.UTS/1 REPORTS

ORD.UTS/1.2 ENGINEERING SERVICES SPECIAL CONFIDENTIAL REPORT RE: WATER RESTRICTION PATROL APPROVED INSPECTION PROGRAM

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2 & 9/1/17

Date 6 February 2006

Prepared by L. Cook, TECHNICAL OFFICER - UTILITIES

Responsible Officer M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This report has been prepared to ensure individuals contracted to Council and Council employees have the appropriate authorisation to monitor compliance with the *Water Act 2000*.

Officer's Recommendation

- That this report is received and noted
 - Council adopts a series of four approved inspection programs as per the attached document.
 - Council agrees to allow contracted individuals such as Dalby Security Services personal to operate as approved persons under the Local Government Act 1993 limited to authorisation under the Water Act 2000.
 - Council formally requests Wambo Shire Council appoint Dalby Town Council as the governing organisation for the purpose of water restriction compliance.
-

COUNCIL RESOLUTION

MOVED and SECONDED

- That this report is received and noted
- Council adopts a series of four approved inspection programs as per the attached document.
- Council agrees to allow contracted individuals such as Dalby Security Services personal to operate as approved persons under the Local Government Act 1993 limited to authorisation under the Water Act 2000.
- Council formally requests Wambo Shire Council appoint Dalby Town Council as the governing organisation for the purpose of water restriction compliance.

CARRIED

Mr Leigh Cook Technical Officer Utilities retired from the Meeting at 6.53 p.m.

KRA 4 - UTILITY SERVICES

ORD.UTS/1 REPORTS

ORD.UTS/1.3 ENGINEERING SERVICES SPECIAL REPORT RE: PROVISION OF WATER SERVICES TO SOUTHERN CROSS ESTATE SANDALWOOD AVENUE EAST

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 9/1/16, Doc. No. 429580

Date 2 February 2007

Prepared by T.A. Fagg, UTILITIES MANAGER

Responsible Officer M.P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This Report relates to correspondence received from the developers of Southern Cross Estate Sandalwood Avenue East in relation to the supply of water services the proposed development.

Officer's Recommendation

It is recommended that Council offer to supply water to the development on a low flow/continuous feed basis and that the developer pay for 100% of all external and internal works required, in addition to normal headworks and network access charges normally imposed by Council.

COUNCIL RESOLUTION

MOVED and SECONDED

That the report be received and that Council resolve to advise the applicant that it will approve the installation of a pressurised on demand potable water supply in accordance with Council's adopted Strategic Asset Management Plan and Customer Service Standards on the condition that the applicant pay for all necessary infrastructure works internal and external to the site and a headworks contribution of \$3,600 per allotment.

CARRIED

KRA 4 - UTILITY SERVICES

ORD.UTS/2 INWARDS CORRESPONDENCE

Nil.

ORD.UTS/3 GENERAL BUSINESS

Nil.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.1

(D066-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE TO ESTABLISH OFFICES - LYNE BURTON AND EDWARDS FAMILY TRUST

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No P972, Doc. No. 066-06/07

Date 6 February 2007

Prepared by M.D. Wilson, PLANNING MANAGER

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

DEVELOPMENT APPLICATION

| | |
|-----------------------------------|---|
| Application No: | D066-06/07 |
| Applicant: | Lyne Burton & Edwards Family Trust |
| Owner: | Lyne Burton & Edwards Family Trust |
| Site Address: | 44 Drayton Street, Dalby |
| Real Property Description: | Lot 6 on RP93494, Parish of Dalby |
| PDLU Designation: | Comprehensive Development Precinct 2 |
| Zoning: | High Constraint |
| Proposal: | Material Change of Use to establish offices Commercial Development (Class 5) |
| Area of Land: | 875m ² |
| Submissions: | Nil |

This report considers the proposed development and provides an assessment of the merits of the proposal. The purpose of the report is to seek a resolution from Council deciding the application.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.1

(D066-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE TO ESTABLISH OFFICES - LYNE BURTON AND EDWARDS FAMILY TRUST ...(Cont'd)

Officer's Recommendation

RECOMMENDED that:

- A. The applicant be advised that Council considers that the proposed development conflicts with the Strategic Plan, but that there are sufficient grounds to justify the approval despite the conflict. Those planning grounds are:
1. A precedence of allowing office uses in the Comprehensive Development Precinct 2 has been established.
 2. The proposed development is in close proximity to Cunningham Street and does not represent an unacceptable separation of office uses from the main street (Cunningham Street).
 3. The proposed development is not in conflict with the Draft Dalby Town Planning Scheme 2006 which provides for office space on the subject land as code assessable development.
 4. The existing uses located on Drayton Street and included in the Comprehensive Development Precinct 2 are represented by a wide range of uses and the proposed use is not in conflict with those uses.
 5. The proposed development generally meets the other provisions contained in the planning scheme.
 6. The proposed development does not create additional or unexpected impacts upon amenity in the locality taking into account the intended use of the land expressed in planning policy.

