



***"Working Together for a Better Dalby"***

## **Minutes of Ordinary Meeting of Council**

***Held at Dalby Town Council Chambers***

**ON Tuesday 9 October 2007**

**Commencing at 4.05 p.m.**

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# Minutes of Ordinary Meeting of Council

Tuesday 9 October 2007

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## **DECLARATION OF MEETING OPENING**

The Chairperson declared the meeting open at 4.05 p.m.

## **PRESENT**

<b>Mayor</b>	Cr B T O'Shea (Chairperson)
<b>Councillors</b>	Cr J.M. Hart Cr R.G. Latemore Cr C.P. Milford Cr G.M. Nearhos Cr D.S. Smiles Cr R.A. Thornton Cr C.T. Tillman
<b>Officers</b>	S.M. Hegedus, CHIEF EXECUTIVE OFFICER T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES B. Patterson, DIRECTOR COMMUNITY SERVICES Graeme Preston, A/DIRECTOR ENGINEERING SERVICES M. Wilson, PLANNING MANAGER R. Hamilton, SOCIAL CULTURAL & SPORTING OFFICER C.M. Harding, CEO's PERSONAL ASSISTANT
<b>Observers</b>	Messrs Richard Bumstead, Graham Bradford and Dennis Sankey
<b>Delegation</b>	Nil

## **APOLOGIES**

An apology for non-attendance was received from the Mayor Cr Warwick Geisel.

ORD/1

**CONDOLENCES**

ORD/1.1

**Council's Condolences Extended Family David Alexander**

**File No**

1/1/1

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**Summary/Purpose**

Cr B T O'Shea requested Council's condolences be extended to the family of David Alexander, whose funeral was held on 28th September 2007.

David Alexander had made a significant contribution to Dalby over the years.

**ORD/2 CONGRATULATIONS**

Nil.

**ORD/3 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY MEETING**

**ORD/3.1 Adopt Minutes Previous Ordinary Meeting Tuesday 18 September 2007**

**To** His Worship the Mayor and Councillors

**File No** 1/2/10

**Date** 19 September 2007

**Responsible Officer** Cr W. Geisel, MAYOR

Signed: \_\_\_\_\_

**Summary/Purpose**

Minutes of the Ordinary Meeting of Council held on Tuesday, 18th September 2007.

**Officer's Recommendation**

That the minutes of the last Ordinary Meeting held on Tuesday, 18th September 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, 18th September 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**

Nil.

**ORD/8 CONSIDERATION OF NOTICES OF BUSINESS**

Nil.

**ORD/9 CONSIDERATION OF NOTICES OF MOTION**

Nil.

**ORD/10 QUESTIONS WITHOUT NOTICE**

Nil.

**ORD/11 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING**

Nil.

## **KRA 1 - COMMUNITY WELLBEING**

**ORD.CW/1**

### **REPORTS**

**ORD.CW/1.1**

**Community Services Special Report Re: Dalby Town Council Minor Grants Funding Round**

**To** S M Hegedus, CHIEF EXECUTIVE OFFICER

**File No** 2/4/13

**Date** 20 September 2007

**Prepared by** R. Hamilton, SOCIAL CULTURAL & SPORTING OFFICER

**Responsible Officer** B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: \_\_\_\_\_

### **Summary/Purpose**

This report is in relation to the applications received for the August 2007 round of the Dalby Town Council Minor Grants Program.

### **Declaration of Material Personal Interest/Conflict of Interest**

Cr G N Nearhos declared a conflict of interest as he is a member of the Organising Committee for the Wings and Wheels Event planned by Dalby Beck Street Kindergarten and recorded his intention not to vote.

### **Officer's Recommendation**

That Council approves grant payment to the Dalby Town Council Minor Grants Program applicants as recommended in this report.

*Cr D S Smiles joined the Meeting at 4.10 p.m.*

### **Justification**

Nil

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## **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and that Council approves grant payment to the Dalby Town Council Minor Grants Program applicants as recommended in this report.

