

## DALBY TOWN COUNCIL



# MINUTES OF ORDINARY MEETING OF COUNCIL

*Held at Dalby Town Council Chambers*

ON Tuesday 16 January 2007

Commencing at 4.00 p.m.

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# MINUTES OF ORDINARY MEETING OF COUNCIL

Tuesday 16 January 2007

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**MINUTES OF ORDINARY MEETING OF COUNCIL TUESDAY 16TH JANUARY 2007 - 16/01/07**

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**DECLARATION OF MEETING OPENING**

The Chairperson declared the meeting open at 4.00 p.m.

**PRESENT**

**Mayor** Cr W. Geisel (Chairperson)

**Councillors** Cr J.M. Hart  
Cr R.G. Latemore  
Cr G.M. Nearhos  
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  
M. Wilson, PLANNING MANAGER  
C.M. Harding, CEO's PERSONAL ASSISTANT  
W. Zadavec, ENVIRONMENTAL HEALTH OFFICER  
D. Nearhos, SOCIAL CULTURAL AND SPORTING OFFICER

**Observers** Nil

**Delegation** Nil

**APOLOGIES**

Apologies for non-attendance were received from Crs B T O'Shea and C P Milford.

**ORD/1**                      **CONDOLENCES**

**ORD/1.1**                    **EXTEND COUNCIL CONDOLENCES FAMILY SIR JAMES KILLEN**

**File No**                    1/1/1,

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**Summary/Purpose**

Cr D S Smiles requested Council's condolences be forwarded to the family of the late Sir James Killen whose funeral will be held on Friday 19th January 2007 at St John's Cathedral in Brisbane.

The Mayor will attend the funeral representing Dalby Town Council.

Cr Smiles suggested that Council should give consideration to erecting a plaque/monument or allocate a street name as a tribute to Sir James Killen as Dalby was his birth place and in recognition of his long serving career in politics as a federal minister.

Mr S M Hegedus, CEO suggested that the item be placed on a future directions meeting for discussion.

ORD/2

CONGRATULATIONS

ORD/2.1

EXTEND COUNCIL CONGRATULATIONS PROMPT ACTION FIRE  
ROCHE STREET DALBY FIRE BRIGADE

File No

5/7/4 & 1/1/1

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**Summary/Purpose**

Cr John Hart requested that a letter of congratulations be forwarded to the Dalby Fire Brigade for its prompt action in response to the recent Roche Street fire, reiterating that the work of the fire brigade is highly regarded in the Town.

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

**ORD/3.1 ADOPT MINUTES PREVIOUS ORDINARY MEETING TUESDAY 12TH DECEMBER 2006**

**To** His Worship the Mayor and Councillors

**File No** 1/2/10

**Date** 19th December 2006

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

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

**Summary/Purpose**

Minutes of the Ordinary Meeting of Council held on Tuesday, 12th December 2006.

**Officer's Recommendation**

That the minutes of the last Ordinary Meeting held on Tuesday, 12th December 2006 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, 12th December 2006 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.



### **KRA 3 - BUILT ENVIRONMENT**

**ORD.BE/1**

**REPORTS**

**ORD.BE/1.1**

**SUMMARY PROJECT PERFORMANCE GARROW STREET AREA RECONSTRUCTION PROJECT**

**To**

S M Hegedus, CHIEF EXECUTIVE OFFICER

**File No**

1/2/2 & 12/1/17

**Date**

17 November 2006

**Prepared by**

T. Dredge, ENGINEERING SUPPORT OFFICER

**Responsible Officer**

M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

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

#### **Summary/Purpose**

This Report has been compiled from resident feedback questionnaires distributed at the conclusion of work for the reconstruction of Garrow Street.

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

It is recommended that this Report be received and noted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

### **KRA 3 - BUILT ENVIRONMENT**

**ORD.BE/1                      REPORTS**

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**ORD.BE/1.2                      SUMMARY PROJECT PERFORMANCE      BECK      STREET      AREA  
RECONSTRUCTION PROJECT**

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

**File No**                                1/2/2 & 12/1/17

**Date**                                    17 November 2006

**Prepared by**                        T. Dredge, ENGINEERING SUPPORT OFFICER

**Responsible Officer**            M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

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

#### **Summary/Purpose**

This Report has been compiled from resident feedback questionnaires distributed at the conclusion of work for the reconstruction of Beck Street.

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

It is recommended that this Report be received and noted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

### **KRA 3 - BUILT ENVIRONMENT**

**ORD.BE/1                      REPORTS**

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**ORD.BE/1.3                      SUMMARY PROJECT PERFORMANCE BESLEY STREET PROJECT PERFORMANCE**

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

**File No**                                1/2/2 & 12/1/17

**Date**                                    2 November 2006

**Prepared by**                        T. Dredge, ENGINEERING SUPPORT OFFICER

**Responsible Officer**            M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

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

#### **Summary/Purpose**

This Report has been compiled from resident feedback questionnaires distributed at the conclusion of work for the reconstruction of Besley Street.

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

It is recommended that this Report be received and noted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

### **KRA 3 - BUILT ENVIRONMENT**

**ORD.BE/1                      REPORTS**

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**ORD.BE/1.4                      SUMMARY PROJECT PERFORMANCE      AERODROME      ROAD  
PROJECT PERFORMANCE**

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

**File No**                                1/2/2 & 12/1/17

**Date**                                    17 November 2006

**Prepared by**                        T. Dredge, ENGINEERING SUPPORT OFFICER

**Responsible Officer**            M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

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

#### **Summary/Purpose**

This Report has been compiled from resident feedback questionnaires distributed at the conclusion of work for the reconstruction of Aerodrome Road.

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

It is recommended that this Report be received and noted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

### **KRA 3 - BUILT ENVIRONMENT**

**ORD.BE/1                      REPORTS**

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**ORD.BE/1.5                      SUMMARY PROJECT PERFORMANCE DUNMALL STREET PROJECT PERFORMANCE**

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

**File No**                                1/2/2 & 12/1/17

**Date**                                    17 November 2006

**Prepared by**                        T. Dredge, ENGINEERING SUPPORT OFFICER

**Responsible Officer**            M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

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

#### **Summary/Purpose**

This Report has been compiled from resident feedback questionnaires distributed at the conclusion of work for the reconstruction of Dunmall Street.

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

It is recommended that this Report be received and noted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

### **KRA 3 - BUILT ENVIRONMENT**

**ORD.BE/1                      REPORTS**

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**ORD.BE/1.6                      SUMMARY PROJECT PERFORMANCE HORACE STREET PROJECT PERFORMANCE**

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

**File No**                                1/2/2 & 12/1/17

**Date**                                    17 November 2006

**Prepared by**                        T. Dredge, ENGINEERING SUPPORT OFFICER

**Responsible Officer**            M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

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

#### **Summary/Purpose**

This Report has been compiled from resident feedback questionnaires distributed at the conclusion of work for the reconstruction of Horace Street.

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

It is recommended that this Report be received and noted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

### **KRA 3 - BUILT ENVIRONMENT**

#### **ORD.BE/1                      REPORTS**

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#### **ORD.BE/1.7                      SUMMARY PROJECT PERFORMANCE PRATTEN STREET PROJECT PERFORMANCE**

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

**File No**                                1/2/2 & 12/1/17

**Date**                                    17 November 2006

**Prepared by**                        T. Dredge, ENGINEERING SUPPORT OFFICER

**Responsible Officer**            M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

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

#### **Summary/Purpose**

This Report has been compiled from resident feedback questionnaires distributed at the conclusion of work for the reconstruction of Pratten Street.

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

It is recommended that this Report be received and noted.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and noted.