It should be noted that on their own, each of these grounds may not be sufficient to justify the approval of the development application, and that the proposal has been assessed on the circumstances that apply. Further, the planning grounds cannot be taken to be an expression of Council's policy with regard to the development of office space in the Comprehensive Development Precinct 2, but relate only to the assessment of this development application.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.1

(D066-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE TO ESTABLISH OFFICES - LYNE BURTON AND EDWARDS FAMILY TRUST ...(Cont'd)

- B. The applicant be advised that the application for a Development Permit for Material Change of Use for Commercial Development - Class 5 Offices on land described as Lot 6 on Plan Number RP93494 in the Parish of Dalby, situated at 44 Drayton Street, Dalby, is approved, subject to the following conditions:

Planning

1. Compliance with the facts and circumstances set out in the application and generally in accordance with the approved plans (except where varied by conditions of approval).
2. The use of the premises for the purpose of Commercial Development - Class 5 shall at all times accord with section 1.4.3 of the Transitional Planning Scheme.
3. Landscape works and associated landscape infrastructure are to be maintained at all times.
4. Car parking shall be provided in accordance with the following:
 - (a) A minimum of one (1) car parking space shall be provided per 30m² of gross floor area of office space. The approved plan shows a gross floor area of approximately 251m² requiring a minimum of eight (8) car parking spaces where all existing buildings are used for office purposes.
 - (b) While the restaurant use which currently exists on site continues, parking for that use will be at the rate of one (1) parking space per 15m² of gross floor area, requiring a combined total provision of a minimum of 11 car parking spaces for restaurant and office use.
 - (c) Car parking spaces shall be sealed, linemarked and drained in accordance with Council's standards.
5. Car parking spaces shall be maintained and kept for the purposes of the parking of visitors and employees.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.1 (D066-06/07) COMMUNITY SERVICES SPECIAL REPORT RE:
DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE TO
ESTABLISH OFFICES - LYNE BURTON AND EDWARDS FAMILY
TRUST ...(Cont'd)

Engineering

6. Stormwater from roof and sealed areas shall be collected inside the subject land and discharged to the road reserve or any recognised external drain by way of effective channels. All necessary approvals to achieve a lawful point of discharge must be obtained. Systems for the effective removal of sediments from any stormwater discharged from the site must be included as part of the stormwater system.
7. Should any services require relocation within the subject land, this shall be undertaken by the applicant at no cost to Council.

Building

8. Prior to the commencement of use a reclassification of the existing buildings shall be undertaken if required, and any conditions attached to the reclassification satisfied

General

9. Prior to the commencement of use, all conditions of this approval must be fully satisfied.
- C. The following are endorsed as approved plans:-

| Drawing Number | Drawing Title | Author | Date |
|-----------------------|--|-----------------------------|--------------|
| 239/04 | Proposed Office Renovations 44 Drayton Street – Site Plan | Martin Design & Drafting | 23 June 2004 |

- D. The applicant be advised of the following Concurrence Agency response:-

- (a) Refer to attachment. Department of Main Roads advise that they have no requirements.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.1

(D066-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE TO ESTABLISH OFFICES - LYNE BURTON AND EDWARDS FAMILY TRUST ...(Cont'd)

E. The applicant be advised of the following:-

- (a) Prior to commencement of the use, the applicant shall contact Council's Planning Manager, to arrange a Development Compliance Inspection;
- (b) The **relevant period** for the development approval (material change of use) shall be **four (4) years** starting the day the approval is granted or takes effect. In accordance with Section 3.5.21(1) of IPA, the development approval for material change of use lapses if the first change of use under the approval does not happen within the abovementioned **relevant period**. However, if there are one or more **related approvals** for the development approval for material change of use, the **relevant period** is taken to have started on the day the latest related approval takes effect. (Please refer to Section 3.5.21(7) of IPA for the meaning of **related approval**).

