



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

## **Minutes Ordinary Meeting of Council**

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

**ON TUESDAY 12 FEBRUARY 2008**

Commencing at 4.05 p.m.

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# Minutes Ordinary Meeting of Council

Tuesday 12 February 2008

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## **DECLARATION OF MEETING OPENING**

The Chairperson declared the meeting open at 4.05 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  
B. Patterson, DIRECTOR COMMUNITY SERVICES  
Graeme Preston, A/DIRECTOR ENGINEERING SERVICES  
T.A. Fagg, UTILITIES MANAGER  
M. Wilson, PLANNING MANAGER  
C.M. Harding, CEO's PERSONAL ASSISTANT

**Observers** Mr Kevin Berger

**Delegation** Mr Phil Berting, ICEO and Mr Ray Brown, Chairperson Local Transition Committee

## **APOLOGIES**

An apology for non-attendance was received from Cr D S Smiles.

## **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 29 January 2008**

**To**                                    His Worship the Mayor and Councillors

**File No**                            1/2/10

**Date**                                4 February 2008

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

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

**Summary/Purpose**

Minutes of the Ordinary Meeting of Council held on Tuesday, 29 January 2008.

**Officer's Recommendation**

That the minutes of the last Ordinary Meeting held on Tuesday, 29 January 2008 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, 29 January 2008 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**

**ORD/4.1 Engineering Services Special Report Re: Asset Management Services Policy and Road Asset Management Plan**

**File No** 10/1/19, 8/1/1 & 9/1/4

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**Summary/Purpose**

This matter was considered at Council's meeting held on Tuesday 29 January 2008 where it was resolved that Council defer adoption of the Asset Management and Services Policy and Road Asset Management Plan to the next Ordinary Meeting scheduled for Tuesday 12 February 2008.

*Cr R A Thornton and Cr C T Tillman joined the Meeting at 4.07 p.m.*

**COUNCIL RESOLUTION**

MOVED and SECONDED

That Council adopt the Asset Management and Services Policy and Road Asset Management Plan.

**CARRIED**

**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.

**ORD/12                      DELEGATIONS**

**ORD/12.1                      Mr Ray Brown Chairperson Local Transition Committee and Mr Phil Berting Interim Chief Executive Officer Join Meeting Thank Council Support Local Transition Committee**

**To**    His Worship the Mayor and Councillors

**File No**                                        1/20/2

**Date**    7 February 2008

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

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

**Summary/Purpose**

Mr Ray Brown, Chairperson Local Transition Committee and Mr Phil Berting, Interim CEO joined the meeting at 4.05 p.m. to thank Council for their support given to the Local Transition Committee and for the outstanding work achieved to date which has put Dalby Regional Council in excellent stead to commence operations from changeover day on 17 March 2008.

Mr Ray Brown and Mr Phil Berting also acknowledged the staff for their ongoing cooperation in collating information and preparing documentation. This process has had a huge impact on staff.

Mr S M Hegedus, CEO endorsed Mr Berting's comments and acknowledged all the staff for working coherently together as a team during these busy and often stressful times.

*Mr Ray Brown and Mr Phil Berting retired from the meeting at 4.15 p.m.*

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

Nil

**Justification**

Nil

## **KRA 1 - COMMUNITY WELLBEING**

**ORD.CW/1**

### **REPORTS**

**ORD.CW/1.1**

**Community Services Monthly Report Re: Social, Cultural and Sporting Development - January 2008**

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

**File No** 1/2/13

**Date** 6 February 2008

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

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

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

### **Summary/Purpose**

This report details Social, Cultural and Sporting Development activities for the month of January 2008.

### **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 R G Latemore congratulated Ms Rose Hamilton, SCSO in organising the Warwick Credit Union Sportstar of the Year Award which was officially launched at a breakfast function held at the Dalby Leagues Club on Monday 11 February 2008.

***KRA 1 - COMMUNITY WELLBEING***

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**ORD.CW/2                      INWARDS CORRESPONDENCE**

Nil.

**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 Quarterly Review December 2007**

**To**                      His Worship the Mayor and Councillors

**File No**                1/12/3

**Date**                   6 February 2008

**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 2007/08 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.**

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

Nil

### **Officer's Recommendation**

That this Report be received and that the Corporate and Operational Plan quarterly review as at 31 December 2007 be received and noted.