**CARRIED**

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

Nil.

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

Nil.

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## ***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/2**

**INWARDS CORRESPONDENCE**

**ORD.PAL/2.1**

**(D464-05/06) SUBMISSION FOR DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - AG MARTIN DESIGN & DRAFTING**

**To**

S M Hegedus, CHIEF EXECUTIVE OFFICER

**File No**

P704 & P738, Doc. No. 464-05/06

**Date**

21 December 2006

**Prepared by**

M. Wilson, PLANNING MANAGER

**Responsible Officer**

B. Patterson, DIRECTOR COMMUNITY SERVICES

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

### **Summary/Purpose**

One (1) submission was received from:

- Richard Jeffery, 42 South Gateway, Avondale Heights 3034

### **Officer's Recommendation**

That this submission be received, the contents noted and be considered in conjunction with the Community Services Special Report on the matter.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this submission be received, the contents noted and be considered in conjunction with the Community Services Special Report on the matter.

**CARRIED**

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

ORD.PAL/2

INWARDS CORRESPONDENCE

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ORD.PAL/2.2

LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND -  
REGISTRATION DETAILS TOWN PLANNING COUNCILLORS  
TRAINING PROGRAM 12TH FEBRUARY 2007

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

**File No** 1/15/15, Doc. No. 427473

**Date** 10th January 2007

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

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

### **Summary/Purpose**

Cr Thornton is seeking Council's consideration for him to attend the proposed Town Planning Councillors Training Program to be held in Brisbane on Monday 12th February 2007 at a cost of \$230.00.

Crs Thornton and Tillman have both registered an interest in attending this training program.

### **Officer's Recommendation**

That this brochure be received, the contents noted and that Council authorise Cr R A Thornton to attend this training program as Council's representative.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this brochure be received, the contents noted and that the CEO investigate the possibility of a one day training program being delivered in Dalby and report back to the Ordinary Meeting scheduled for Tuesday 23rd January 2007.

**CARRIED**

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

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ORD.PAL/1

REPORTS

ORD.PAL/1.1

**(D464-05/06) COMMUNITY SERVICES SUPPLEMENTARY SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - AG MARTIN DESIGN & DRAFTING: CHANGES MADE TO DESIGN**

To

S M Hegedus, CHIEF EXECUTIVE OFFICER

File No

P704 & P738, Doc. No. 464-05/06

Date

9 January 2007

Prepared by

M. Wilson, Planning Manager

Responsible Officer

B.F. Patterson, DIRECTOR COMMUNITY SERVICES

Signed:

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### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	D464-05/06
<b>Applicant:</b>	AG Martin Design & Drafting
<b>Owner:</b>	Korte Investments Pty Ltd
<b>Site Address:</b>	2 Connelly & 21 Bunya Streets, Dalby (attachment 1)
<b>Real Property Description:</b>	Lots 10 & 25 on RP50067, Parish of Dalby
<b>PDLU Designation:</b>	Multiple Occupancy
<b>Proposal:</b>	Material Change of Use to establish a 22 unit motel and managers residence.

The purpose of this report is to provide Council with the necessary information in order to make a decision.

### **Officer's Recommendation**

**RECOMMENDED** that:

- A. Council resolve to approve the development application subject to the following conditions, provided there is satisfaction that the reasons for refusal prepared by Campbell Higginson and the submission objecting to the development application are not so convincing as to warrant the refusal of the application:

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

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

**ORD.PAL/1.1                      (D464-05/06) COMMUNITY SERVICES SUPPLEMENTARY SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - AG MARTIN DESIGN & DRAFTING: CHANGES MADE TO DESIGN ...(Cont'd)**

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#### **Planning & Urban Design**

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 that part of the premises identified for residential purposes being Residential Development Class 3 B, shall at all times accord with section 1.4.3 of the Transitional Planning Scheme.
3. The use of that part of the premises identified for guest dining and ancillary activities purposes being Commercial Development Class 6 B, shall at all times accord with section 1.4.3 of the Transitional Planning Scheme.
4. The area indicated as being for the purposes of guest dining shall be for residents or guests of residents of the motel only.
5. A solid screen fence a minimum of 2.1 metres in height shall be provided along the southern boundary of the subject land for the full extent of the subject land shared with adjoining residential properties
6. A Landscaping Plan including a full planting schedule, prepared by a suitably qualified person, shall be submitted for Council's consideration and approval with the development application for Operational Works. The landscaped area shall be generally in accordance with the area shown on drawing no. D193-06 prepared by AG Martin Design and Drafting and dated 21 October 2006. The plan shall be generally in accordance with Local Planning Policy 3 Landscaping.
7. Landscaping shall be undertaken in accordance with the approved landscape plans.
8. Landscape works and associated landscape infrastructure are to be maintained at all times.
9. A minimum of 26 car parking spaces shall be provided on site in accordance with the relevant Australian Standards for Off-Street Car parking.
10. Car parking spaces shall be maintained and kept for the purposes of the parking of visitors and employees.
11. Vehicle bollards or tyre stops shall be used to control vehicle access and protect landscaping or pedestrian areas where appropriate.

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

ORD.PAL/1

### **REPORTS**

ORD.PAL/1.1

**(D464-05/06) COMMUNITY SERVICES SUPPLEMENTARY SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - AG MARTIN DESIGN & DRAFTING: CHANGES MADE TO DESIGN ...(Cont'd)**

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### **Engineering**

12. 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 \$900 per additional unit. Calculations indicate that there are 21 additional units.
13. 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 \$900 per additional unit. Calculations indicate that there are 21 additional units.
14. 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 unit. Calculations indicate that there are 21 additional units.
15. An invert/kerb crossing shall be provided at both points of access to the subject land in accordance with Council's Local Planning Policies on Engineering Works. Existing vehicle crossovers and kerb breaks shall be removed and replaced by kerb and channel to Council's satisfaction. Design detail shall be provided with Operational Works drawings.
16. All internal vehicular manoeuvring areas and entrances/exits to the site shall be constructed and maintained in accordance with Council's Planning Scheme. To this end:
  - (a) Car parking spaces, entrances to the site and vehicular manoeuvring areas or other surfaces that are traversed by vehicles must be fully sealed surfaces;
  - (b) Access points from the road network must be constructed in accordance with Council's Planning Scheme, and be maintained in a safe and functional manner in perpetuity by the operator of the facility; and
  - (c) Car parking spaces shall be linemarked and maintained at all times.
17. All vehicles shall enter and leave the site in forward gear and all loading and unloading shall take place on the subject land.
18. Stormwater from roof and sealed areas shall be collected inside the subject land and discharged to Council's underground drainage system by way of concealed underground piping. Systems for the effective removal of sediments from any stormwater discharged from the site must be included as part of the stormwater system.

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

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

#### **ORD.PAL/1.1                      (D464-05/06) COMMUNITY SERVICES SUPPLEMENTARY SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - AG MARTIN DESIGN & DRAFTING: CHANGES MADE TO DESIGN ...(Cont'd)**

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19.    Should any services require relocation within the subject land, this shall be undertaken by the applicant at no cost to Council.
  
20.    The existing 1.2 metre wide footpath along the Nicholson Street frontage of the land and the existing 2.0 metre wide footpath along the Bunya Street frontage of the subject land shall be retained. Where damage occurs to either footpath due to any work related to the development of the site, variation of ground levels or any other occurrence considered by Council to be related to the development of the site, the footpath must be repaired or reinstated to Council's satisfaction.

#### **Environmental Health**

21.    A refuse container storage area located so that it affords easy, safe access for Council's cleansing contractor shall be provided. This storage area is to be imperviously sealed, screened, provided with a hose cock and drained.
  