**CARRIED**

## **KRA 1 - COMMUNITY WELLBEING**

### **ORD.CW/1                      REPORTS**

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**ORD.CW/1.2                      Community Services Special Report Re: Living in Harmony Funding Update**

**To**                                      SM Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                                1/13/1, 2/3/3 & 5/4/19, Doc No. 495271

**Date**                                    3 October 2007

**Prepared by**                        RA Hamilton, SOCIAL CULTURAL & SPORTING OFFICER

**Responsible Officer**            BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed: \_\_\_\_\_

#### **Summary/Purpose**

This report details the Australian Government's Living in Harmony Funding – Dalby Welcoming Community Project which has recently been approved for funding by the Assistant Minister for Immigration and Citizenship.

#### **Declaration of Material Personal Interest/Conflict of Interest**

Nil.

#### **Officer's Recommendation**

That this report be received and noted

#### **Justification**

Nil.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this report be received and noted

**CARRIED**

Cr Smiles congratulated the staff involved, for their efforts in successfully gaining funding, stating it demonstrates the importance of the community component within Council's structure and will provide added benefits that will flow on to a stronger community.

## **KRA 1 - COMMUNITY WELLBEING**

### **ORD.CW/1                      REPORTS**

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**ORD.CW/1.3                      Community Services Special Report Re: Dalby Town and Wambo Shire Community Facilities Development Plan 2007 - 2012**

**To**                                      S M Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                                5/1/55

**Date**                                    3 October 2007

**Prepared by**                        R. Hamilton, SOCIAL CULTURAL & SPORTING OFFICER

**Responsible Officer**            B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: \_\_\_\_\_

#### **Summary/Purpose**

This report is intended to present the Final Draft of the Dalby Town and Wambo Shire Community Facilities Development Plan 2007 -2012 as researched and compiled by Mr Paul Hemmings of Leisure Futures on behalf of both Dalby Town and Wambo Shire Councils.

#### **Declaration of Material Personal Interest/Conflict of Interest**

NIL

#### **Officer's Recommendation**

That this report be received and noted and that Council endorse the Final Draft of the Dalby Town and Wambo Shire Community Facilities Development Plan 2007 -2012.

#### **Justification**

NIL

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this report be received and noted and that Council endorse the Final Draft of the Dalby Town and Wambo Shire Community Facilities Development Plan 2007-2012.

**CARRIED**

*Ms Rose Hamilton, SCSO retired from the Meeting at 4.15 p.m.*

## **KRA 1 - COMMUNITY WELLBEING**

### **ORD.CW/1                      REPORTS**

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**ORD.CW/1.4                      Report Showgrounds Management Advisory Committee Meeting  
Tuesday 18th September 2007**

**To**                                      S M Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                                1/2/16, 5/1/35 & P1323

**Date**                                    18 September 2007

**Prepared by**                        C.M. Harding, CEO's PERSONAL ASSISTANT

**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 18th September 2007.

#### **Officer's Recommendation**

That the minutes be received and noted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

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

**CARRIED**

*Cr C T Tillman joined the Meeting at 4.20 p.m.*

## **KRA 1 - COMMUNITY WELLBEING**

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**ORD.CW/2**

**INWARDS CORRESPONDENCE**

**ORD.CW/2.1**

**Darling Downs Branch Australian Stock Horse Society Request  
Consider Issues Showgrounds**

**To**

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

**File No**

5/1/35 & P1323, Doc. No. 487397

**Date**

4 October 2007

**Responsible Officer**

B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed:

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### **Previous Consideration**

This item was previously discussed at an Ordinary Meeting of Council held on Tuesday 18th September 2007 where it was resolved that the letter be received and that the matter be deferred to the Ordinary Meeting of Council to be held on Tuesday 9 October 2007.

This matter was discussed at the Showgrounds Management Committee Meeting on Tuesday 18th September 2007.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

That Council advise the Darling Downs Branch Australian Stock Horse Society of the following in response to the 4 September correspondence:

1. The priority of Showgrounds development be unchanged and confirm Council not have funds in place for the stallion stables. Council will continue to look for external funding for this aspect of development.
2. Council is willing to negotiate future use of stallion stables with horse related branches if they have funds to put towards the complete construction of the stallion stables.
3. Council offer the Showgrounds facility for the 2007 Stock Horse Sale at a reduced cost of \$2,500 hire fee plus operating costs of electricity, water and rubbish service for the event. Plus a further \$700 if the Society books the Showgrounds Pavilion.
4. There is no allocation of funds identified for further improvements to the ring surface.
5. The Showgrounds Management Advisory Committee and Council will investigate options and address the issue of stock going through the ring fence.

