

DALBY TOWN COUNCIL



**MINUTES OF ORDINARY MEETING OF
COUNCIL**

Held at Dalby Town Council Chambers

ON Tuesday 23 January 2007

Commencing at 4.02 p.m.

MINUTES OF ORDINARY MEETING OF COUNCIL

Tuesday 23 January 2007

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MINUTES OF ORDINARY MEETING OF COUNCIL TUESDAY 23RD JANUARY 2007 - 23/01/07

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DECLARATION OF MEETING OPENING

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

PRESENT

Mayor Cr W. Geisel (Chairperson)

Councillors Cr J.M. Hart
Cr R.G. Latemore
Cr 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
D. Nearhos, SOCIAL CULTURAL AND SPORTING OFFICER
Graeme Preston, SPECIAL PROJECTS ENGINEER
C.M. Harding, CEO's PERSONAL ASSISTANT

Observers Nil

Delegation Nil

APOLOGIES

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

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 16TH
JANUARY 2007**

To His Worship the Mayor and Councillors

File No 1/2/10

Date 18th January 2007

Responsible Officer Cr W. Geisel, MAYOR

Signed: _____

Summary/Purpose

Minutes of the Ordinary Meeting of Council held on Tuesday, 16th January 2007.

Officer's Recommendation

That the minutes of the last Ordinary Meeting held on Tuesday, 16th January 2007 copies of which have been printed and circulated to Members, be taken as read and confirmed.

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes of the last Ordinary Meeting held on Tuesday, 16th January 2007 copies of which have been printed and circulated to Members, be taken as read and confirmed.

CARRIED

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

Nil.

ORD/5 ON THE TABLE

ORD/5.1 ON THE TABLE TUESDAY 23RD JANUARY 2007

To His Worship the Mayor and Councillors

File No 1/2/10

Date 18th January 2007

Responsible Officer S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed: _____

Summary/Purpose

- 01.** Books for Councillors and Officers to record their interest in contracts with Council in accordance with the Local Government Act, Section 192(1).
- 02.** Register of Moneys paid to Councillors.
- 03.** Local Laws of the Town of Dalby.
- 04.** Local Government Act 1993.
- 05.** Powerlink Queensland - Annual Report 2005/06.
- 06.** Wambo Shire Council - Annual Report 2005/06.

Officer's Recommendation

That these six (6) items on the table be received.

COUNCIL RESOLUTION

MOVED and SECONDED

That these six (6) items on the table be received.

CARRIED

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

ORD/9.1 COUNCILLOR ROSS THORNTON NOTICE OF MOTION ENGINEERING SERVICES SPECIAL REPORT RE: REVIEW OF PARKING METERS IN DALBY

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2 & 13/1/1, Doc. No. 429226

Date 18th January 2007

Responsible Officer M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

A letter dated 9th January 2007 from Cr R A Thornton giving notice in accordance with Local Law No. 5 Meetings of his intention to put forward a resolution for discussion in relation to the Engineering Service Special Report Re: Review of Parking Meters in Dalby.

Officer's Recommendation

That the resolution adopted by Council at its Ordinary Meeting held on Tuesday 14th November, 2006 be rescinded to allow Council to discuss the matter further.

Mr T A Fagg, Utilities Manager joined the Meeting at 4.08 p.m.

ORD/10 QUESTIONS WITHOUT NOTICE

Nil.

ORD/11 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

Nil.

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1

REPORTS

ORD.CW/1.1

COMMUNITY SERVICES SPECIAL REPORT RE: COMMUNITY BUSINESS PARTNERSHIP PROGRAM – O’KEEFE & PARTNERS

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 6/1/20, Doc. No.

Date 18 January 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

To discuss and confirm the naming rights and sponsorship opportunities available through the Community Business Partnership Program.

Officer’s Recommendation

That Council direction be provided.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that the following recommendations be adopted:-

Showgrounds

- (a) That Council offer the naming rights of all facilities at the Showgrounds; and
- (b) That Council not pursue any sponsorship opportunities in relation to the alcohol rights.