An applicant may request Council to extend the **relevant period** provided that such request is made in accordance with Section 3.5.22 of IPA and before the development approval lapses under Section 3.5.21 of IPA;

Mr T A Fagg, Utilities Manager retired from the Meeting at 7.10 p.m.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that the recommendations contained therein be adopted.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

**ORD.PAL/1.2 (D256-06/07) COMMUNITY SERVICES SPECIAL REPORT RE:
RECONFIGURING A LOT TO CREATE 62 ALLOTMENTS AT THE
CORNER OF MARY, WYLEY AND ETTY STREETS - NOC
INVESTMENTS**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No P3687, Doc. No. 256-06/07

Date 6 February 2007

Prepared by M.D. Wilson, PLANNING MANAGER

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

This planning report considers the proposed subdivision of residential designated land at the corner of Mary, Wyley and ETTY Streets to create 62 allotments.

On the basis of the information provided to Council, it is considered that the proposed development may be approved subject to conditions.

Officer's Recommendation

RECOMMENDED that:

- A. The applicant be advised that the application for a Development Permit for Reconfiguring a Lot (62 Lots) on land described as Lot 1 on D9116 in the Parish of Dalby, situated at the corner of Mary, Wyley and ETTY Streets, Dalby, is approved, subject to the following conditions:-

Planning

1. Compliance with the facts and circumstances set out in the application and all Council By-laws being adhered to and generally in accordance with the approved plan (except where varied by conditions of approval).
2. The applicant shall pay to Council a parks contribution at the rate applicable at the time the contribution is paid. The 2006/07 fees and charges indicate \$500 per additional Lot.
3. All outstanding rates and charges shall be paid in full prior to the submission to Council of the Plan of Survey.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.2

(D256-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: RECONFIGURING A LOT TO CREATE 62 ALLOTMENTS AT THE CORNER OF MARY, WYLEY AND ETTY STREETS - NOC INVESTMENTS ...(Cont'd)

4. All conditions relevant to a stage of this approval are to be complied with prior to the endorsement of approval of the relevant Plan of Subdivision for that stage, unless otherwise stated.
5. Any staging of the proposed development shall be undertaken in accordance with the approved plan.

Engineering

6. The applicant shall provide all necessary stormwater drainage and erosion and sediment control measures (both internal and external to the estate) in accordance with Council's Transitional Planning Scheme.
7. The applicant shall prepare a network analysis for water supply to be undertaken in the area. Should the network analysis reveal any works necessary to provide an adequate water supply to the area, the applicant shall undertake any works or make any necessary monetary contributions to Council in the context of an application for Operational Works as it relates to water supply.
8. Reticulated water supply shall be provided separately to each allotment in the subdivision in accordance with the requirements of the Transitional Planning Scheme, including:
 - (a) The extension to the water main into the new road;
 - (b) Interconnection with the existing water main in Mary Street;
 - (c) Provision of hydrants and the provision of connections; and
 - (d) The provision of a ring main configuration at the terminus of the main.

All work shall be constructed in accordance with Council's Transitional Planning Scheme. To this end, prior to the signing and sealing of any Plan of Survey for Reconfiguration of Lots on the site, each new allotment shall be provided with a water service connection up to but excluding a water meter.

9. The applicant shall pay to Council a contribution for water supply headworks at the rate applicable at the time the contribution is paid. The 2006/07 fees and charges indicate \$1200 per additional Lot.
10. The applicant shall prepare a sewer catchment network analysis. Should the network analysis reveal any works necessary to provide an adequate level of service to the area, the applicant shall undertake any works or make any necessary monetary contributions to Council in the context of an application for Operational Works.
11. The applicant shall pay to Council a contribution for sewerage headworks at the rate applicable at the time the contribution is paid. The 2006/07 fees and charges indicate \$1200 per additional Lot.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.2

(D256-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: RECONFIGURING A LOT TO CREATE 62 ALLOTMENTS AT THE CORNER OF MARY, WYLEY AND ETTY STREETS - NOC INVESTMENTS ...(Cont'd)