## **KRA 1 - COMMUNITY WELLBEING**

**ORD.CW/2                      INWARDS CORRESPONDENCE**

**ORD.CW/2.1                      Darling Downs Branch Australian Stock Horse Society Request  
Consider Issues Showgrounds ...(Cont'd)**

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6. Council will provide the Stock Horse Branch Council's 2007/2008 Fees & Charges for use of the Showgrounds.

7. Council continue to formally recognize community contributions to the Showgrounds Development, whether financial or in kind in nature with the wording "Active Riders" used for support from horse groups.

8. Council will investigate putting the Showgrounds Management Advisory Committee Minutes on Council's website to improve communication with horse bodies. It is also recommended that improved communication be organised between the Active Riders and their representative on the Showgrounds Management Advisory Committee.

### **Justification**

Nil

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## **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received, the contents noted and that Council forward a suitable reply as per the recommendations contained in the report.

**CARRIED**

## **KRA 1 - COMMUNITY WELLBEING**

ORD.CW/2

INWARDS CORRESPONDENCE

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ORD.CW/2.2

**Minister Main Roads and Local Government Advise Unable Relieve Councillor Tillman Material Personal Interest Disability Aquatic Centre Project**

To

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No

16/2/1 & 1/1/4, Doc. No. 492775

Date

3 October 2007

Responsible Officer

B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed:

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### **Summary/Purpose**

A letter dated 20 September 2007 from the Minister for Main Roads and Local Government, Warren Pitt MP, advising he is unable to exercise his powers under section 245 of the *Local Government Act 1993* to relieve Cr C Tillman of a material personal interest disability in relation to the proposed aquatic centre at the Dalby PCYC.

Cr Carolyn Tillman has advised of her intention to resign from the Aquatic Centre Project Committee.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

That this letter be received, the contents be noted and that Council appoint a new Councillor as representative on the Aquatic Centre Project Committee.

### **Justification**

Nil

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## **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received, the contents be noted and that Council appoint Cr Greg Nearhos as the representative on the Aquatic Centre Project Committee.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/1**

### **REPORTS**

**ORD.ORG/1.1**

**Chief Executive Officer's Special Report Re: Attendance 2007 Local Government Association Queensland Conference**

**To** His Worship the Mayor and Councillors

**File No** 1/15/15

**Date** 17 September 2007

**Responsible Officer** S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed: \_\_\_\_\_

### **Summary/Purpose**

This Report provides a brief summary of attendance at the 2007 Local Government Association of Queensland Conference.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

That this Report be received and noted.

### **Justification**

Nil

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## **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

### **ORD.ORG/1                      REPORTS**

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**ORD.ORG/1.2                      Corporate Services Monthly Report - June, July and August 2007**

**To**                                      Hon. Worship the Mayor and Councillors

**File No**                                1/2/1

**Date**                                    10 September 2007

**Prepared by**                        K. Anderson, CORPORATE SUPPORT MANAGER

**Responsible Officer**            S M Hegedus, CHIEF EXECUTIVE OFFICER

Signed: \_\_\_\_\_

#### **Summary/Purpose**

Report on projects completed and work in progress by the corporate services team during the months of June, July and August 2007.

#### **Officer's Recommendation**

That this Report be received and noted.

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#### **Officer's Recommendation**

That this report be received and noted.

#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

### **ORD.ORG/1                      REPORTS**

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**ORD.ORG/1.3                      Report Safety Committee Meeting Thursday 20 September 2007**

**To**                                      His Worship the Mayor and Councillors

**File No**                                4/1/16

**Date**                                    20 September 2007

**Responsible Officer**    S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

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#### **Summary/Purpose**

Report of the Safety Committee meeting held on Thursday 20th September 2007 commencing at 1:15 p.m.

#### **Officer's Recommendation**

That the Report of the Meeting be received and the recommendations contained therein be adopted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That the Report of the Meeting be received and noted.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

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**ORD.ORG/2**

**INWARDS CORRESPONDENCE**

**ORD.ORG/2.1**

**Unconfirmed Minutes Dalby Regional Council Local Transition Committee Meeting 28th September 2007**

**To**

His Worship the Mayor and Councillors

**File No**

5/3/3, Doc. No. 495648

**Date**

4 October 2007

**Responsible Officer**

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

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### **Summary/Purpose**

A copy of the unconfirmed minutes of the Dalby Regional Council Local Transition Committee held in Dalby on Friday 28 September 2007.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

That the minutes be received and noted.