Aquatic Centre

- (a) That Council offer the naming rights of all facilities at the Aquatic Centre with the exception of the Arthur Obst Grandstand; and
- (b) That Council not pursue any kiosk sponsorship rights.

Dick Aland Sporting Reserve

That Council offer sections of the Dick Aland Sports Reserve for sponsorship naming rights including league grounds, cricket grounds, tennis and rugby union area.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1 REPORTS

ORD.CW/1.2 COMMUNITY SERVICES SPECIAL REPORT RE: BLUEPRINT FOR THE BUSH

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 2/3/3, 6/9/1

Date 17 January 2007

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 outcomes from the series of community-based meetings regarding Blueprint for the Bush funding programs and potential projects.

Officer's Recommendation

That a funding application be drafted and submitted for a broker to engage with relevant community stakeholders to facilitate and develop a sustainable action plan for promotion, amenity and business development/retention of staff in Dalby.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that a funding application be drafted and submitted for a broker to engage with relevant community stakeholders to facilitate and develop a sustainable action plan for promotion, amenity and business development/retention of staff in Dalby.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1 **REPORTS**

ORD.CW/1.3 **COMMUNITY SERVICES MONTHLY REPORT RE: SOCIAL, CULTURAL AND SPORTING DEVELOPMENT DECEMBER 2006**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/13, Doc. No.

Date 18 January 2007

Prepared by D. Nearhos, SOCIAL CULTURAL AND SPORTING OFFICER

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

This report details Social, Cultural and Sporting Development activities for the month of December 2006.

Officer's Recommendation

That this report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this report be received and noted.

CARRIED

Mr Danny Nearhos, SCSO retired from the Meeting at 4.50 p.m.

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1 REPORTS

**ORD.CW/1.4 COMMUNITY SERVICES SPECIAL CONFIDENTIAL REPORT RE:
WATER TEMPERATURE OF THE DALBY SWIMMING POOL**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 16/2/1, Doc. No. 424569

Date 8 January 2006

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

To table the issue of water temperature at the Dalby Swimming Pool with Council as requested by the correspondent.

Officer's Recommendation

That this correspondence be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this letter be received and noted and that this matter be deferred pending notification of result of funding submission for the Aquatic Centre.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1 REPORTS

ORD.CW/1.5 REPORT SHOWGROUNDS MANAGEMENT ADVISORY COMMITTEE MEETING TUESDAY 9TH JANUARY 2007

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/16, 5/1/35 & P.1046

Date 15th January 2007

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

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A copy of the minutes of the Showgrounds Management Advisory Committee Meeting held on Tuesday 9th January 2007.

Officer's Recommendation

That the minutes be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes be received and noted.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/2 **INWARDS CORRESPONDENCE**

ORD.CW/2.1 **COMMUNITY SERVICES SPECIAL REPORT RE: CORRESPONDENCE FROM THE DEPARTMENT OF COMMUNITIES**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 5/1/51, 6/1/10 & 10/1/30, Doc. No. 424329 & 414890

Date 4 January 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

To inform Council of correspondence received from the Department of Communities.

A letter was also received from the Acting Minister for Police and Corrective Services Hon. Andrew Fraser MP in response to Council's letter regarding the proposed allocation of a Police Liaison Officer for the Dalby area, advising that this proposal will be considered as part of the Police Service's annual planning and budgetary processes.

Officer's Recommendation

That this report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That these two letters be received and noted and that Council organise a meeting with the Youth Worker based in Dalby to discuss levels of service delivery to Dalby residents and any other relevant issues.

CARRIED

ORD.CW/3 **GENERAL BUSINESS**

Nil.

KRA 2 - OUR ORGANISATION

ORD.ORG/1

REPORTS

ORD.ORG/1.1

CORPORATE SERVICES MONTHLY REPORT - DECEMBER 2006

To

Hon. Worship the Mayor and Councillors

File No

1/2/1

Date

15 January 2007

Prepared by

K. Anderson, MANAGER ORGANISATIONAL SUPPORT

Responsible Officer

S M Hegedus, CHIEF EXECUTIVE OFFICER

Signed: _____

Summary/Purpose

Report on projects completed and work in progress by the corporate services team during the month of December 2006.