12. The applicant shall pay to Council a contribution for transport headworks at the rate applicable at the time the contribution is paid. The 2006/07 fees and charges indicate \$600 per additional Lot.
13. All new roads reserves are to be provided at the applicant's cost at a minimum width shown on the approved plan.
14. There shall be no vehicular access to Etty Street or Louisa Street from any allotment or road.
15. All new roads are to be constructed with a minimum six (6) metre wide bitumen surface invert to invert, together with all associated works including kerb and channel for the full length of all street frontages in accordance with the provisions of Council's Transitional Planning Scheme. The access road between lots 53-54 and lot 52 shall be constructed to a minimum three (3) metre wide bitumen seal. The car parks located at the end of the access road shall be constructed to a bitumen seal standard. To this end, any road construction shall be subject to application for Operational Works.
16. "No Through Road" signs and road name signs shall be erected at each intersection in accordance with Council's Transitional Planning Scheme.
17. The proposed cul-de-sac heads shall be constructed to Council's standards.
18. Street lighting is to be designed and installed in accordance with Australian Standard AS1158.
19. Bollards shall be installed at the end of cul-de-sac heads and at the end of the access road between lots 53-54 and lot 52 restricting vehicular access to Louisa and Etty Street road reserves.
20. The southern side of Wyley Street and the eastern side of Mary Street are to be constructed incorporating kerb and channel in accordance with Council's standards.
21. Footpaths connecting the cul-de-sac heads to the Louisa Street Road Reserve and extending along the Louisa Street Road Reserve in accordance with the approved plan, shall be constructed of concrete and shall be a minimum of two (2) metres in width.
22. Prior to the endorsement of the Plan of Survey, the applicant shall submit three choices for the name of each new street to Council for consideration. Council may, at its discretion, accept any of the choices or nominate an alternative name if any are not considered favourable.
23. Where deemed necessary by Council, the relocation of services within the subject land shall be undertaken by the applicant at no cost to Council.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.2 (D256-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: RECONFIGURING A LOT TO CREATE 62 ALLOTMENTS AT THE CORNER OF MARY, WYLEY AND ETTY STREETS - NOC INVESTMENTS ...(Cont'd)

24. Prior to the issue of a Development Approval for a Dwelling House, an approved crossing shall be provided at the point of access to each allotment in accordance with Council's Local Planning Policies on Engineering Works.
25. Submission of a certificate signed by a licensed surveyor, stating that after the completion of all works associated with the subdivision, survey marks, including permanent survey marks, were reinstated where necessary and all survey marks are in their correct position, in accordance with the Plan of Survey.
26. The subject site and all new roads shall be adequately drained and all stormwater shall be disposed of to the satisfaction of Council and to relevant engineering standards. The stormwater disposal system shall be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.
27. Any fill placed on the subject land in relation to the development shall not cause any ponding of water on any other land.
28. Telephone and electricity services to all allotments shall be provided underground.
29. The applicant shall submit a certificate from the provider agency to indicate provision of a telephone supply to each of the proposed allotments is available.
30. The applicant shall submit a certificate from the provider agency to indicate provision of a power supply to each of the proposed allotments is available.
31. Where appropriate, easements shall be provided in favour of Council to contain infrastructure elements, including water mains.
32. The cost of providing services to each proposed Lot shall be at the expense of the applicant.

Environmental Health

33. The operations and construction work associated with this development are to be carried out to the requirements of Council. In particular, no nuisance is to be caused to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours. Where material is spilled or carried onto existing roads, it is to be removed forthwith so as to restrict dust nuisance and ensure traffic safety. Adequate safety precautions are to be maintained where work is taking place on existing roads and any damage deemed by the Environmental Health Officer to be attributable to the progress of works or vehicles associated with the development of the site shall be repaired to Council's satisfaction.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.2

(D256-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: RECONFIGURING A LOT TO CREATE 62 ALLOTMENTS AT THE CORNER OF MARY, WYLEY AND ETTY STREETS - NOC INVESTMENTS ...(Cont'd)

B. The approved plan/drawing for this development approval is listed in the following table:-

| Drawing No. | Title | Author | Date |
|--------------------|-------------------------|-------------------------|---------------|
| C1015-1-B | Plan of Reconfiguration | Wolter Consulting Group | December 2006 |

C. The applicant be advised that:-

- (a) The **relevant period** for the development approval (Reconfiguring of a Lot) shall be four (4) years starting the day the approval is granted or takes effect. In accordance with Section 3.5.21(2) of IPA, the development approval for Reconfiguring a Lot lapses if a plan for the reconfiguration is not given to Council under Section 3.7.2(2) within the abovementioned **relevant period**.