### **Justification**

Nil

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That the minutes be received and noted.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/2**

**INWARDS CORRESPONDENCE**

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**ORD.ORG/2.2**                      **Darling Downs Regional Organisation of Councils Unconfirmed Minutes Meeting 28 September 2007**

**To**                                      His Worship the Mayor and Councillors

**File No**                                5/3/19, Doc. No. 495459

**Date**                                    3 October 2007

**Responsible Officer**      S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

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### **Summary/Purpose**

A copy of the unconfirmed minutes of the DDROC Meeting of Directors held Friday 28th September 2007.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

That this minutes be received and noted.

### **Justification**

Nil

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## **COUNCIL RESOLUTION**

MOVED and SECONDED

That the minutes be received and noted.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/2**

**INWARDS CORRESPONDENCE**

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**ORD.ORG/2.3**

**Discussion Paper LGAQ Structure and New Council Arrangements**

**To**

His Worship the Mayor and Councillors

**File No**

5/3/3, Doc. No. 490498

**Date**

26 September 2007

**Responsible Officer**

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

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### **Summary/Purpose**

A letter dated 10 September 2007 from the Local Government Association of Queensland forwarding a discussion paper exploring options for the structure of the LGAQ following implementation of the Local Government Reform process and seeking Council's written views on this matter by 22 October 2007 to be discussed and determined at a Special Conference scheduled for Friday 14 December 2007.

Further, advising that the LGAQ President, Cr Paul Bell and Executive Director, Greg Hallam have extended an invitation to the Mayor, one other Councillor and the Chief Executive Officer to attend a discussion on the matter on 16 October 2007 in Toowoomba.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

That this letter be received and Council's direction is requested.

### **Justification**

Nil

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## **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received and that Council resolve:-

- (a) not to have representation at the workshop to be conducted on 16th October 2007; and
- (b) forward a suitable reply in relation to member voting entitlements supporting Option 1 Executive of 14 members including President.

**CARRIED**

***KRA 3 - BUILT ENVIRONMENT***

**ORD.BE/1                      REPORTS**

Nil.

**ORD.BE/2                      INWARDS CORRESPONDENCE**

Nil.

**ORD.BE/3                      GENERAL BUSINESS**

Nil.

## ***KRA 4 - UTILITY SERVICES***

### **ORD.UTS/1                      REPORTS**

Nil.

### **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**

**(D221-06/07) Community Services Special Report Re: Subdivision of Land to Create Two Allotments - Porter & Alrex Pty Ltd**

**To** SM Hegedus, CHIEF EXECUTIVE OFFICER

**File No** P3575, Doc. No. 221-06/07

**Date** 25 September 2007

**Prepared by** MD Wilson, PLANNING MANAGER

**Responsible Officer** BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed: \_\_\_\_\_

### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	221-06/07
<b>Applicant:</b>	Porter & Alrex Pty Ltd
<b>Owner:</b>	Porter & Alrex Pty Ltd
<b>Site Address:</b>	Cooper Street
<b>Real Property Description:</b>	Lot 182 on SP157060
<b>PDLU Designation:</b>	Rural Residential
<b>Zone:</b>	High Constraint
<b>Proposal:</b>	Reconfiguring a lot to create 2 allotments
<b>Area of Land:</b>	4000m <sup>2</sup>
<b>Submissions:</b>	Nil

This report considers the proposed development, provides an assessment of the merits of the proposal and makes a recommendation to decide the development application.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil.

## **KRA 5 - PLANNING AND LIVEABILITY**

ORD.PAL/1

REPORTS

ORD.PAL/1.1

**(D221-06/07) Community Services Special Report Re: Subdivision of Land to Create Two Allotments - Porter & Alrex Pty Ltd ...(Cont'd)**

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### **Officer's Recommendation**

**RECOMMENDED** that:

- A. The applicant be advised that the application for a Development Permit for Material Change of Use to establish Residential Development on land described as Lot 182 on SP157060, situated at Cooper Street, 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. All outstanding rates and charges shall be paid in full.
3. The use of the premises for the purpose of Residential Development - Class 1 A shall at all times accord with section 1.4.3 of the Transitional Planning Scheme.
4. The height of dwellings shall not exceed 8.5m above natural ground level.