Officer's Recommendation

That this Report be received and noted.

Officer's Recommendation

That this report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this report be received and noted.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

ORD.ORG/1.2 FINANCIAL & INFORMATION SERVICES SPECIAL CONFIDENTIAL REPORT RE: PURCHASE OF MOTOR VEHICLES (SEDANS)

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/14/1

Date 16 January, 2007

Prepared by D.G. Carvosso, PROCUREMENT SUPERVISOR

Responsible Officer T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed: _____

Summary/Purpose

The purpose of this report is to establish a process for purchasing new, and disposing of existing vehicles by establishing a panel of pre-qualified suppliers and to determine if cost savings can be achieved through buy back proposals.

Officer's Recommendation

1. Council accept the submissions received from Johnsons Holden and Black Toyota as late tenders; and
 2. All submissions be accepted to establish a panel of pre-qualified suppliers for motor vehicles (Sedans).
-

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that:-

1. Council accept the submissions received from Johnsons Holden and Black Toyota as late tenders; and
2. All submissions be accepted to establish a panel of pre-qualified suppliers for motor vehicles (Sedans).

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/2

INWARDS CORRESPONDENCE

ORD.ORG/2.1

**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 18th January 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Previous Consideration

This item was previously discussed at an Ordinary Meeting of Council held on Tuesday 16th January 2007 where it was resolved 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.

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.

The training program could be delivered in Dalby under the following conditions:-

- Two - three months waiting time;
- Maximum of 15 members
- \$2,500 plus travel and accommodation

Mr S M Hegedus, CEO has phoned Wambo Shire Council seeking an interest from their Council to attend the one day program.

Officer's Recommendation

Council's direction is required.

KRA 2 - OUR ORGANISATION

ORD.ORG/2 INWARDS CORRESPONDENCE

ORD.ORG/2.1 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND
REGISTRATION DETAILS TOWN PLANNING COUNCILLORS
TRAINING PROGRAM 12TH FEBRUARY 2007 ...(Cont'd)

COUNCIL RESOLUTION

MOVED and SECONDED

That Council authorise and register Crs R A Thornton and C T Tillman to attend the Town Planning Councillors Training Program scheduled for Monday 12th February 2007.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/2

INWARDS CORRESPONDENCE

ORD.ORG/2.2

LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND - LOCAL GOVERNMENT INFRASTRUCTURE SYMPOSIUM 18TH - 20TH APRIL 2007

To His Worship the Mayor and Councillors

File No 1/15/15, Doc. No. 431647

Date 18th January

Responsible Officer S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed: _____

Summary/Purpose

A copy of the program of the LGAQ Infrastructure Symposium to be held at the Brisbane Convention and Exhibition Centre from the 18th to 20th April 2007 is attached for Council's perusal.

The 2007 Infrastructure Symposium will focus on helping local government make sense out of our changing environment.

Council should give consideration to members attending.

Officer's Recommendation

That the brochure is received and that Council nominate representatives to attend.

COUNCIL RESOLUTION

MOVED and SECONDED

That the brochure is received and that Council authorise the Mayor, Deputy Mayor and DES to attend the LGAQ Infrastructure Symposium.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/3

GENERAL BUSINESS

ORD.ORG/3.1

PROPOSED MEETING DATES FEBRUARY 2007

To

His Worship the Mayor and Councillors

File No

1/1/1

Date

18th January 2007

Responsible Officer

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

The proposed list of meeting dates for February 2007 be received.

KRA 3 - BUILT ENVIRONMENT

ORD.BE/1 **REPORTS**

ORD.BE/1.1 **BUILT ENVIRONMENT - ENGINEERING SERVICES MONTHLY REPORT DECEMBER 2006**

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2 & 10/2/2

Date 5 January 2007

Prepared by T.J. Dredge, ENGINEERING SUPPORT OFFICER

Responsible Officer M.P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed:

Summary/Purpose

This Report details Built Environment activities for the month of December 2006.