An applicant may request Council to extend the **relevant period** provided that such request is made in accordance with Section 3.5.22 of IPA and before the development approval lapses under Section 3.5.21 of IPA.

- (b) Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.
- (c) A development application is required for Operational Works.
-

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that the recommendations contained therein be adopted.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/2 **INWARDS CORRESPONDENCE**

ORD.PAL/2.1 **WOLFGANG ZADRAVEC RESIGNATION EFFECTIVE 16 FEBRUARY 2007**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 4/4/399, Doc. No. 435345

Date 9th February 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A letter dated 5th February 2007 tendering his resignation as Environmental Health Officer effective from 16th February 2007.

Officer's Recommendation

That this letter be received and Mr Zadavec's resignation be received with regret.

COUNCIL RESOLUTION

MOVED and SECONDED

That this letter be received and Mr Zadavec's resignation be received with regret.

CARRIED

ORD.PAL/3 **GENERAL BUSINESS**

Nil.

Mr Graeme Preston, Special Projects Consultant retired from the Meeting at 7.40 p.m.

KRA 6 - ECONOMIC PROSPERITY

ORD.ECP/1 REPORTS

Nil.

ORD.ECP/2 INWARDS CORRESPONDENCE

ORD.ECP/2.1 LOCAL GOVERNMENT ASSOCIATION OF AUSTRALIA REGISTRATION DETAILS ECONOMIC AND REGIONAL DEVELOPMENT CONFERENCE

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/15/15, Doc. No. 430991

Date 9th February 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A circular inviting Council to register for the 2007 LGAQ Economic and Regional Development to be held at Radisson Resort, Gold Coast from the 7th to 9th March 2007.

Officer's Recommendation

That the circular be received and that Cr Carl Milford be authorised to attend and Mr Blaine Patterson, DCS and Mr Danny Nearhos, SCSO to attend on alternate days.

COUNCIL RESOLUTION

MOVED and SECONDED

That the circular be received and that Cr Carl Milford be authorised to attend and Mr Blaine Patterson, DCS and Mr Danny Nearhos, SCSO to attend on alternate days.

CARRIED

ORD.ECP/3 GENERAL BUSINESS

Nil.

KRA 2 - OUR ORGANISATION

ORD.ORG/3

GENERAL BUSINESS

ORD.ORG/3.2

UPDATE SIZE SHAPE AND SUSTAINABILITY

To

His Worship the Mayor and Councillors

File No

5/3/3 & 5/3/19

Date

8th February 2007

Responsible Officer

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

Mr S M Hegedus, CEO presented an update on the meeting held with Wambo Shire Council in relation to Size Shape and Sustainability advising the following:-

- End result productive meeting - acknowledged both Councils need to be proactive and work together to achieve best outcome;
- Agreed on four (4) areas to meet and discuss further:-
 - (i) Possible scenarios for change options
 - (ii) agreed benefit to both Councils work on joint staff policy to provide stability to staff during transition period
 - (iii) discussion on financial management issues; and
 - (iv) possible regional infrastructure funding options.

KRA 2 - OUR ORGANISATION

ORD.ORG/3

GENERAL BUSINESS

ORD.ORG/3.1

MOVE INTO COMMITTEE DISCUSS STAFFING ISSUES

To His Worship the Mayor and Councillors

File No 4/1/5

Date 7th February 2007

Responsible Officer S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

Mr S M Hegedus, CEO has requested that in accordance with the Local Government Act Section 463 (1) Council go into committee to discuss staffing issues.

COUNCIL RESOLUTION

RESOLUTION INTO COMMITTEE OF THE WHOLE

MOVED and SECONDED

That the Meeting resolve into a Committee of the Whole to discuss staffing issues at 8.05 p.m.

CARRIED

Messrs Trish Bennett, DFIS, Matt Sullivan, DES, Blaine Patterson, DCS, Matt Wilson, PM, Kerri Anderson, CSM and Cath Harding, CEO's PA retired from the Meeting at 8.05 p.m.

RESUMPTION OF COUNCIL MEETING

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 8.30 p.m.

CARRIED

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Council discussed staffing issues in relation to the water development project.

MEETING CLOSURE

The Meeting concluded at 8.35 p.m.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting held this thirteenth day of February 2007.

Submitted to the Ordinary Meeting of Council held this twentieth day of February 2007.

Signed:

Cr Geisel
MAYOR OF DALBY

14th February 2007

APPENDIX / ATTACHMENTS