22.    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.

#### **General**

23.    Prior to the commencement of use, all conditions of this approval must be fully satisfied.
- B.    The approved plans/drawings for this development approval are listed below:-

<b>Drawing No.</b>	<b>Drawing Title</b>	<b>Author</b>	<b>Date</b>
D193-06 Sheet 1 of 3	Proposed Motel Development Nicholson Street	AG Martin Design & Drafting	12 October 2006
D193-06 Sheet 2 of 3	Proposed Motel Development Nicholson Street	AG Martin Design & Drafting	12 October 2006

- C.    Compliance with the following Concurrence Agency conditions:-
- (a)    Refer to Attachment.

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

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

#### **ORD.PAL/1.1                      (D464-05/06) COMMUNITY SERVICES SUPPLEMENTARY SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - AG MARTIN DESIGN & DRAFTING: CHANGES MADE TO DESIGN ...(Cont'd)**

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D.        The applicant be advised:-

- (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 (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;

- (e)        A food business licence is required to be obtained prior to the commencement of use of the guest dining and related kitchen.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.1

(D464-05/06) COMMUNITY SERVICES SUPPLEMENTARY SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - AG MARTIN DESIGN & DRAFTING: CHANGES MADE TO DESIGN ...(Cont'd)

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and the recommendations contained therein be adopted with an additional condition to read as follows:-

24. Buildings shall be set back a minimum of 1.5 metres from the boundary of the subject land shared with Lot 11 RP50067 and Lot 24 RP50067.

**CARRIED**

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

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.2                      (D267-05/06) COMMUNITY SERVICES SPECIAL CONFIDENTIAL  
REPORT RE: PLANNING ADVICE THROWER -v- DALBY TOWN  
COUNCIL APPEAL 2768 OF 2006**

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

**File No**                                P2033, Doc. No. 267-05/06 & 429027

**Date**                                    9 January 2007

**Prepared by**                        M.D. Wilson, PLANNING MANAGER

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

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

### **Summary/Purpose**

This report provides Council with the advice given by Russell Ryter regarding the appeal by Angela Thrower of Council's decision to refuse the development application for material change of use to establish a multiple occupancy comprising 3 dwelling units at 38a Alfred Street, Dalby.

### **Officer's Recommendation**

It is **RECOMMENDED** that:

- A.     the advice provided by Russel Ryter be received and noted;
  - B.     Council officers be authorised to enter into without prejudice negotiations in an effort to resolve the outstanding matter of the sufficiency of private open space; and
  - C.     Prior to any final resolution of the matter, Council shall be provided with further advice.
-

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

ORD.PAL/1

REPORTS

ORD.PAL/1.2

(D267-05/06) COMMUNITY SERVICES SPECIAL CONFIDENTIAL  
REPORT RE: PLANNING ADVICE THROWER -v- DALBY TOWN  
COUNCIL APPEAL 2768 OF 2006 ...(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 4.20 p.m. to discuss legal advice in relation to the Development Application.

**CARRIED**

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

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 4.25 p.m.

**CARRIED**

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

MOVED and SECONDED

- A. the advice provided by Russel Ryter be received and noted;
- B. Council officers be authorised to enter into without prejudice negotiations in an effort to resolve the outstanding matter of the sufficiency of private open space; and
- C. Prior to any final resolution of the matter, Council shall be provided with further advice.

**CARRIED**

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

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.3                      (D309-04/05) COMMUNITY SERVICES SPECIAL REPORT RE: STREET NAME APPROVAL – 240 BLAXLAND ROAD - STEWART**

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

**File No**                                P2660, Doc. No. 309-04/05

**Date**                                    22 December 2006

**Prepared by**                        M. Wilson, PLANNING MANAGER

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

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

### **Summary/Purpose**

A letter dated 7 December 2006 seeks Council's approval for the following suggested road names for the subdivision at 240 Blaxland Road:-

### **NEW ROAD WITHIN DEVELOPMENT**

1. Neslo Court
2. Neslo Drive
3. Neslo Avenue

### **Officer's Recommendation**

Recommended that Council advise the applicant that "Neslo Court" is approved for the naming of the new road.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and that Council advise the applicant that "Neslo Court" is approved for the naming of the new road.

**CARRIED**

Cr D S Smiles suggested that Council give consideration to developing a register of appropriate street names for developers to select from.

*Mr Danny Nearhos, SCSO joined the Meeting at 4.25 p.m.*

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

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.4                      (D342-03/04) COMMUNITY SERVICES SPECIAL REPORT RE:  
COMPLIANCE FOR DEVELOPMENT APPROVAL FOR A MATERIAL  
CHANGE OF USE TO ESTABLISH DISPLAY CENTRE/OFFICE  
(COMMERCIAL DEVELOPMENT)**

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

**File No**                                P929 Doc No. 342-03/04

**Date**                                    19 December 2006

**Prepared by**                        M. Wilson, PLANNING MANAGER

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

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

### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	D342-03/04
<b>Applicant:</b>	Patch Builders
<b>Owner:</b>	G. Webb, N. Patch, E. Storey
<b>Site Address:</b>	142 Drayton Street, Dalby
<b>Real Property Description</b>	Lot 8 on Plan D966, Parish of Dalby
<b>PDLU Designation</b>	Comprehensive Development Precinct 2
<b>Approved Development:</b>	Display Centre/Office (Commercial Development) (Impact Assessment)

### **Officer's Recommendation**

It is recommended that:

- A. The report be received and noted;
- B. Resolution be made adopting the following approach to dealing with the matter of compliance for development at 142 Drayton Street, Dalby described as Lot 8 on Plan D966:
  - (i) A letter be sent to the operator of Titan Garages and Carports detailing the matters requiring compliance and allowing a 10 business day period within which, action must be taken;
  - (ii) Failing an adequate response to the letter mentioned in (i), a "Show Cause" Notice be issued detailing the development offence and requesting representations to justify Council not issuing an Enforcement Notice;

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

ORD.PAL/1

REPORTS

ORD.PAL/1.4

**(D342-03/04) COMMUNITY SERVICES SPECIAL REPORT RE: COMPLIANCE FOR DEVELOPMENT APPROVAL FOR A MATERIAL CHANGE OF USE TO ESTABLISH DISPLAY CENTRE/OFFICE (COMMERCIAL DEVELOPMENT) ...(Cont'd)**

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- (iii) Failing adequate representations to the Show Cause Notice, an "Enforcement Notice" be issued requiring the use to immediately cease until all conditions are satisfied;
  - (iv) Failing compliance with the Enforcement Notice, legal action be taken; and
- C. A revised Decision Notice be issued correcting the errors and repetition contained in the original approval.

### **COUNCIL RESOLUTION**

MOVED and SECONDED

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

**CARRIED**

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

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.5                      (D465-05/06) COMMUNITY SERVICES SPECIAL REPORT RE:  
MATERIAL CHANGE OF USE TO EXTEND DALBY HEALTH SERVICE**

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

**File No**                                P3373, Doc. No. 465-05/06

**Date**                                    11 January 2008

**Prepared by**                        M.D. Wilson, PLANNING MANAGER

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

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

### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	D465-05/06
<b>Applicant:</b>	Queensland Health
<b>Owner:</b>	Queensland Health
<b>Site Address:</b>	Hospital Road, Dalby ( <b>see attachment 1</b> )
<b>Real Property Description:</b>	Lot 273 on AG790, Parish of Dalby
<b>PDLU Designation:</b>	Residential
<b>Zoning:</b>	High Constraint and Medium Constraint
<b>Proposal:</b>	Material Change of Use to extend Dalby Health Service
<b>Area of Land:</b>	313,530 m <sup>2</sup>
<b>Submissions:</b>	Nil

The development application is for the extension of the Dalby Health Service, situated on the abovementioned property.