Officer's Recommendation

That this Report be received and noted.

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.

KRA 4 - UTILITY SERVICES

ORD.UTS/1

REPORTS

ORD.UTS/1.1

WATER:- ENGINEERING SERVICES MONTHLY REPORT DECEMBER 2006

To

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No

1/2/2

Date

11 January 2007

Prepared by

T.A. Fagg, UTILITIES MANAGER

Responsible Officer

M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This Report details Water Supply activities for the month of December 2006.

Officer's Recommendation

That this Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

A copy of the procedure in handling a breach of water restrictions is to be issued to all Councillors.

KRA 4 - UTILITY SERVICES

ORD.UTS/1 REPORTS

ORD.UTS/1.2 WATER ANNUAL REPORT 2005/06- ENGINEERING SERVICES

To S M Hegedus, CHIEF EXECUTIVE OFFICER

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

Date 8 January 2007

Prepared by T.A. Fagg, UTILITIES MANAGER
L.D. Cook, TECHNICAL OFFICER - UTILITIES

Responsible Officer M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed:

Summary/Purpose

This Report details operations of the water supply utility of Council for the year 2005/2006 and provides information relating to Dalby Town Council's Strategic Asset Management Plan (SAMP) and Customer Service Standards (CSS) as required under the *Water Act 2000*.

Officer's Recommendation

That this Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

On behalf of Council, the Mayor thanked the Engineering Services staff on their combined efforts in the efficient operation of the section.

KRA 4 - UTILITY SERVICES

ORD.UTS/1 REPORTS

**ORD.UTS/1.3 WASTEWATER: - ENGINEERING SERVICES MONTHLY REPORT
DECEMBER 2006**

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2

Date 15 January 2007

Prepared by T.A. Fagg, UTILITIES MANAGER

Responsible Officer M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This report details Sewerage undertakings for the month of December 2007.

Officer's Recommendation

That this Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

KRA 4 - UTILITY SERVICES

ORD.UTS/1 REPORTS

ORD.UTS/1.4 WASTEWATER ANNUAL REPORT 2005/06 - ENGINEERING SERVICES

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2 & 8/1/1

Date 21 December 2006

Prepared by T.A. Fagg, UTILITIES MANAGER
L.D. Cook, TECHNICAL OFFICER - UTILITIES

Responsible Officer M.P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed:

Summary/Purpose

This Report details operations of the wastewater utility of Council for the year 2005/2006 and provides information relating to Dalby Town Council's Strategic Asset Management Plan (SAMP) and Customer Service Standards (CSS) as required under the *Water Act 2000*.

Officer's Recommendation

That this Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

KRA 4 - UTILITY SERVICES

ORD.UTS/1 REPORTS

ORD.UTS/1.5 GAS OPERATIONS - ENGINEERING SERVICES MONTHLY REPORT DECEMBER 2006

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/7 & 1/2/2

Date 16 January 2007

Prepared by N. Martin, CUSTOMER SERVICE OFFICER - REVENUE

Responsible Officer M. P. Sullivan, DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This Report details operations of Council's Gas Undertaking for the month of December 2006.

Officer's Recommendation

That this Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

Mr T A Fagg, Utilities Manager retired from the Meeting at 5.45 p.m.

ORD.UTS/2 INWARDS CORRESPONDENCE

Nil.

ORD.UTS/3 GENERAL BUSINESS

Nil.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.1

(D031-05/06) COMMUNITY SERVICES SPECIAL REPORT RE: STREET NAME APPROVAL – 64 BRANCH CREEK ROAD - MAHON

To

S M Hegedus, CHIEF EXECUTIVE OFFICER

File No

P2194, Doc. No. 031-05/06

Date

18 January 2007

Prepared by

M. Wilson, PLANNING MANAGER

Responsible Officer

B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A letter dated 9 January 2007 seeks Council's approval for the following suggested road names for the subdivision at 64 Branch Creek Road:-

NEW ROAD WITHIN DEVELOPMENT

1. Katherine Street
2. Katherine Court
3. Katherine Way

Officer's Recommendation

Recommended that Council advise the applicant that "Katherine Street" is approved for the naming of the new road.