#### **Engineering**

5. Habitable floor heights shall be a minimum of 300mm above the 1 in 100 year ARI flood event.

#### **General**

6. All conditions shall be fully satisfied prior to the commencement of use, unless otherwise stated.

- B. the applicant be advised that the application for Development Approval for a Reconfiguring a Lot (to create two allotments) on land described as Lot 182 on SP157060, situated at Cooper Street, 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. 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/1.1

### **(D221-06/07) Community Services Special Report Re: Subdivision of Land to Create Two Allotments - Porter & Alrex Pty Ltd ...(Cont'd)**

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3. A 10 metre wide landscaped screen buffer shall be provided along the full frontage of the subject land, excepting an area reasonably required for residential vehicular access to each allotment and provision of a mailbox. The buffer shall be planted with drought tolerant native species capable of forming a screen to the industrial area opposite the site in Cooper Street.
4. All conditions of this approval are to be complied with prior to the endorsement of approval of the relevant Plan of Subdivision, unless otherwise stated.

### **Engineering**

5. The applicant shall provide all necessary stormwater drainage and erosion and sediment control measures (both internal and external to the subdivision) in accordance with Council's Planning Scheme.
6. Any fill placed on the subject land in relation to the development shall not cause any ponding of water on any other land.
7. Reticulated water supply shall be provided separately to each allotment in the subdivision in accordance with the requirements of Council's Planning Scheme.

All work shall be constructed in accordance with Council's 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.

8. Reticulated sewer shall be provided separately to each allotment in the subdivision in accordance with the requirements of Council's Planning Scheme.

All work shall be constructed in accordance with Council's Planning Scheme, and shall include the extension of the sewer main for the full frontage of the subject land. 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 sewer connection in accordance with the WSA Standard drawings.

9. Where deemed necessary by Council, the relocation of services within the subject land shall be undertaken by the applicant at no cost to Council.
10. 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.
11. Telephone and electricity services to all allotments shall be provided underground.
12. 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.

## **KRA 5 - PLANNING AND LIVEABILITY**

### **ORD.PAL/1                      REPORTS**

#### **ORD.PAL/1.1                      (D221-06/07) Community Services Special Report Re: Subdivision of Land to Create Two Allotments - Porter & Alrex Pty Ltd ...(Cont'd)**

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13. 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.
14. Where appropriate, easements shall be provided in favour of Council to contain infrastructure elements, including water mains.
15. Where appropriate, easements shall be provided in favour of Council for stormwater drainage purposes.
16. The cost of providing services to each proposed Lot shall be at the expense of the applicant.
17. Habitable floor heights shall be a minimum of 300mm above the 1 in 100 year ARI flood event.

#### **Environmental Health**

18. 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.

#### **Building**

19. Prior to the issue of the Final Inspection Certificate for a Dwelling House, an approved invert crossing shall be provided at the point of access to each allotment in accordance with Council's Local Planning Policies on Engineering Works.

#### **Contributions**

20. The applicant shall pay to Council a parks contribution at the rate applicable at the time the contribution is paid. The 2007/08 fees and charges indicate \$515 per additional Lot.
21. The applicant shall pay to Council a contribution for water supply headworks at the rate applicable at the time the contribution is paid. The 2007/08 fees and charges indicate \$1,500 per additional lot.
22. The applicant shall pay to Council a contribution for sewerage headworks at the rate applicable at the time the contribution is paid. The 2007/08 fees and charges indicate \$1,500 per additional lot.

## **KRA 5 - PLANNING AND LIVEABILITY**

### **ORD.PAL/1                      REPORTS**

#### **ORD.PAL/1.1                      (D221-06/07) Community Services Special Report Re: Subdivision of Land to Create Two Allotments - Porter & Alrex Pty Ltd ...(Cont'd)**

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23. The applicant shall pay to Council a contribution for transport headworks at the rate applicable at the time the contribution is paid. The 2007/08 fees and charges indicate \$750 per additional lot.