The primary issues for consideration in this development application are:

- (a) Car parking; and
- (b) Building appearance.

It is recommended that the proposed development be approved subject to conditions.

### **Officer's Recommendation**

**RECOMMENDED** that:

- A. the applicant be advised that the application for a Development Permit for Material Change of Use to extend "Dalby Health Service – Class 9(A)" on land described as Lot 273 on AG790, situated at Hospital Road, Dalby, is approved, subject to the following conditions:-

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

ORD.PAL/1

REPORTS

ORD.PAL/1.5

**(D465-05/06) COMMUNITY SERVICES SPECIAL REPORT RE:  
MATERIAL CHANGE OF USE TO EXTEND DALBY HEALTH SERVICE  
...(Cont'd)**

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### **Planning**

1. Compliance with the facts and circumstances set out in the application and all Council Local Laws being adhered to 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 Community Infrastructure Development - Class 9(A) shall at all times accord with Section 1.4.3 of the Transitional Planning Scheme.
3. A solid screen fence a minimum of 1.8 metres in height shall be provided along the north-eastern part of the internal road, drop off and car parking area accessed from the 'new main entry' where it abuts the three existing on-site residential dwellings.
4. Proper and practical vehicular access must be provided to the residential dwellings.
5. Landscaping shall be undertaken generally in accordance with the approved landscape plans.
6. Landscape works and associated landscape infrastructure are to be maintained at all times.
7. Car parking shall be provided generally in accordance with approved plans, including:
  - (a) a minimum of 1 disabled space per 50 car parking spaces; and
  - (b) landscaping with shade trees planted and maintained at regular intervals being a minimum of 1 shade tree for every 6 parking spaces, where the car park consists of more than 12 car parks; and
  - (c) the proposed development shall not result in a net loss of car parking spaces.

In addition, motorcycle and bicycle parking shall be provided at the following rate:

- (a) 1 rack for 6 bicycles per 400m<sup>2</sup> of gross floor area; and
  - (b) motorcycle parking at the rate of 2% of the car parking provision.
8. On-site car parking spaces shall be provided in accordance with the Australian Standard for off-street car parking.
9. The site shall be cleared of any remnant rubbish, rocks rubble, weeds and other deleterious matter that may physically limit the efficient preparation and planting of the site and overall appearance of the site.
10. Except in the case of emergency requirements, the number of beds provided on the subject land shall not increase without the provision of additional car parking at the rate of a minimum of 1 parking space per additional bed.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.5

**(D465-05/06) COMMUNITY SERVICES SPECIAL REPORT RE:  
MATERIAL CHANGE OF USE TO EXTEND DALBY HEALTH SERVICE  
...(Cont'd)**

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### **Engineering**

11. Stormwater management shall be generally in accordance with the proposals contained on Plan A9809-C040041/042/043.
12. The construction of on-street car parking in Hospital Road is to include kerb and channel and sealed road pavement to Dalby Town Council standards as a minimum.
13. The provision of proposed car parking bays along hospital road must be constructed and available for use prior to the commencement of works affecting the existing 28 bay car park located between the existing maternity ward and existing acute ward.
14. Any re-marking required for car parking bays shall be at a minimum width of 2.5 metres. All new car parking bays shall be a minimum of 2.5 metres in width.

### **Environmental Health**

15. A refuse container storage area located so that it affords easy, safe access for the cleansing contractor shall be provided. This storage area is to be imperviously sealed, screened, provided with a hose cock and drained and sited in accordance with Council's standards.
16. 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.

### **General**

17. Prior to the commencement of use, all conditions of this approval must be fully satisfied.

**KRA 5 - PLANNING AND LIVEABILITY**

**ORD.PAL/1 REPORTS**

**ORD.PAL/1.5 (D465-05/06) COMMUNITY SERVICES SPECIAL REPORT RE: MATERIAL CHANGE OF USE TO EXTEND DALBY HEALTH SERVICE ... (Cont'd)**

**B. The following are approved plans:-**

Drawing Number	Drawing Title	Date
3101DA01/AWD101 Issue 1	PROPOSED SITE & LOCALITY PLAN	13.11.2006
3101DA01/AWD201 Issue 1	OVERALL FLOOR PLAN	13.11.2006
3101DA01/AWD202 Issue 1	OVERALL ROOF PLAN	13.11.2006
3101DA01/AWD203 Issue 1	GROUND FLOOR PLAN	13.11.2006
3101DA01/AWD204 Issue 1	GROUND FLOOR PLAN	13.11.2006
3101DA01/AWD205 Issue 1	A/C PLATFORM ROOF PLAN	13.11.2006
3101DA01/AWD206 Issue 1	ROOF PLAN	13.11.2006
3101DA01/AWD301 Issue 1	EAST ELEVATIONS, NORTH ELEVATIONS	13.11.2006
3101DA01/AWD302 Issue 1	SOUTH ELEVATIONS, WEST ELEVATIONS	13.11.2006
3101DA01/AWD303 Issue 1	SECTIONS 1 (AA) & (BB) & (CC)	13.11.2006
3101DA01/AWD304 Issue 1	SECTIONS 2 (DD) & (EE) & (FF)	13.11.2006
3101DA01/AWD305 Issue 1	SECTIONS 3 (GG) & (HH) & (JJ) & (KK)	13.11.2006

The above plans were prepared by Fulton Trotter and Partners Architects

05511845 Issue 3 Sheet 002	SCHEDULE AND LEGEND	24.10.2006
05511845 Issue 3 Sheet 201	SURFACE FINISHES	24.10.2006
05511845 Issue 3 Sheet 202	SURFACE FINISHES	24.10.2006
05511845 Issue 3 Sheet 301	SETOUT	24.10.2006
05511845 Issue 3 Sheet 401	PLANTING PLAN	24.10.2006
05511845 Issue 3 Sheet 402	PLANTING PLAN	24.10.2006
05511845 Issue 3 Sheet 901	DETAILS	24.10.2006
05511845 Issue 3 Sheet 902	DETAILS	24.10.2006
05511845 Issue 3 Sheet 903	DETAILS	24.10.2006

The above plans were prepared by EDAW | AECOM

A9809-C040 Issue C	ROADWORKS AND SITEWORKS CONSTRUCTION – LAYOUT PLAN SHEET 1 OF 2	31.10.2006
A9809-C041 Issue C	ROADWORKS AND SITEWORKS CONSTRUCTION – LAYOUT PLAN SHEET 2 OF 2	31.10.2006
A9809-C042 Issue C	ROADWORKS AND SITEWORKS CONSTRUCTION – DETAILS SHEET	31.10.2006
A9809-C043 Issue C	ROADWORKS AND SITEWORKS CONSTRUCTION NOTES SHEET	31.10.2006

The above plans were prepared by Cardno Alexander Browne

**C. Compliance with the following Concurrence Agency conditions:-**

- (a) Refer to attached correspondence from the Department of Main Roads dated 6 September 2006 with conditions of approval.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.5

(D465-05/06) COMMUNITY SERVICES SPECIAL REPORT RE:  
MATERIAL CHANGE OF USE TO EXTEND DALBY HEALTH SERVICE  
...(Cont'd)

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D. The following advice should be noted:-

- (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 **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 Wolfgang Zadavec, EHO joined the Meeting at 4.30 p.m.*