### **Justification**

Nil

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## **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and that the Corporate and Operational Plan quarterly review as at 31 December 2007 be received and noted.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

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

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**ORD.ORG/1.2                      Financial and Information Services Report Re: December Review Budget 2007/08**

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

**File No**                                2/1/1-30

**Date**                                    5 February 2008

**Responsible Officer**            T Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed:

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#### **Summary/Purpose**

The purpose of this report is to present the Budget Financial Statements following the operational review for the period ended 31 December 2007.

**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.**

Mrs Trish Bennett, DFIS notified Council of an adjustment made to the variance amount registered against the Capital Project CBD Stage 6 Archibald Street to be amended to \$70,000 for the purchase of pavers.

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

That the Review for the period ending 31 December 2007 be received and noted and that the amendments as detailed in the Report for year to December 2007, be applied to the original budget allocations.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That the Review for the period ending 31 December 2007 be received and noted and that the amendments as detailed in the Report for year to December 2007, be applied to the original budget allocations, subject to an additional amendment to the variance amount of the Capital Project CBD stage 6 Archibald Street to \$70,000.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

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

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**ORD.ORG/1.3                      Minutes Audit Committee Meeting Tuesday 29 January 2008**

**To**                                      His Worship the Mayor and Councillors

**File No**                                2/4/19

**Date**                                    30 January 2008

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

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

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

#### **Summary/Purpose**

A copy of the minutes of the Audit Committee Meeting held on Tuesday 29 January 2008 commencing at 3.05 p.m.

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

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

#### **COUNCIL RESOLUTION**

MOVED and SECONDED

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

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

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**ORD.ORG/2**

**INWARDS CORRESPONDENCE**

**ORD.ORG/2.1**

**Darling Downs Regional Organisation Councils DDROC - Request Written Confirmation Interim Arrangements**

**To**

His Worship the Mayor and Councillors

**File No**

5/3/19, Doc. No. 527565

**Date**

7 February 2008

**Responsible Officer**

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

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### **Summary/Purpose**

A letter dated 25 January 2008 in relation to the future direction of the DDROC, advising that the arrangement for the transition and continuation of the operations of DDROC Ltd. entails Council not resigning its membership and then accordingly, this responsibility transitions to the Dalby Regional Council.

This is only an interim arrangement and as one of the remaining members, is now seeking Council's consideration of appointing as Council representative Director, the Acting Chief Executive Officer of the Dalby Regional Council, effective from 15 March 2008.

A copy of this letter has been sent to Mr Phil Berting, Interim Chief Executive Officer and has been placed on the Local Transition Committee Agenda for Friday 8th February 2008.

Council's representatives on the LTC Committee should be able to provide an update for Council.

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

Nil

### **Officer's Recommendation**

Council's direction is required.

### **Justification**

Nil

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## ***KRA 2 - OUR ORGANISATION***

**ORD.ORG/2                    INWARDS CORRESPONDENCE**

**ORD.ORG/2.1                Darling Downs Regional Organisation Councils DDROC - Request  
Written Confirmation Interim Arrangements ...(Cont'd)**

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received, the contents noted and that Council appoint as Council's representative Director, the Acting Chief Executive Officer of the Dalby Regional Council, effective from 15 March 2008.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

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**ORD.ORG/3**

**GENERAL BUSINESS**

**ORD.ORG/3.1**

**Outline Special Commemorative Edition Our Town**

**To**

His Worship the Mayor and Councillors

**File No**

1/13/2

**Date**

7 February 2008

**Responsible Officer**

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

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### **Summary/Purpose**

During Council's discussion in relation to end of era celebrations at its Meeting held on Tuesday 29 January 2008, Cr Tillman suggested that it would be appropriate for each household in Dalby to receive a memento of the Council.

After further discussion it was decided for Council to produce a special commemorative edition of Our Town incorporating the history of Dalby and the Council.

An outline of the proposed special March Edition - 'Past, Present and Future of Dalby' will be presented to Council at its meeting.