C. The approved plans/drawings for this development approval are listed in the following table:

<b>Plan/Drawing Number</b>	<b>Plan/Drawing Name</b>	<b>Date</b>
056616S	Proposed Subdivision of Lot 182 on SP157060	

D. The applicant be advised that:-

- (a) Prior to works commencing on-site, separate applications for Development Permit for Operational Works, Building Works, Plumbing or Drainage Works will be required to be approved;
- (b) Prior to commencement of the use, the applicant shall contact Council's Planning Manager, to arrange a Development Compliance Inspection;
- (c) The applicant must ensure compliance with environmental conditions whether required to hold an Environmental Authority or not. These include, but are not limited to water quality, air quality, noise levels, waste waters, lighting and visual quality as a result of any activity or by-product or storage of materials within the confines of the building(s) and property boundaries.

Any amendment, alteration or addition to the development approval will require further consideration by Council in assessing any changes to the environmental conditions;

- (d) 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 the 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 the IPA and before the development approval lapses under Section 3.5.21 of the IPA;

## **KRA 5 - PLANNING AND LIVEABILITY**

ORD.PAL/1

REPORTS

ORD.PAL/1.1

**(D221-06/07) Community Services Special Report Re: Subdivision of Land to Create Two Allotments - Porter & Alrex Pty Ltd ...(Cont'd)**

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- (e) 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 the IPA, the development approval for a 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 a 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 the 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 the IPA and before the development approval lapses under Section 3.5.21 of the IPA;

- (f) Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.

### **Justification**

Nil.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

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

**CARRIED**

## **KRA 5 - PLANNING AND LIVEABILITY**

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.2                      (D265-06/07) Community Services Special Report Re: Material Change of Use to Establish Residential Development and Reconfiguring a Lot to Create 3 Allotments - Chriqui**

**To**                                      SM Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                                P3212, Doc. No. 265-06/07

**Date**                                    3 October 2007

**Prepared by**                        MD Wilson, PLANNING MANAGER

**Responsible Officer**            BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed:

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### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	265-06/07
<b>Applicant:</b>	M Chriqui
<b>Owner:</b>	M & D Chriqui
<b>Site Address:</b>	16 Platz Avenue
<b>Real Property Description:</b>	Lot 3 on RP804514
<b>PDLU Designation:</b>	Rural Residential
<b>Zoning:</b>	Low Constraint
<b>Proposal:</b>	Material Change of Use to establish Residential Development & Reconfiguring a Lot to create 3 allotments
<b>Area of Land:</b>	1.151ha
<b>Submissions:</b>	11

This report considers the proposed development, provides an assessment of the merits of the proposal and makes a recommendation to decide the development application.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil.

## **KRA 5 - PLANNING AND LIVEABILITY**

ORD.PAL/1

REPORTS

ORD.PAL/1.2

**(D265-06/07) Community Services Special Report Re: Material Change of Use to Establish Residential Development and Reconfiguring a Lot to Create 3 Allotments - Chriqui ...(Cont'd)**

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### **Officer's Recommendation**

It is **RECOMMENDED** that:

- A. The applicant be advised that the application for a Development Permit for Material Change of Use to establish Residential Development on land and the application for a Development Permit to Reconfigure land into three allotments being the subject land described as Lot 3 on RP804514 in the Parish of Dalby, situated at 16 Platz Avenue, Dalby, is refused for the following reasons:
1. The proposed development does not meet the subdivision provisions contained in the Transitional Planning Scheme;
  2. The proposed development conflicts with the Strategic Plan intent and objectives for development in the Rural Residential preferred dominant land use designation; and
  3. There are insufficient planning grounds to warrant the approval of the proposal, despite the conflict with the Strategic Plan.
- B. At the end of the applicant appeal period, submitters be advised of Council's resolution and provided with a copy of the "Submissions Consideration", included as Attachment 3 of this report.

### **Justification**

Nil.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and that Council refuse the application as per the recommendations contained in the report.