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

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

**CARRIED**

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

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.6                      (D481-05/06) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR (A) DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE TO ESTABLISH A MULTIPLE DWELLING CLASS 1(B) CONSISTING OF 6 UNITS; (B) DEVELOPMENT PERMIT – RECONFIGURING 2 LOTS TO CREATE 3 LOTS**

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

**File No**                                        P2353 & P2353.1, Doc. No. 481-05/06

**Date**    9 January 2007

**Prepared by**                                M D Wilson, PLANNING MANAGER

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

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

### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	D481-05/06
<b>Applicant:</b>	First Four Investments Pty Ltd
<b>Owner:</b>	Peter Shannon & Amanda Dear
<b>Site Address:</b>	29 Archibald Street and Archibald Street, Dalby ( <b>see attachment 1</b> )
<b>Real Property Description:</b>	Lot 1 on RP49325 & Lot 2 on RP2099
<b>PDLU Designation:</b>	Comprehensive Development Precinct 1
<b>Zoning:</b>	Medium Constraint
<b>Proposal:</b>	(A) Material Change of Use to establish a Multiple Dwelling Class 1(B) consisting of 6 Units (B) Reconfiguring 2 lots to create 3 lots (C) Preliminary Approval Operational Works (Site Works) (D) Preliminary Approval Building Works
<b>Area of Land:</b>	1,618 m <sup>2</sup>
<b>Submissions:</b>	1

The purpose of this report is to provide Council with an assessment of the development application and seek a decision on the application.

A submission was received objecting to the development application. The submission is dealt with in this report.

It is recommended that part of the development is approved and part of the development is refused. The conditions to be attached to the approval and reasons for refusal are detailed below.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.6

**(D481-05/06) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR (A) DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE TO ESTABLISH A MULTIPLE DWELLING CLASS 1(B) CONSISTING OF 6 UNITS; (B) DEVELOPMENT PERMIT – RECONFIGURING 2 LOTS TO C ...(Cont'd)**

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### **Officer's Recommendation**

**(A) RECOMMENDED** that:

- (i) *the applicant be advised that the application for Development Approval for Material Change of Use to establish a Multiple Occupancy comprising 6 dwelling units on land described as Lot 1 on RP49325 and Lot 2 on RP2099, situated at 29 Archibald Street and Archibald 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 plans (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.
3. The use of the premises identified for residential purposes being Residential Development Class 1(B), shall at all times accord with Section 1.4.3 of the Transitional Planning Scheme.
4. A solid screen fence a minimum of 1.8 metres in height shall be provided along the northern, southern and eastern boundaries of the subject land for the full extent of the boundary shared with adjoining properties.
5. A Landscaping Plan including a full planting schedule, prepared by a suitably qualified person, shall be submitted, for Council's consideration and approval, with the development application for Operational Works. The landscaping plan shall be in accordance with Council's Local Planning Policy 3 'Landscaping'.
6. Landscaping shall be undertaken in accordance with the approved landscape plan.
7. Landscape works and associated landscape infrastructure are to be maintained at all times.
8. A minimum of 9 car parking spaces shall be provided on-site in accordance with the relevant Australian Standard for Off-Street Car Parking.
9. Car parking spaces shall be maintained and kept for the purposes of parking for visitors and residents.
10. Vehicle bollards or tyre stops shall be used to control vehicle access and protect landscaping or pedestrian areas where appropriate.

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

ORD.PAL/1

### **REPORTS**

ORD.PAL/1.6

**(D481-05/06) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR (A) DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE TO ESTABLISH A MULTIPLE DWELLING CLASS 1(B) CONSISTING OF 6 UNITS; (B) DEVELOPMENT PERMIT – RECONFIGURING 2 LOTS TO C ...(Cont'd)**

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11. A single vehicle access shall be provided to the site at the location of the proposed central access point. The vehicle access points to dwelling units 1 and 2 are not approved.
12. Lot 1 on RP49325 & Lot 2 on RP2099 shall be amalgamated.

### **Engineering**

13. 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 \$900 per additional unit. Calculations indicate that there are 4 additional units.
14. 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 \$900 per additional unit. Calculations indicate that there are 4 additional units.
15. 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 unit. Calculations indicate that there are 4 additional units.
16. An invert/kerb crossing shall be provided at the point of access to the subject land in accordance with Council's Local Planning Policies on Engineering Works. Existing vehicle crossovers and kerb breaks shall be removed and replaced by kerb and channel to Council's satisfaction. Design detail shall be provided with Operational Works drawings.
17. All internal vehicular manoeuvring areas and the entrance/exit to the site shall be constructed and maintained in accordance with Council's Planning Scheme. To this end:
  - (a) Car parking spaces, the entrance to the site and vehicular manoeuvring areas or other surfaces that are traversed by vehicles must be fully sealed surfaces;
  - (b) The access point from the road network must be constructed in accordance with Council's Planning Scheme, and be maintained in a safe and functional manner in perpetuity by the operator of the facility; and
  - (c) Car parking spaces shall be linemarked and maintained at all times.

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

**ORD.PAL/1                      REPORTS**

**ORD.PAL/1.6                      (D481-05/06) COMMUNITY SERVICES SPECIAL REPORT RE:  
DEVELOPMENT APPLICATION FOR (A) DEVELOPMENT PERMIT –  
MATERIAL CHANGE OF USE TO ESTABLISH A MULTIPLE DWELLING  
CLASS 1(B) CONSISTING OF 6 UNITS; (B) DEVELOPMENT PERMIT –  
RECONFIGURING 2 LOTS TO C ...(Cont'd)**

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18. Stormwater from roof and sealed areas shall be collected inside the subject land and discharged to Council's underground drainage system by way of concealed underground piping. Systems for the effective removal of sediments from any stormwater discharged from the site must be included as part of the stormwater system.
19. Should any services require relocation within the subject land, this shall be undertaken by the applicant at no cost to Council.
20. The existing 1.2 metre wide footpath along the Archibald Street frontage of the land shall be retained. Where damage occurs to the footpath due to any work related to the development of the site, variation of ground levels or any other occurrence considered by Council to be related to the development of the site, the footpath must be repaired or reinstated to Council's satisfaction and at the developer's expense.

### **Environmental Health**

21. 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/1.6

**(D481-05/06) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR (A) DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE TO ESTABLISH A MULTIPLE DWELLING CLASS 1(B) CONSISTING OF 6 UNITS; (B) DEVELOPMENT PERMIT – RECONFIGURING 2 LOTS TO C ...(Cont'd)**

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#### General

22. Prior to the commencement of use, all conditions of this approval must be fully satisfied.

(ii) *The approved plans/drawings for this development approval are listed in the following table:-*

Plan/Drawing Number	Plan/Drawing Name	Date
2453 SD3 Revision A	Proposed Multi Unit Dwelling For First Four Investments Pty Ltd – Site Plan – prepared by Ian Webb Architect	May 2006
2453 SD2	Proposed Multi Unit Dwelling For First Four Investments Pty Ltd – Upper Floor Plan – prepared by Ian Webb Architect	May 2006
2453 SD1	Proposed Multi Unit Dwelling For First Four Investments Pty Ltd – Ground Floor Plan – prepared by Ian Webb Architect	May 2006
2453 SD5	Proposed Multi Unit Dwelling For First Four Investments Pty Ltd – Elevations and Sections – prepared by Ian Webb Architect	May 2006
2453 SD4	Proposed Multi Unit Dwelling For First Four Investments Pty Ltd – Elevations and Views – prepared by Ian Webb Architect	May 2006

(iii) *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.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.6

**(D481-05/06) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR (A) DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE TO ESTABLISH A MULTIPLE DWELLING CLASS 1(B) CONSISTING OF 6 UNITS; (B) DEVELOPMENT PERMIT – RECONFIGURING 2 LOTS TO C ...(Cont'd)**