*Ms Kerri Anderson, CSM joined the Meeting at 4.50 p.m.*

Our Town will be a four page colour edition, mainly pictorial and unfortunately due to time constraints Council will not be able to view the edition prior to publication.

The outline of the edition Titled 'Our Town Past, Present and Future' includes:

#### Council

- First council chambers – through to current building
- First council – current council

#### An Innovative Council

- Dalby Power Station
- Bore Baths
- Water pump
- Desalination Plant
- Reticulated Gas

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/3                      GENERAL BUSINESS**

**ORD.ORG/3.1                Outline Special Commemorative Edition Our Town ...(Cont'd)**

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### Amenities

- Pool
- Showgrounds
- PCYC
- Recycling facility

### Beautification

- Main Street – Before
- Main Street – After
- Dalby attracts new shopping centre

### Modernisation of Council

- New Corporate Plan
- New departments – economic development, community services etc..
- New logo
- New approach

### A Positive Future

- Gas – future strength of the town
- New developments – town plan, flood study
- New industries – ethanol, coal...
- A larger, amalgamated council for the region

*Ms Kerri Anderson, CSM retired from the meeting at 4.55 p.m.*

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

Nil

### **Justification**

Nil

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## **KRA 3 - BUILT ENVIRONMENT**

**ORD.BE/1**

### **REPORTS**

**ORD.BE/1.1**

**Engineering Services Special Report Re: - Dalby CBD Surveillance System**

**To**

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

**File No**

1/2/2 & 1/15/11

**Date**

6 February 2008

**Prepared by**

Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

**Responsible Officer**

Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

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

### **Summary/Purpose**

Response to Council on questions regarding the Security Consultants report and comments for discussion on the future strategy measures of the Dalby CBD Security.

In summarising, Mr S M Hegedus, CEO detailed for Council three options in considering the future direction of the Dalby CBD Surveillance System:-

- (1) Council can defer the matter to the new regional council for consideration during the 08/09 budget deliberations; or
- (2) provide a recommendation to the new Council not to proceed with the project; or
- (3) Council advise the State Government that it wishes to withdraw the funding application.

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

NIL

### **Officer's Recommendation**

That the report on the Consultants be received by Council and Council considers future direction for a security strategy for the Dalby CBD.

### **Justification**

NIL

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## **COUNCIL RESOLUTION**

MOVED and SECONDED

That Council wait for the outcome of the funding application and for the new Regional Council to make a decision on whether to proceed with the upgrade of the CCTV security surveillance system.

**CARRIED**

***KRA 3 - BUILT ENVIRONMENT***

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**ORD.BE/2                      INWARDS CORRESPONDENCE**

Nil.

**ORD.BE/3                      GENERAL BUSINESS**

Nil.

## **KRA 4 - UTILITY SERVICES**

**ORD.UTS/1**

### **REPORTS**

**ORD.UTS/1.1**

**Engineering Services Special Report: Hiring of Political Advocate for Dalby Water Supply Project**

**To**

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

**File No**

1/2/2

**Date**

6 February 2008

**Prepared by**

T.A. Fagg, UTILITIES MANAGER

**Responsible Officer**

Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

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

### **Summary/Purpose**

The purpose of this report is to present the details of a quotation received from an organisation specialising in political advocacy.

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

NIL

### **Officer's Recommendation**

It is recommended that the report and the attachments be received and that Council provide direction on the utilisation of the services as outlined.

### **Justification**

NIL

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## **COUNCIL RESOLUTION**

MOVED

That this Report and the attachments be received and that Council accept the offer from Tim Grau for an amount of initial engagement fee of \$7,500 plus an ongoing hourly rate set at \$300 plus GST and expenses, with an upper limit being set for an additional 10 hours.

**The MOTION was LOST for want of a seconder**

## **KRA 4 - UTILITY SERVICES**

ORD.UTS/1                      REPORTS

ORD.UTS/1.1                  Engineering Services Special Report: Hiring of Political Advocate for Dalby Water Supply Project ...(Cont'd)

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That the Report be received and that the matter be reviewed pending the outcome of the tender process for design and construct of a 4 megalitre/day output coal seam methane groundwater Desalination Plant including associated pipeline.