**CARRIED**

## **KRA 5 - PLANNING AND LIVEABILITY**

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.3                      Community Services Special Report Re: Dalby Junior Rugby League  
Proposed Shed Corner of Orpen and Drayton Streets**

**To**                                      SM Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                                P1934, Doc. No. 020.2007.0145.001

**Date**                                    24 September 2007

**Prepared by**                        MD Wilson, PLANNING MANAGER

**Responsible Officer**            BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed:

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### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	020.2007.0145.001
<b>Applicant:</b>	Dalby Junior Rugby League
<b>Owner:</b>	Dalby Town Council
<b>Site Address:</b>	Orpen Street
<b>Real Property Description:</b>	Lot 230 AG293
<b>PDLU Designation:</b>	Open Space
<b>Zone:</b>	High Constraint
<b>Precinct:</b>	Open Space
<b>Proposal:</b>	Building Works DA 84m <sup>2</sup> Shed
<b>Area of Land:</b>	14.371Ha
<b>Submissions:</b>	N/A

This report considers the proposed development, provides an assessment of the merits of the proposal and makes a recommendation to decide the development application.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

**RECOMMENDED** that:

The report be received and noted, and the applicant advised by letter:

- (1) that the proposed shed constitutes a material change of use in accordance with the Dalby Town Planning Scheme 2007,

## **KRA 5 - PLANNING AND LIVEABILITY**

ORD.PAL/1

### **REPORTS**

ORD.PAL/1.3

### **Community Services Special Report Re: Dalby Junior Rugby League Proposed Shed Corner of Orpen and Drayton Streets ...(Cont'd)**

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- (2) that Council has reservations with regard to the proposed position of the shed,
- (3) that Council is the landowner and must provide written consent to the making of a material change of use development application, and
- (4) that Council will provide written consent when satisfied with the proposed position of the shed and its design.

### **Justification**

Nil

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

The report be received and noted, and the applicant be advised by letter:

- (1) that the proposed shed constitutes a material change of use in accordance with the Dalby Town Planning Scheme 2007,
- (2) that Council has reservations with regard to the proposed position of the shed,
- (3) that Council is the landowner and must provide written consent to the making of a material change of use development application, and
- (4) that Council will provide written consent when satisfied with the proposed position of the shed and its design.

**CARRIED**

## **KRA 5 - PLANNING AND LIVEABILITY**

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**ORD.PAL/2**                      **INWARDS CORRESPONDENCE**

**ORD.PAL/2.1**                      **Friends of Myall Creek Minutes Meeting 25 July 2007**

**To**                                      S.M. Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                              22/2/5, Doc. No. 491834

**Date**                                      26 September 2007

**Responsible Officer**      B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: \_\_\_\_\_

### **Summary/Purpose**

A copy of the minutes of the Meeting of Friends of Myall Creek held 25 July 2007.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

That the Minutes be received and noted.

### **Justification**

Nil

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That the Minutes be received and noted.

**CARRIED**

## **KRA 5 - PLANNING AND LIVEABILITY**

**ORD.PAL/2**

**INWARDS CORRESPONDENCE**

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**ORD.PAL/2.2**

**Maranoa and District Regional Planning Advisory Committee  
Consideration Preferred Boundary Definition Regional Plans Maranoa  
Western Downs Regions**

**To**

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

**File No**

5/3/3, Doc. No. 491719

**Date**

26 September 2007

**Responsible Officer**

B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed:

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### **Summary/Purpose**

A letter dated 17 September 2007 from the Maranoa and District Regional Planning Advisory Committee seeking Council's consideration of preferred future regional planning boundaries for communities encompassed by the Roma and Dalby Regional Councils and Balonne Shire Council.

The purpose of the letter is to stimulate discussion at Council level, with Local Transition Committee delegates to carry those views into discussions at LTC's.

### **Declaration of Material Personal Interest/Conflict of Interest**

Nil

### **Officer's Recommendation**

That this letter be received and Council's direction is requested.

### **Justification**

Nil

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received and that Council forward a suitable reply advising that regional interaction is a matter to be determined by future Councils.

**CARRIED**



Cr C T Tillman

## **KRA 6 - ECONOMIC PROSPERITY**

**ORD.ECP/3**

**GENERAL BUSINESS**

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**ORD.ECP/3.2**

**Council Received Concerns Location of Proposed Waste Transfer Station**

**File No**

7/4/2

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### **Summary/Purpose**

Cr Thornton advised of concerns relayed to him from Kevin and Desley Berger in relation to the location of the Waste Transfer Station, in particular the required set back distance from the property boundary.