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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 (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;

**(B) RECOMMENDED** that:

the applicant be advised that the application for a Development Approval for Reconfiguring a Lot on land described as Lot 1 on RP49325 and Lot 2 on RP2099, situated at 29 Archibald Street and Archibald Street, Dalby, is refused for the following reasons:-

1. The application conflicts with the Strategic Plan in the following respects:
  - (i) The area of the proposed allotments is less than the 500m<sup>2</sup> minimum required in the Comprehensive Development Precinct 1 Designation;
  - (ii) The area of the proposed allotments is less than that provided for under the Transitional Planning Scheme for integrated housing development of 300m<sup>2</sup>;
  - (iii) Integrated housing development is not considered an appropriate form of development in the Comprehensive Development Precinct 1 Designation;
  - (iv) The development of allotments under 300m<sup>2</sup> in area conflicts with the primary intention for land in the Comprehensive Development Precinct 1 Designation to be provided for commercial purposes, by restricting the future development capacity of the subject land.
2. There are not sufficient planning grounds to justify approving the application despite the conflict with the Strategic Plan.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.6

**(D481-05/06) COMMUNITY SERVICES SPECIAL REPORT RE: DEVELOPMENT APPLICATION FOR (A) DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE TO ESTABLISH A MULTIPLE DWELLING CLASS 1(B) CONSISTING OF 6 UNITS; (B) DEVELOPMENT PERMIT – RECONFIGURING 2 LOTS TO C ...(Cont'd)**

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**(C) RECOMMENDED** that:

the applicant be advised that the application for a Preliminary Approval for Operational Works (Site Works) associated with a Multiple Occupancy on land described as Lot 1 on RP49325 and Lot 2 on RP2099, situated at 29 Archibald Street and Archibald Street, Dalby, is approved.

**(D) RECOMMENDED** that:

the applicant be advised that the application for a Preliminary Approval for Building Works for a Multiple Occupancy on land described as Lot 1 on RP49325 and Lot 2 on RP2099, situated at 29 Archibald Street and Archibald Street, Dalby, is approved.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

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

**CARRIED**

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

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

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**ORD.PAL/1.7**                      **COMMUNITY SERVICES SPECIAL CONFIDENTIAL REPORT RE:  
OXFORD CREST PTY LTD - POTENTIAL MATERIAL CHANGE OF USE  
DEVELOPMENT APPLICATION FOR RESIDENTIAL RESORT PARK**

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

**File No**                                P811

**Date**                                    4 January 2007

**Prepared by**                        M. Wilson, PLANNING MANAGER

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

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

### **Summary/Purpose**

To provide Council with the feedback received from the other Councils contacted in relation to similar residential developments by Oxford Crest.

### **Officer's Recommendation**

That this report be received and noted.

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*Mr Danny Nearhos, SCSO Mr Wolfgang Zadravec, EHO and the press representatives retired from the Meeting at 4.50 p.m. and re-joined the Meeting at 4.55 p.m.*

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

ORD.PAL/1

REPORTS

ORD.PAL/1.7

COMMUNITY SERVICES SPECIAL CONFIDENTIAL REPORT RE:  
OXFORD CREST PTY LTD - POTENTIAL MATERIAL CHANGE OF USE  
DEVELOPMENT APPLICATION FOR RESIDENTIAL RESORT PARK  
...(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 4.50 p.m. to discuss the development application as under Section 463 the Local Government may close the meeting to discuss other business for which a public discussion would be likely to prejudice the interest of the local government or someone else, or enable a person to gain a financial advantage.

**CARRIED**

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

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 4.55 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/1.8**                      **COMMUNITY SERVICES SPECIAL REPORT RE: LOCAL LAW NO. 20 - COMMERCIAL USE OF ROADS**  
**To**                                      S M Hegedus, CHIEF EXECUTIVE OFFICER  
**File No**                              1/5/2 & 12/1/13  
**Date**                                      11 January 2007  
**Prepared by**                      W. Zadavec, ENVIRONMENTAL HEALTH OFFICER  
**Responsible Officer**              B. Patterson, DIRECTOR COMMUNITY SERVICES

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

### **Summary/Purpose**

To present the report on the implementation of Council's Local Law No 20 – Commercial Use of Roads.

### **Officer's Recommendation**

1. That Council consider applications for a permit to display goods on the footpath and outdoor dining with a minimum 2.0 metre unobstructed pedestrian access and a minimum 1.0 metre setback from the kerb and channel.
  2. Council to adopt a Subordinate Local Law on commercial use of roads to include footpath dining, mobile food vending, display of goods on footpath, and busking.
- 

### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and that Local Law No. 20 Commercial Use of Roads be reviewed with amendments to include the following:-

- (a) waive application fee for goods that are displayed within one metre of property boundary; and
- (b) incorporate Local Law Policy on outdoor dining.

**CARRIED**

*Mr Wolfgang Zadavec, EHO retired from meeting at 5.15 p.m.*

**ORD.PAL/3**                      **GENERAL BUSINESS**

Nil.

## **KRA 6 - ECONOMIC PROSPERITY**

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

Nil.

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

#### **ORD.ECP/2.1                      CONFIDENTIAL - BOOT AND BUSH COUNTRY MUSIC FESTIVAL - POSSIBLE LEGAL ACTION RAMIFICATIONS FROM MISLEADING INFORMATION CANCELLATION FESTIVAL**

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

**File No**                                6/9/3, Doc. No. 428282

**Date**                                    10th January 2007

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

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

### **Summary/Purpose**

A letter dated 4th January 2007 in response to the joint Council media release issued on 2nd January 2007, defending her position in relation to the cancellation of the Boots and Bush Country Music Festival.

Further placing Council on notice that is very likely that legal action may be pending based on advice on return of their lawyer.

### **Officer's Recommendation**

That this letter be received and noted.

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## **KRA 6 - ECONOMIC PROSPERITY**

ORD.ECP/2                      INWARDS CORRESPONDENCE

ORD.ECP/2.1                CONFIDENTIAL - BOOT AND BUSH COUNTRY MUSIC FESTIVAL -  
POSSIBLE LEGAL ACTION RAMIFICATIONS FROM MISLEADING  
INFORMATION CANCELLATION FESTIVAL ...(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 5.15 p.m. to discuss legal advice in relation to the cancellation of the Boots and Bush Musical Festival.

**CARRIED**

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

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 5.25 p.m.

**CARRIED**

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

MOVED and SECONDED

That this letter be received and noted.

**CARRIED**

## **KRA 6 - ECONOMIC PROSPERITY**

**ORD.ECP/2**

**INWARDS CORRESPONDENCE**

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**ORD.ECP/2.2**

**DALBY SPORTS - REQUEST PERMISSION DALBY CRITERIUM CYCLE RACE SATURDAY 3RD MARCH AND DALBY TRIATHLON 4TH MARCH**

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

**File No** 2/4/13 & 1/13/1, Doc. No. 428306

**Date** 10th January 2007

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

Signed:

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### **Summary/Purpose**

A letter dated 27th December 2006 confirming details and seeking Council's permission in hosting the 2007 Dalby Criterium Cycle Race scheduled for Saturday 3rd March between the hours of 1.00 p.m. and 8.30 p.m. around the circuit outlined in the attached brochure.

Also seeking Council's support with the Dalby Triathlon to be conducted on Sunday 4th March, 2007 by providing the pool access at no cost to support this event.

### **Officer's Recommendation**

That this letter be received, the contents noted and that Council accede to the request to approve the race circuit and the cost of hiring the swimming pool.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received, the contents noted and that Council accede to the request to approve the race circuit and the cost of hiring the swimming pool.