**CARRIED**

## **KRA 4 - UTILITY SERVICES**

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**ORD.UTS/2**                      **INWARDS CORRESPONDENCE**

**ORD.UTS/2.1**                **Queensland Water Directorate - Request In Kind Assistance Support Terry Fagg Queensland Water Technical Committee**

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

**File No**                        9/1/4, Doc. No. 527277

**Date**                            7 February 2008

**Responsible Officer**      Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

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

### **Summary/Purpose**

A letter dated 24 January 2008 stating that with the announcement late last year of mandatory fluoridation for Queensland, they are expanding their existing fluoridation project to assist Councils both in the upcoming transition period as well as with ongoing management issues.

As Dalby is well known for its successful fluoridation program and has developed significant experience in this area, they are seeking assistance in the design and review of the program to ensure it is fit for purpose for Queensland Councils. This assistance would amount to the time of a relevant officer from Council participating on a steering group that will form a sub-committee of our well-respected Technical Reference Group. Approximately half a day per month for two years would be required.

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

Nil

### **Officer's Recommendation**

That this letter be received, the contents noted and advise that due to limited resources in the utilities area, Council cannot accede to the request.

### **Justification**

Nil

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## **KRA 4 - UTILITY SERVICES**

**ORD.UTS/2                      INWARDS CORRESPONDENCE**

**ORD.UTS/2.1                      Queensland Water Directorate - Request In Kind Assistance Support  
Terry Fagg Queensland Water Technical Committee ...(Cont'd)**

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received, the contents noted and advise that Council cannot accede to the request due to limited resources in the utilities area.

**CARRIED**

*Mr Terry Fagg, Utilities Manager retired from the Meeting at 5.30 p.m.*

**ORD.UTS/3                      GENERAL BUSINESS**

Nil.

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

**ORD.PAL/1**

### **REPORTS**

**ORD.PAL/1.1** (D413-06/07) **Community Services Special Report Re: Request to Change or Cancel Conditions for Multiple Occupancy at 76 Pratten Street - First Four Investments Pty Ltd**

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

**File No** P1451, Doc. No. 413-06/07

**Date** 6 February 2008

**Prepared by** MD Wilson, PLANNING MANAGER

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

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

### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	413-06/07
<b>Applicant:</b>	First Four Investments Pty Ltd
<b>Owner:</b>	First Four Investments Pty Ltd
<b>Site Address:</b>	76 Pratten Street
<b>Real Property Description:</b>	Lots 1 & 2 RP59762
<b>PDLU Designation:</b>	Multiple Occupancy
<b>Zoning:</b>	High Constraint
<b>Proposal:</b>	Request to change Condition 2.
<b>Area of Land:</b>	1,346m <sup>2</sup>
<b>Submissions:</b>	Nil

This report considers the request, provides an assessment of the merits of the request and makes a recommendation to decide the request.

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

Nil.

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

ORD.PAL/1

### **REPORTS**

ORD.PAL/1.1

**(D413-06/07) Community Services Special Report Re: Request to Change or Cancel Conditions for Multiple Occupancy at 76 Pratten Street - First Four Investments Pty Ltd ...(Cont'd)**

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### **Officer's Recommendation**

**RECOMMENDED** that:

A. The applicant be advised that:

(i) Condition 2. is amended to read:

2. Prior to the commencement of development a revised suite of drawings shall be provided for Council's review and endorsement. The revised drawings shall be generally in accordance with the suite of drawings provided to Council dated 12 April 2007 and drawings dated 1 December 2007. The revised drawings shall incorporate:

- (a) a minimum 4 metre setback to the wall of the building from the Connelly Street frontage. No feature of the building shall be closer than 3.5 metres to the Connelly Street frontage; and
- (b) a minimum 1 metre setback to the outermost projection of the building from the shared side boundary with Lot 1 RP210364; and
- (c) Connelly Street frontage of the building shall be articulated to the satisfaction of the Planning Manager; and
- (d) once endorsed, the revised drawings shall become the approved drawings.

(ii) All other conditions of the approval issued 20 August 2007 remain unaltered.

### **Justification**

Nil.