Mr Blaine Patterson, DCS advised that under the Planning Scheme the building must be 200 metres from the nearest property boundary.

Council resolved that a report be prepared on the impact of the location of the Waste Transfer Station to neighbouring properties.

### **COUNCIL RESOLUTION**

MOVED and SECONDED

That a special report be prepared on the impact of the location of the Waste Transfer Station to neighbouring properties.

**CARRIED**

## **KRA 6 - ECONOMIC PROSPERITY**

**ORD.ECP/3**

**GENERAL BUSINESS**

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**ORD.ECP/3.3**

**D257-05/06 Development Application Jandowae Road Delmick Pty Ltd**

**File No**

P.988

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### **Summary/Purpose**

Mr Matthew Wilson, PM sought direction from Council in relation to a development application on Jandowae Road, Dalby.

The proposal involves breaking the 15 metre wide park fronting Yaralla Road for purpose of providing an additional road access to the site. As Council is the owner and trustee of the land, consent must be given to the making of the application for it to be considered properly made in accordance with IPA.

Council agreed to give delegated authority for the CEO and Mayor to sign off and give consent, subject to agreeable consultation with Mr Doug Schmidt and Lester Caterer.

**ORD.ECP/3.4**

**Councillor Tillman Reported BSCAT Meeting Tuesday 9th October 2007**

**File No**

5/1/60

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### **Summary/Purpose**

Cr C T Tillman reported on her attendance at the BSCAT Meeting held on Tuesday 9th October 2007:-

- Department of Communities have handed over the program to the police;
- Identified 4 projects - Safety Audit, Liquor Accord Program, Murray Foot Patrol and a Community Arts Project
- Next meeting to be held on 6 November 2007 commencing at 12 o'clock
- Will work out desired outcomes of projects and strategies;
- Appointed Crime Prevention Officer for Dalby.

## **KRA 6 - ECONOMIC PROSPERITY**

**ORD.ECP/3**

**GENERAL BUSINESS**

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**ORD.ECP/3.5**

**Complaints Received Property Overgrown and Noise Emanating From Shed 36 Alfred Street Dalby**

**File No**

P.2419

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### **Summary/Purpose**

Cr R G Latemore advised that he had received complaints from neighbours living near the property located at 36 Alfred Street, alleging that people are using the rear shed for residential purposes and that the loud noise from parties held in the shed are unbearable.

In response, Mr Hegedus advised that on numerous occasions Council Officers have investigated the alleged activities and spoken to the occupants of the residence to explain the statutory requirements in relation to the noise, living in a shed and maintaining the property. Council has issued a compliance notice for removal of rubbish and to clean the yard.

Council understands this is an unfortunate incident, however has no powers to cease the use of the shed as an entertainment area, and suggested that the complainant write to the landowners.

**ORD.ECP/3.6**

**Dalby Community Welcome Weekend 13 and 14 October 2007**

**File No**

1/13/1, 6/9/1 & 1/1/1

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### **Summary/Purpose**

Mr Blaine Patterson, DCS reminded Councillors of the Dalby Community Welcome Weekend scheduled for this weekend 13 and 14 October 2007, and sought confirmation of which session Councillors were going to attend.

Ms Kerri Anderson, MCS will email the invitation to all Councillors and they are to respond directly to Kerri Anderson.

## **KRA 6 - ECONOMIC PROSPERITY**

**ORD.ECP/3**

**GENERAL BUSINESS**

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**ORD.ECP/3.7**

**Councillor Latemore Expressed Disappointment in Security Cameras Coverage**

**File No**

1/15/11

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### **Summary/Purpose**

Cr Glen Latemore expressed his concerns and disappointment with the CBD security cameras and requested feedback on the problems.

Mr Graeme Preston, A/DES advised the following:-

- Continual problems with cameras not functioning sufficiently
- Has engaged an independent consultant to conduct an assessment of the cameras
- Will then hold discussions with Chubb to identify problems and find a solution
- Will report back to Council

**MEETING CLOSURE**

The Meeting concluded at 6.15 p.m.

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

Submitted to the Ordinary Meeting of Council held this sixteenth day of October 2007.

Signed:

\_\_\_\_\_  
Cr O'Shea  
D/MAYOR OF DALBY

10th October 2007

**APPENDIX / ATTACHMENTS**

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