**CARRIED**

## **KRA 6 - ECONOMIC PROSPERITY**

**ORD.ECP/2**

**INWARDS CORRESPONDENCE**

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**ORD.ECP/2.3**

**DALBY AND NORTHERN DOWNS JOCKEY CLUB INC - REQUEST SPONSORSHIP 2007 LOCAL BUSINESS SUPPORTERS RACE DAY 27 JANUARY 2007**

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

**File No** 2/4/13, Doc. No. 428309

**Date** 10th January 2007

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

Signed:

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### **Summary/Purpose**

A letter dated 3rd January 2007 seeking Council's consideration in sponsoring one of the five races to be held at the Local Business Supporters Race Day on Saturday 27th January 2007 for an amount of \$300 plus GST.

### **Officer's Recommendation**

That this letter be received, the contents noted and that Council accede to the request.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be received, the contents noted and that Council accede to the request.

**CARRIED**

**ORD.ECP/3**

**GENERAL BUSINESS**

Nil.

## **KRA 1 - COMMUNITY WELLBEING**

**ORD.CW/1**

### **REPORTS**

**ORD.CW/1.1**

### **REPORT SHOWGROUNDS MANAGEMENT ADVISORY COMMITTEE MEETING TUESDAY 12TH DECEMBER 2006**

**To**

S M Hegedus, CHIEF EXECUTIVE OFFICER

**File No**

1/2/16, 5/1/35 & P.1046

**Date**

19th December 2006

**Prepared by**

K. M. Gillespie, UTILITIES SERVICES ADMINISTRATION OFFICER

**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 12th December 2006.

### **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 noted.

**CARRIED**

## **KRA 1 - COMMUNITY WELLBEING**

**ORD.CW/1                      REPORTS**

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**ORD.CW/1.2                      REPORT DALBY WAMBO DISASTER MANAGEMENT GROUP MEETING HELD ON MONDAY 18TH DECEMBER 2006**

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

**File No**                                1/2/16 & 5/7/3

**Date**                                    19th December 2006

**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 Dalby Wambo Disaster Management Group Meeting held on Monday 18th December 2006.

### **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 noted and that a copy of the minutes be forwarded to the members of the Committee.

**CARRIED**

## **KRA 1 - COMMUNITY WELLBEING**

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

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#### **ORD.CW/1.3                      COMMUNITY SERVICES SPECIAL CONFIDENTIAL REPORT RE: REVIEW OF SWIMMING POOL LEASE**

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

**File No**                                16/2/1

**Date**                                    19 December 2006

**Prepared by**                        D. Nearhos, SOCIAL CULTURAL AND SPORTING OFFICER

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

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

#### **Summary/Purpose**

The purpose of this report is to provide Council with options regarding the lease of the Dalby Swimming Pool.

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

If Major Facilities funding is successful, that Council extend the current Management Contract for the Dalby Swimming Pool, with a CPI increase in management fees, for a further 12 months until 30 June 2008; or

If Major Facilities funding is unsuccessful, that Council extend the current lessees contract, with a CPI increase in management fees, for a two (2) year period from 30 June 2007.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and that:-

That Council extend the current Management Contract for the Dalby Swimming Pool, with a CPI increase in management fees, until 30 June 2009 and to include a clause in the contract that should construction of the new Aquatic Centre Facility begin prior to that time that Council accept no liability for loss of trade.

**CARRIED**

## **KRA 1 - COMMUNITY WELLBEING**

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

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#### **ORD.CW/1.4                      COMMUNITY SERVICES SPECIAL CONFIDENTIAL REPORT RE: FACILITIES STRATEGIC PLAN – TENDER PROCESS**

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

**File No**                                1/14/1

**Date**                                    20 December 2006

**Prepared by**                        D. Nearhos, SOCIAL CULTURAL AND SPORTING OFFICER

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

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

#### **Summary/Purpose**

The purpose of this report is to highlight the processes and discussions involved in selecting the appropriate consultant for the development of a Community Facilities Strategic Plan for the Town of Dalby and the Wambo Shire.

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

That Council accept Leisure Futures as the successful tenderer and appoint as consultant for the Dalby and Wambo Community Facilities Strategic Plan project at a price of \$23,100 including GST.

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#### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this Report be received and that Council accept Leisure Futures as the successful tenderer and appoint as consultant for the Dalby and Wambo Community Facilities Strategic Plan project at a price of \$23,100 including GST.

**CARRIED**

## **KRA 1 - COMMUNITY WELLBEING**

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

Nil.

*Mr Danny Nearhos, SCSO retired from Meeting at 5.45 p.m.*

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

#### **ORD.CW/3.1 2007 AUSTRALIA DAY AWARDS NOMINATIONS**

**To** His Worship the Mayor and Councillors

**File No** 1/13/8

**Date** 11th July 2007

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

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

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

#### **Summary/Purpose**

A Memorandum dated 5th January 2007 detailing nominations for the 2007 Australia Day Awards was presented to the Australia Day Sub Committee for their consideration which met on Thursday 11th July 2007.

#### **COUNCIL RESOLUTION**

MOVED and SECONDED

- (a) That the 2007 Australia Day Award nominations be received and that the award winners in the various categories are:

Citizen Award	Mignon Eva Doyle (Meg)
Young Citizen Award	Luke Volker
Community Event	U3A Dalby 10th Anniversary Celebrations
Sports Award	Jan Linsley
Junior Sports Award	Chelsea Waters
Sports Administrator	Charles Henry
Cultural Award	Pauline Twomey
Junior Cultural Award	Isaac Smith
Teaching Excellence Award	- Amelia Hart
Education/Vocational Training	

**KRA 1 - COMMUNITY WELLBEING**

**ORD.CW/3                      GENERAL BUSINESS**

**ORD.CW/3.1                      2007 AUSTRALIA DAY AWARDS NOMINATIONS ...(Cont'd)**

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- (b) that each nominee be acknowledged by receiving a certificate from Council and that the winners be acknowledged in the Dalby Herald and Northern Downs News prior to Australia Day; and
- (c) Cr Latemore requested Council's congratulations be conveyed to Mrs Cath Harding and Mrs Ann Shepherd for their efforts in promoting and presentation of the Australia Day awards to the Sub Committee which streamlined the selection process.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/1**

**REPORTS**

**ORD.ORG/1.1**

**MINUTES OF AUDIT COMMITTEE MEETING HELD ON MONDAY 13TH NOVEMBER 2006**

**To** His Worship the Mayor and Councillors

**File No** 2/4/19

**Date** 10th January 2007

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

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

### **Previous Consideration**

This item was previously discussed at an Ordinary Meeting of Council held on Tuesday 12th December, 2006 and it was resolved that the report be deferred to the Ordinary Meeting schedule for Tuesday 16th January, 2007 for discussion.

### **Summary/Purpose**

A copy of the minutes of the Audit Committee Meeting held on Monday 13 November 2006 commencing at 3.32 p.m.

### **Officer's Recommendation**

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

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

ORD.ORG/1

REPORTS

ORD.ORG/1.1

MINUTES OF AUDIT COMMITTEE MEETING HELD ON MONDAY 13TH  
NOVEMBER 2006 ...(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 5.53 p.m. to discuss the local government budget and audit committee report.

**CARRIED**

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

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 6.10 p.m.