COUNCIL RESOLUTION

MOVED and SECONDED

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

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.2 (D205-04/05) COMMUNITY SERVICES SPECIAL REPORT RE: STREET NAME APPROVAL – 94A & 96 ORPEN STREET - DELL

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No P1643.5 & P1643.6, Doc. No. 205-04/05

Date 18 January 2007

Prepared by M. Wilson, PLANNING MANAGER

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A letter dated 5 January 2007 seeks Council's approval for the following suggested road names for the subdivision at 94a & 96 Orpen Street:-

NEW ROAD WITHIN DEVELOPMENT

1. Charthom Place
2. Elizabeth Place
3. Lorraine Place

Officer's Recommendation

Recommended that Council advise the applicant that "Charthom Place" is approved for the naming of the new road.

COUNCIL RESOLUTION

MOVED and SECONDED

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

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

**ORD.PAL/1.3 (D152-06/07) COMMUNITY SERVICES SPECIAL REPORT RE:
MATERIAL CHANGE OF USE TO ESTABLISH A DOMESTIC
OCCUPATION (SECURITY AGENT)**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No P2239.7, Doc. No. 152-06/07

Date 12 January 2007

Prepared by M D Wilson, PLANNING MANAGER

Responsible Officer B F Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

DEVELOPMENT APPLICATION

Application No:	D152-06/07
Applicant:	Ray Brook
Owner:	Ray Brook
Site Address:	Sandalwood Avenue, Dalby (see attachment 1)
Real Property Description:	Lot 1 on SP187293, Parish of Dalby
PDLU Designation:	Rural Residential
Zoning:	Low Constraint
Proposal:	Material Change of Use to establish a Domestic Occupation (Class 5) Security Agency
Area of Land:	4,000 m ²
Submissions:	Nil

The development application is for the establishment of a Domestic Occupation (Class 5) Security Agency. The applicant proposes to use the premises as a base for his security business.

Officer's Recommendation

It is **RECOMMENDED** that:

- A. the applicant be advised that the application for a Development Permit for Material Change of Use - "Domestic Occupation (Class 5) – Security Agency" on land described as Lot 1 on SP187293 in the Parish of Dalby, situated at Sandalwood Avenue, Dalby, is approved, subject to the following conditions:-

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.3

(D152-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: MATERIAL CHANGE OF USE TO ESTABLISH A DOMESTIC OCCUPATION (SECURITY AGENT) ...(Cont'd)

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 total use of the domestic occupation shall not exceed one-third of the gross floor area of the dwelling unit or 45 square metres, whichever is the lesser.
3. The domestic occupation shall not operate on Sundays or public holidays or otherwise between the hours of 7:00pm and 8:00am.
4. No sign other than a sign not exceeding 0.3 square metre in area and bearing only the name and telephone number of the occupier and occupation shall be displayed on the premises.
5. No source of power other than single phase electric motors having a total connected load of not more than 0.75 kilowatt shall be used.
6. The domestic occupation shall be operated in such a manner that:
 - (a) It does not impose a load on any public utility greater than that which is required for typical development in the locality; and
 - (b) It does not create hazards or cause undue annoyance or disturbances to persons or premises connected with the home activity; and
 - (c) It does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, waste products, radio or electrical interference or otherwise.
7. The use and layout of the domestic occupation shall ensure adequate privacy and a suitable living environment for the occupants of the dwelling house, to the satisfaction of Council.
8. The domestic occupation shall not be carried out on the premises until such time as a Certificate of Classification is issued for a dwelling house on the premises.
9. No clients or staff associated with the domestic occupation shall visit the premises.
10. The domestic occupation must be operated by a permanent occupant of the dwelling house.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.3