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

ORD.PAL/1                      **REPORTS**

ORD.PAL/1.1                      **(D413-06/07) Community Services Special Report Re: Request to Change or Cancel Conditions for Multiple Occupancy at 76 Pratten Street - First Four Investments Pty Ltd ...(Cont'd)**

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and that the applicant be advised that:

- (i) Condition 2 is amended to read:
  - 2. Prior to the commencement of development a revised suite of drawings shall be provided for Council's review and endorsement. The revised drawings shall be generally in accordance with the suite of drawings provided to Council dated 12 April 2007 and drawings dated 1 December 2007. The revised drawings shall incorporate:
    - (a) a minimum 4 metre setback to the wall of the building from the Connelly Street frontage. No feature of the building shall be closer than 3.5 metres to the Connelly Street frontage; and
    - (b) a minimum 1 metre setback to the outermost projection of the building from the shared side boundary with Lot 1 RP210364; and
    - (c) Connelly Street frontage of the building shall be articulated to the satisfaction of the Planning Manager; and
    - (d) once endorsed, the revised drawings shall become the approved drawings.
- (ii) All other conditions of the approval issued 20 August 2007 remain unaltered.

**CARRIED**

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

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.2                      (010.2007.0184.001) Community Services Confidential Report Re: Barkol Holdings Pty Ltd Appeal**

**To**                                      SM Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                                A1178, Doc. No. 010.2007.0184.001

**Date**                                    6 February 2008

**Prepared by**                        MD Wilson, PLANNING MANAGER

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

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

### **Summary/Purpose**

This report should be considered in Committee.

The purpose of this report is to inform Council of the Notice of Appeal received from Barkol Holdings Pty Ltd.

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

Nil.

### **Officer's Recommendation**

**RECOMMENDED** that:

- A.** in accordance with the Local Government Act Section 463(f), Council go into Committee to discuss legal proceedings;
- B.** the report be received and noted;
- C.** Council consider the future conduct of the appeal and particularly the prospects of settling the appeal, subject to removal of the approved carwash.

### **Justification**

Nil.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.2

(010.2007.0184.001) Community Services Confidential Report Re:  
Barkol Holdings Pty Ltd Appeal ...(Cont'd)

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### **COUNCIL RESOLUTION**

#### **RESOLUTION INTO COMMITTEE OF THE WHOLE**

MOVED and SECONDED

That the Meeting resolve into a Committee of the Whole at 5.30 p.m. to discuss the Confidential Community Services Special Report Re: Barkol Holdings Pty Ltd (010.2007.0184.001)

**CARRIED**

#### **RESUMPTION OF COUNCIL MEETING**

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 5.46 p.m.

**CARRIED**

#### **PROCEEDINGS OF THE COMMITTEE OF THE WHOLE**

MOVED and SECONDED

That Council defer consideration of this request pending receipt of legal advice on the likelihood of the success or failure of the defence of the appeal.

**CARRIED**

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

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

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**ORD.PAL/1.3**                      **(353-06/07) Community Services Confidential Report Re: Chris and Andrea Clark Appeal - Material Change of Use to Establish Multiple Occupancy Development**

**To**                                      SM Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                              P2438, Doc. No. 353-07/07

**Date**                                      6 February 2008

**Prepared by**                      MD Wilson, PLANNING MANAGER

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

Signed:

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### **Summary/Purpose**

This report should be considered in Committee.

The purpose of this report is to inform Council of the Notice of Appeal received from Chris and Andrea Clark in regard to Council's refusal of their application for a Material Change of Use to establish a Multiple Occupancy Development at 73 Patrick Street.

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

Nil.

### **Officer's Recommendation**

**RECOMMENDED** that:

In accordance with the Local Government Act Section 463(f) Council go into committee to discuss legal proceedings.

This report be received and noted.

### **Justification**

Nil.

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

ORD.PAL/1

### **REPORTS**

ORD.PAL/1.3

**(353-06/07) Community Services Confidential Report Re: Chris and Andrea Clark Appeal - Material Change of Use to Establish Multiple Occupancy Development ...(Cont'd)**

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## **COUNCIL RESOLUTION**

### **RESOLUTION INTO COMMITTEE OF THE WHOLE**

MOVED and SECONDED

That the Meeting resolve into a Committee of the Whole at 5.47 p.m. to discuss the Community Services Special Report Re: Chris and Andrea Clark Appeal - Material Change of Use to Establish Multiple Occupancy Development (353-06/07).