**CARRIED**

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

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**

**LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND LOCAL GOVERNMENT ACT AMENDMENTS PROPOSED IN NEW BILL**

**To** His Worship the Mayor and Councillors

**File No** 5/3/3 & 5/3/19, Doc. No. 423268

**Date** 10th January 2007

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

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

### **Previous Consideration**

This item was previously discussed at an Ordinary Meeting of Council held on Tuesday 12th December 2006 where it was resolved that the matter be placed on the agenda of the Council's meeting scheduled for Tuesday 16th January 2007 for discussion and comments are to be forwarded to the Association by Thursday 25th January 2007.

### **Summary/Purpose**

A circular advising that the Minister for Local Government, Planning, Sport and Recreation, Hon. Andrew Fraser MP has introduced the Local Government and other Legislation Amendment Bill into the Queensland Parliament on the 28th November 2006, to amend the Local Government Act and other legislation relating to SSS, electoral amendments and other significant matters.

### **Officer's Recommendation**

That this circular be received and that any comments be forwarded to the Association by Thursday 25th January 2007.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this circular be received and that any comments be forwarded to the Association by Thursday 25th January 2007.

**CARRIED**

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

**ORD.ORG/2                      INWARDS CORRESPONDENCE**

**ORD.ORG/2.1                LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND LOCAL  
GOVERNMENT ACT AMENDMENTS PROPOSED IN NEW BILL  
...(Cont'd)**

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Cr Thornton suggested that Council should discuss the possibility of limiting the number of polling booth attendees representing candidates and handing out how to votes cards on polling day at Council elections.

Mr S M Hegedus, CEO is to investigate the Local Government Act and place on the agenda of a future directions meeting for discussion.

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/2**

**INWARDS CORRESPONDENCE**

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**ORD.ORG/2.2**

**WESTERN DOWNS REGIONAL ORGANISATION OF COUNCILS  
MINUTES MEETING 19TH DECEMBER 2006 DETERMINE LEVEL  
INTEREST REGIONAL ECONOMIC TOURISM FOCUS**

**To** His Worship the Mayor and Councillors

**File No** 5/2/26, Doc. No. 428243

**Date** 10th January 2007

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

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

### **Summary/Purpose**

A copy of the minutes of the meeting of representatives from the WDROC Councillors held on the 19th December 2006 to determine the level of interest for a WDROC regional economic and tourism focus.

Cr D S Smiles and Mr Blaine Patterson, DCS were authorised to represent Council at the meeting.

### **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 noted and that Council continue its involvement with the WDROC regional economic and tourism focus and that Mr Danny Nearhos, SCSO be authorised to attend the next meeting scheduled for 23rd January 2007.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/2**                      **INWARDS CORRESPONDENCE**

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**ORD.ORG/2.3**                      **WESTERN DOWNS REGIONAL ORGANISATION COUNCILS MINUTES  
GENERAL MEETING 21 NOVEMBER 2006**

**To**                                      His Worship the Mayor and Councillors

**File No**                                5/2/26, Doc. No. 426937

**Date**                                    10th January 2007

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

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

### **Summary/Purpose**

A copy of the minutes of the General Meeting held on 21 November 2006 and reminding Council that the next meeting is scheduled for 27 February 2007 hosted by Wambo Shire Council.

### **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 noted.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

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**ORD.ORG/3                      GENERAL BUSINESS**

**ORD.ORG/3.1                      NEGOTIATIONS REDUCTION CAR PARKS AND WATER SUPPLY  
AGREEMENT ETHANOL PLANT DALBY BIO REFINERY**

**File No                              6/1/17**

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### **Summary/Purpose**

Mr M P Sullivan, DES advised Council of a request received from Dalby Bio Refinery for Council's consideration to relax the car park requirements of the development approval for the Ethanol Plant, by reducing the number of car parks from 46 to 25, stating there would only be 34 full time employees including shift personnel.

Mr Sullivan, DES also updated Council on the water supply requirements of the Ethanol Plant. Dalby Bio Refinery require a broadly agreed terms sheet for the supply of water to the plant.

- Council originally confirmed they will supply a maximum of 150MI per annum potable water and that any further requirement would be recycled or grey water;
- Originally requested 320 megalitres now changed to 435 megalitres per annum;
- Require 1.1 megalitre of recycled water per day;
- To provide quantity of water during summer, Council would have to store water during winter periods which is expensive;
- Negotiate capital contribution of \$2M including storage costs;
- Mr M P Sullivan, DES is to compile a report detailing actual water requirements including Council's commitments to subdivisions and sporting organisations

### **COUNCIL RESOLUTION**

MOVED and SECONDED

That Council advise it cannot accede to the request and that the car parking requirements will remain at 46 car parks.

**CARRIED**

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/3                      GENERAL BUSINESS**

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**ORD.ORG/3.2                      FINANCIAL SUSTAINABILITY REVIEW RATING REPORTS COMPILED  
BY QUEENSLAND TREASURY CORPORATION**

**File No                              5/3/3 & 5/3/19**

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### **Summary/Purpose**

Mr S M Hegedus, CEO provided a brief update to Council on the receipt of the Financial Sustainability Review Rating Reports from Queensland Treasury Corporation.

Council received three reports including the Financial Sustainability Review Rating and Outlook Definitions, Financial Sustainability Benchmarking which compares Council with other urban Councils and a Statistics Report on the Town of Dalby.

Mr Hegedus advised a SSS Workshop for Mayors and CEO's has been convened for Monday 22nd January 2007 at the Oakey Cultural Centre and that the primary purpose of the workshop will be to review the outcomes of the initial review phase and to confirm key issues for the Group.

Mr Hegedus, CEO sought direction from Council on the review partners and should Council become involved in a smaller group.

It was agreed that Council's approach would be to endorse smaller groups.

Mr Hegedus advised that a copy of the reports would be placed on a future Council meeting.

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/3                      GENERAL BUSINESS**

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**ORD.ORG/3.3                      INFORMATION EVENING LOCAL GAS INDUSTRY 7TH FEBRUARY 2007**

**File No                              14/1/1 & 14/1/14**

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### **Summary/Purpose**

Council is hosting an information evening to initiate a networking opportunity for all delegates engaged in the local gas industry including Council, wholesalers, retailers and installers.

The event will incorporate a number of displays of the latest gas appliances by industry sales representatives and Council will discuss its future developments and promotional activities as well as providing information on the State Government Gas Installation Rebate Scheme.

The evening will be held on Wednesday 7th February 2007 at Council's function room.

**ORD.ORG/3.4                      CR LATEMORE REQUESTED INSPECTION KINGAROY LANDFILL FACILITY**

**File No                              7/4/2**

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### **Summary/Purpose**

Cr R G Latemore expressed his disappointment in not being notified of the survey being conducted at Dalby's Landfill facility prior to its commencement and also requested an inspection of the Kingaroy Landfill Facility be organised.

## **KRA 2 - OUR ORGANISATION**

**ORD.ORG/3                      GENERAL BUSINESS**

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**ORD.ORG/3.5                      CR LATEMORE EXPRESSED DISAPPOINTMENT      CHRISTMAS  
LIGHTING CENTRAL BUSINESS DISTRICT**

**File No                              1/13/1**

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### **Summary/Purpose**

Cr R G Latmore expressed his disappointment with the Christmas lighting in the Central Business District.

**ORD.ORG/3.6                      SENIOR CITIZENS ASSOCIATION FINAL AUDIT REPORT PRESENTED**

**File No                              5/1/21**

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### **Summary/Purpose**

Cr G M Nearhos presented a copy of the final audit of the Senior Citizens Association prepared by Carrick and Ashmead.

**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 sixteenth day of January, 2007.

Submitted to the Ordinary Meeting Of Council held this twenty-third day of January 2007.

Signed: \_\_\_\_\_  
Cr Geisel  
MAYOR OF DALBY

17th January 2007

**APPENDIX / ATTACHMENTS**

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