(D152-06/07) COMMUNITY SERVICES SPECIAL REPORT RE: MATERIAL CHANGE OF USE TO ESTABLISH A DOMESTIC OCCUPATION (SECURITY AGENT) ...(Cont'd)

11. A minimum of two car parking spaces shall be provided with the dwelling house. At least one of these car parking spaces shall be covered. In addition to these car parking spaces, a minimum of one additional space shall be provided.
12. Car parking and manoeuvring areas shall be constructed to an all-weather gravel standard, as a minimum.
13. Within 40 business days of the issue of the Decision Notice, revised drawings shall be provided for Council's review and endorsement. Upon endorsement, the revised drawings will become the approved drawings. The revised drawings:
 - (a) Shall be to scale and professionally prepared;
 - (b) Shall comply with the conditions of this approval; and
 - (c) Shall include a site plan, floor plans and elevations.

General

14. Prior to commencement of the use, all conditions of this approval must be fully satisfied.
- B. The applicant be advised:
- (a) Prior to works commencing on-site, separate applications for Development Permit for Building Works, and 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 **two 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**).

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.3

(D152-06/07) COMMUNITY SERVICES SPECIAL REPORT RE:
MATERIAL CHANGE OF USE TO ESTABLISH A DOMESTIC
OCCUPATION (SECURITY AGENT) ...(Cont'd)

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;

COUNCIL RESOLUTION

MOVED and SECONDED

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

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

**ORD.PAL/1.4 (D327-05/06) COMMUNITY SERVICES SPECIAL CONFIDENTIAL
REPORT RE: PLANNING ADVICE VAN DYK -V- DALBY TOWN
COUNCIL APPEAL D219 OF 2006**

To S M Hegedus, CHIEF EXECUTIVE OFFICER
File No P1002, Doc. No. D327-05/06
Date 18 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 Monty Van Dyk of Council's decision to refuse the Development Application for Material Change of Use to establish a Multiple Occupancy comprising 3 dwelling units at 57 Nicholson Street, Dalby.

In accordance with the Local Government Act Council can resolve to close the meeting and go into Committee of the Whole to discuss legal advice pertaining to this application.

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.

COUNCIL RESOLUTION

MOVED and SECONDED

That Council resolved into a Committee of the Whole at 5.50 p.m. to discuss legal advice pertaining to the Development Application.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.4 (D327-05/06) COMMUNITY SERVICES SPECIAL CONFIDENTIAL
REPORT RE: PLANNING ADVICE VAN DYK -V- DALBY TOWN
COUNCIL APPEAL D219 OF 2006 ...(Cont'd)

RESUMPTION OF COUNCIL MEETING

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 6.00 p.m.

CARRIED

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

MOVED and SECONDED

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.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

**ORD.PAL/1.5 COMMUNITY SERVICES MONTHLY TOWN PLANNING REPORT -
DECEMBER 2006**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/8

Date 18 January 2007

Prepared by M. Wilson, PLANNING MANAGER

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

This Report details Town Planning activities for the month of December 2006.

Officer's Recommendation

That this Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.6 COMMUNITY SERVICES MONTHLY BUILDING REPORT - DECEMBER 2006

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/9

Date 16th January 2007

Prepared by L D Henning, CUSTOMER SERVICE OFFICER

Responsible Officer B Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

This Report details building activities for the month of December 2006.

Officer's Recommendation

That this Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.7 COMMUNITY SERVICES MONTHLY REPORT RE: HEALTH AND ENVIRONMENT - DECEMBER 2006

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/4, Doc. No.

Date 18 January 2006

Prepared by W. Zadavec, ENVIRONMENTAL HEALTH OFFICER

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

To present the report on the activities of Council's Health and Environment Program for December 2006.

Officer's Recommendation

That this report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/2 **INWARDS CORRESPONDENCE**

ORD.PAL/2.1 **GOONDIR HEALTH SERVICES SEEK COUNCIL'S CONSIDERATION
USE THOMAS JACK PARK LAUNCH SNAKEFEST PROGRAM**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 22/2/3 & 7/1/1

Date 19th January 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A letter dated 16th January 2007 seeking Council's permission to use a section of Thomas Jack Park to hold the SNAKEFEST launch on Friday 9th March, 2007.