**CARRIED**

### **RESUMPTION OF COUNCIL MEETING**

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 5.50 p.m.

**CARRIED**

### **PROCEEDINGS OF THE COMMITTEE OF THE WHOLE**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

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

**ORD.PAL/1**

**REPORTS**

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**ORD.PAL/1.4**

**Confidential Community Services Monthly Town Planning Report - January 2008**

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

**File No** 1/2/8

**Date** 5 February 2008

**Prepared by** MD Wilson, PLANNING MANAGER

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

Signed:

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### **Summary/Purpose**

This report should be considered in Committee.

This report details Town Planning activities for the month of January 2008 and seeks direction on matters of compliance and policy.

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

Cr R A Thornton declared a conflict of interest in relation to the Johnson's Garage Pty Ltd issue and retired from the Meeting at 5.55 p.m.

### **Officer's Recommendation**

**RECOMMENDED** that:

- A. In accordance with the Local Government Act Section 463(f) Council go into Committee to discuss legal proceedings.
- B. That this report be received and noted.
- C. Council resolve to issue Johnson's Garage Pty Ltd with a Show Cause Notice for contravening a development approval in accordance with Section 4.3.3 of the Integrated Planning Act 1997.
- D. That the Priority Infrastructure Plan target water, sewerage, and community purposes networks as a transitional solution.

### **Justification**

Nil

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

ORD.PAL/1

REPORTS

ORD.PAL/1.4

Confidential Community Services Monthly Town Planning Report - January 2008 ...(Cont'd)

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### **COUNCIL RESOLUTION**

#### **RESOLUTION INTO COMMITTEE OF THE WHOLE**

MOVED and SECONDED

That the Meeting resolve into a Committee of the Whole at 5.55 p.m. to discuss the Confidential Community Services Monthly Town Planning Report - January 2008

**CARRIED**

#### **RESUMPTION OF COUNCIL MEETING**

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 6.25 p.m.

**CARRIED**

*Cr R A Thornton re-joined the meeting at 6.25 p.m.*

#### **PROCEEDINGS OF THE COMMITTEE OF THE WHOLE**

MOVED and SECONDED

- a) That this report be received and noted.
- b) Council resolve to issue Johnson's Garage Pty Ltd with a Show Cause Notice for contravening a development approval in accordance with Section 4.3.3 of the Integrated Planning Act 1997.
- c) That the Priority Infrastructure Plan target water, sewerage, and community purposes networks as a transitional solution.

**CARRIED**

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

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

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**ORD.PAL/1.5**                      **Community Services Monthly Building Report - January 2008**

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

**File No**                              1/2/9

**Date**                                      5<sup>th</sup> February 2008

**Prepared by**                      S A Cameron, CUSTOMER SERVICE OFFICER

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

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

### **Summary/Purpose**

This Report details building activities for the month of January 2008.

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

ORD.PAL/1

REPORTS

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ORD.PAL/1.6

**Community Services Monthly Report Re: Health and Environment - January 2008**

**To** SM Hegedus, CHIEF EXECUTIVE OFFICER

**File No** 1/2/4

**Date** 6 February 2008

**Prepared by** CC Land, ENVIRONMENTAL HEALTH OFFICER

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

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

### **Summary/Purpose**

To present the report on the activities of Council's Health and Environment Program for January 2008

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

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/2                      INWARDS CORRESPONDENCE**

**ORD.PAL/2.1                      A G Martin Design and Drafting Site Plan Proposed Extension Myall Medical Practice 40 Archibald Street**

**To**                                      His Worship the Mayor and Councillors

**File No**                                P.2855, Doc. No. 528530

**Date**                                    6 December 2008

**Prepared by**                        Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

**Responsible Officer**              Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

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

### **Summary/Purpose**

A letter dated 31 January 2008 seeking Council's re-consideration of proposed changes to vehicle access and parking at 40 Archibald Street, Dalby to allow the building to be extended to the north western boundary for the full length of the building.

This extension would be over the existing vehicle driveway, which provides access to staff parking at the rear of the surgery, and if the existing crossover in Archibald Street was removed, an additional two vehicle car parks would be available in Archibald Street outside the surgery.

Mr Graeme Preston has met on site to discuss the proposal with Arthur Martin and advised that Council could not accede to the request to gain access to the Council car park at the rear of the property as it would remove existing spaces that are highly utilised and a precedence would be set for other similar development proposals.

The partners do not consider relocating the practice is an option and therefore favour the building extension as detailed on the attached site plan.

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

Cr C P Milford declared a Material Personal Interest and retired from the Meeting at 6.35 p.m.

### **Officer's Recommendation**

That this letter be received, the contents noted and that Council advised that it cannot accede to the request.

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

**ORD.PAL/2                      INWARDS CORRESPONDENCE**

**ORD.PAL/2.1                      A G Martin Design and Drafting Site Plan Proposed Extension Myall  
Medical Practice 40 Archibald Street ...(Cont'd)**

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### **Justification**

Nil

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received, the contents noted and that Council advised that it cannot accede to the request.

**The MOTION was LOST**

### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received and that Council accede to the request and the applicant be advised that a car parking contribution will be required due to the loss of car parks resulting from the provision of access to Council's car park at the rear.

**CARRIED**

*Cr C P Milford re-joined the Meeting at 6.40 p.m.*

**ORD.PAL/3                      GENERAL BUSINESS**

Nil.

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## **KRA 6 - ECONOMIC PROSPERITY**

### **ORD.ECP/1                      REPORTS**

Nil.

### **ORD.ECP/2                      INWARDS CORRESPONDENCE**

Nil.

### **ORD.ECP/3                      GENERAL BUSINESS**

#### **ORD.ECP/3.1                  Letter of Consent Dalby Leagues Club Establishment Outdoor Entertainment Club House**

**File No**                      P.1933

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#### **Summary/Purpose**

Mr Matthew Wilson, PM advised that Council had received an application for the establishment of an outdoor entertainment club house from the Dalby Leagues Club, and as Council is the owner of the land must give consent to the making of the development application.

#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That Council give consent to the making of the development application.

**CARRIED**

## **KRA 6 - ECONOMIC PROSPERITY**

**ORD.ECP/3**

**GENERAL BUSINESS**

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**ORD.ECP/3.2**

**Concerns Raised Commercial Rate Charged Hire Showgrounds Pavilion**

**File No**

P.1323 & 5/1/35

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### **Summary/Purpose**

Cr B T O'Shea queried the confusion over the fees and charges for the hiring of the showgrounds pavilion, seeking Council's consideration in relaxing the commercial charge of \$1400 until the project is completed. There is also a non for profit organisation charge of \$700.

In responding Mr Blaine Patterson, DCS stated that the pricing structure had been discussed at the showgrounds management meeting held earlier today, and that the Committee had made a recommendation that the commercial charge of \$1400 would not be applied until the project had been completed.

There is scope in the fees and charges that flexibility be given to Director Community Services to negotiate the price.

Council agreed to relax the commercial charge until the project is completed and to evaluate the pricing structure then.

### **COUNCIL RESOLUTION**

MOVED and SECONDED

That Council's commercial fees and charges for the hire of the Dalby Showgrounds pavilion be relaxed until the project is completed.

**CARRIED**

## ***KRA 6 - ECONOMIC PROSPERITY***

**ORD.ECP/3**

**GENERAL BUSINESS**

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**ORD.ECP/3.3**

**Tipping Fees Dalby Refuse Tip**

**File No**

*7/4/2*

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### **Summary/Purpose**

Recently Council had received a number of enquiries about the types of rubbish that incur disposal fees at the Dalby Refuse Tip. Council has produced a list that helps clarify the simple disposal fee system.

Tipping fees apply to the disposal of commercial, industrial and building wastes such as waste generated by a business or enterprise and soil, bricks, concrete, rubble and timber.

Copy of the list is available from Council's office and from the site coordinators at the tip.

**MEETING CLOSURE**

The Meeting concluded at 7.00 p.m.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting held this twelfth day of February 2008.

Submitted to the Ordinary Meeting of Council held this twenty-ninth day of February 2008.

Signed:

\_\_\_\_\_  
Cr Geisel  
MAYOR OF DALBY

13 February 2008

**APPENDIX / ATTACHMENTS**

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