Some benefits for holding an event like this include state-wide, national and international recognition for Dalby. It will contribute to the overall reduction of sexually transmitted infections and will primarily target young people. It will also provide an opportunity for Goondir to showcase its services, programs and successes to the whole community of Dalby. Goondir was able to acquire \$110,000 to launch the program here in Dalby.

Officer's Recommendation

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

COUNCIL RESOLUTION

MOVED and SECONDED

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

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/2

INWARDS CORRESPONDENCE

ORD.PAL/2.2

FRIENDS OF MYALL CREEK MINUTES MEETING 13TH DECEMBER 2006

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 22/2/5, Doc. No. 431490

Date 18th January 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed:

Summary/Purpose

A copy of the minutes of the meeting held on the 13th December 2006 is attached.

Officer's Recommendation

That the minutes be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes be received and noted.

CARRIED

ORD.PAL/3

GENERAL BUSINESS

Nil.

KRA 6 - ECONOMIC PROSPERITY

ORD.ECP/1 REPORTS

Nil.

ORD.ECP/2 INWARDS CORRESPONDENCE

Nil.

ORD.ECP/3 GENERAL BUSINESS

ORD.ECP/3.1 DISTRIBUTED PROGRAMS BREAKFAST IN THE PARK AUSTRALIA DAY 2007

File No 1/13/8

Summary/Purpose

Mr S M Hegedus, CEO distributed a copy of the Breakfast in the Park program for the Australia Day 2007 celebrations and reminded Councillors that the official proceedings commence at 9.45 a.m.

ORD.ECP/3.2 DISTRIBUTED CONFIDENTIAL QUEENSLAND TREASURY CORPORATION FINANCIAL SUSTAINABILITY REVIEW REPORTS

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

Summary/Purpose

Mr S M Hegedus, CEO distributed a copy of the confidential reports received from the Queensland Treasury Corporation Financial Sustainability Review which will be discussed in full at Council's General Purpose Committee meeting scheduled for Tuesday 6th February 2007.

Also Mr Hegedus advised that at that same meeting, representatives from the Crime and Misconduct Commission will be in attendance to discuss with Council material personal interests and the importance of confidentiality.

KRA 6 - ECONOMIC PROSPERITY

ORD.ECP/3 GENERAL BUSINESS

ORD.ECP/3.3 REPORT ON DARLING DOWNS REGIONAL ORGANISATION OF COUNCILS SIZE SHAPE AND SUSTAINABILITY INITIAL REVIEW WORKSHOP MONDAY 22ND JANUARY 2007

File No 5/3/3 & 5/3/19,

Summary/Purpose

Mr S M Hegedus, CEO briefly updated Council on the Size Shape and Sustainability Initial Review Workshop held on Monday 22nd January, 2007 advising that the purpose of the workshop was to provide a forum for all member Councils to discuss the outcomes of the Sustainability Reviews and to provide information necessary to prepare for DDROC's consideration of:-

- Initial review phase final report;
- Terms of reference, project plan and budget for the comprehensive review phase;
- Confirmed key issues for the group;
- Identified preliminary implications of all options for change;
- Worked on perimeters of next stage including boundary changes and resource sharing;
- Reconfirmed review partners - put forward suggestion for smaller groups however did not receive any support from other members;

ORD.ECP/3.4 NEW REGIONAL ARTS DEVELOPMENT FUND GUIDELINES DEVELOPED WORKSHOP 8TH FEBRUARY 2007

File No 5/1/49,

Summary/Purpose

Cr C T Tillman advised that she will be attending a workshop on the 8th February 2007 to discuss the new regional arts development fund guidelines being developed.

MEETING CLOSURE

The Meeting concluded at 6.35 p.m.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting held this twenty-third day of January 2007.

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

Signed:

Cr Geisel
MAYOR OF DALBY

24th January 2007

APPENDIX / ATTACHMENTS
