



"Working Together for a Better Dalby"

Minutes Ordinary Meeting of Council

Held at Dalby Town Council Chambers

ON Tuesday 27 November 2007

Commencing at 4.05 p.m.

Minutes Ordinary Meeting of Council

Tuesday 27 November 2007

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DECLARATION OF MEETING OPENING

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

PRESENT

Mayor Cr W. Geisel (Chairperson)

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

Officers T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES
B. Patterson, DIRECTOR COMMUNITY SERVICES
T.A. Fagg, UTILITIES MANAGER
M. Wilson, PLANNING MANAGER
E. Hoos, REVENUE SUPERVISOR
G. Irwin, DEVELOPMENT OFFICER
Kim Parker, PLANNING STUDENT
A. Christensen, DEVELOPMENT/SPECIAL PROJECTS ENGINEER

Observers Messrs Chris Clark, Paul Clark, David Turner, Dick Martin, Leslie Bulmer

Delegation Mr Paul O'Keefe and Mr Malcolm Frizzell - Bendigo Bank
Mr Shannon Dooland - Sinclair Knight Mertz

APOLOGIES

Apologies for non-attendance were received from Mr Stephen Hegedus, CEO, Mr Graeme Preston, A/DES.

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 13th November 2007

To His Worship the Mayor and Councillors

File No 1/2/10

Date 21 November 2007

Responsible Officer Cr W. Geisel, MAYOR

Signed: _____

Summary/Purpose

Minutes of the Ordinary Meeting of Council held on Tuesday, 13th November 2007.

Officer's Recommendation

That the minutes of the last Ordinary Meeting held on Tuesday, 13th November 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, 13th November 2007 copies of which have been printed and circulated to Members, be taken as read and confirmed.

CARRIED

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

Nil.

ORD/5 ON THE TABLE

Nil.

ORD/6 PRESENTATION OF PETITIONS AND MEMORIALS BY COUNCILLORS

Nil.

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

Nil.

ORD/8 CONSIDERATION OF NOTICES OF BUSINESS

Nil.

ORD/9 CONSIDERATION OF NOTICES OF MOTION

ORD/9.1 Councillor Nearhos Notice Of Motion Rebate Natural Gas Access Charge

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 14/1/1, Doc. No. 507358

Date 21 November 2007

Responsible Officer T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed: _____

Summary/Purpose

A letter dated 14th November 2007 giving notice to move a resolution to rescind or amend the Ordinary Meeting resolution of 13th November 2007 in relation to the adoption of the rebate of the two months natural gas access charge applicable for July and August to all gas consumers, in the next billing period.

Declaration of Material Personal Interest/Conflict of Interest

Nil

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1

REPORTS

ORD.CW/1.1

Confidential Report - O'Keefe & Partners Community and Business Partnership Campaign - Monthly Work in Progress Report for October and November 2007

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 6/1/20

Date 19 November 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

To provide a monthly up-date on the work in progress as reported by O'Keefe & Partners.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

- (a) In accordance with the Local Government Act Section 463 (h) Council go into committee to discuss this matter.
- (b) That this report be received and noted.

Justification

Nil

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 the monthly work in progress report from O'Keefe and Partners.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1

REPORTS

ORD.CW/1.1

Confidential Report - O'Keefe & Partners Community and Business Partnership Campaign - Monthly Work in Progress Report for October and November 2007 ...(Cont'd)

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

That this Report be received and noted.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1 REPORTS

**ORD.CW/1.2 Report Showgrounds Management Advisory Committee Meeting
Tuesday 13th November 2007**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

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

Date 14 November 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 13 November 2007.

Officer's Recommendation

That the minutes be received and noted.

Link to Corporate Plan

KRA1 Community Wellbeing – Objective 1.1 Community Amenities and Lifestyle – Strategy 1.1.4 Develop and implement a Master Plan for the redevelopment of the Showgrounds.

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes be received and noted.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1 REPORTS

ORD.CW/1.3 Community Services Monthly Report Re: Social, Cultural and Sporting Development October 2007

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/13

Date 20 November 2007

Prepared by R. Hamilton, SOCIAL CULTURAL & 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 October 2007.

Declaration of Material Personal Interest/Conflict of Interest

Nil.

Officer's Recommendation

That this report be received and noted.

Justification

Nil.

COUNCIL RESOLUTION

MOVED and SECONDED

That this report be received and noted.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/2 INWARDS CORRESPONDENCE

Nil.

ORD.CW/3 GENERAL BUSINESS

Nil.

KRA 3 - BUILT ENVIRONMENT

ORD.BE/1

REPORTS

ORD.BE/1.1

Built Environment - Engineering Services Monthly Report October 2007

To

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No

1/2/2 & 10/2/2

Date

9 November 2007

Prepared by

T.J. Dredge, ENGINEERING SUPPORT OFFICER

Responsible Officer

Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This Report details Built Environment activities for the month of October 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 3 - BUILT ENVIRONMENT

ORD.BE/1 REPORTS

ORD.BE/1.2 Built Environment - Engineering Services Annual Report 2006/2007

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

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

Date 12 November 2007

Prepared by T.J. Dredge, ENGINEERING SUPPORT OFFICER

Responsible Officer Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This Report details operations of the Built Environment section of the Engineering Services Department of Council for the 2006/2007 financial year.

Declaration of Material Personal Interest/Conflict of Interest

NIL

Officer's Recommendation

That this Report be received and noted.

Justification

NIL

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

Redevelopment Dalby Water Supply Project - Report Steering Committee Meeting Held Tuesday 20 November 2007

To

S M Hegedus, CHIEF EXECUTIVE OFFICER

File No

1/2/2 & 9/2/4

Date

21 November 2007

Prepared by

K M Gillespie, UTILITIES SERVICES ADMINISTRATION OFFICER

Responsible Officer

G Preston, A/DIRECTOR ENGINEERING SERVICES

Signed:

Summary/Purpose

To present to Council the minutes of the Redevelopment of the Dalby Water Supply Project Steering Committee Meeting held on Tuesday 20 November 2007 (unconfirmed).

Committee Recommendations

That it be recommended to Council that Parsons Brinckerhoff be requested to immediately recommence work on the CSM pipeline design.

Officer's Recommendation

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

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes be received and that the Steering Committee's recommendation contained therein be adopted.

CARRIED

KRA 4 - UTILITY SERVICES

ORD.UTS/1 REPORTS

ORD.UTS/1.2 Water - Engineering Services Monthly Report October 2007

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2

Date 12 November 2007

Prepared by T.A. Fagg, UTILITIES MANAGER

Responsible Officer Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This Report details Water Supply activities for the month of October.

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/1.3 Wastewater - Engineering Services Monthly Report October 2007

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/2

Date 12 November 2007

Prepared by T.A. Fagg, UTILITIES MANAGER

Responsible Officer Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This report details Sewerage undertakings for the month of October.

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 Gas Operations - Engineering Services Monthly Report October 2007

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

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

Date 8 November 2007

Prepared by N. Riley, CUSTOMER SERVICE OFFICER - REVENUE

Responsible Officer Graeme Preston, A/DIRECTOR ENGINEERING SERVICES

Signed: _____

Summary/Purpose

This Report details operations of Council's Gas Undertaking for the month of October 2007.

Officer's Recommendation

That this Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

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

Confidential Report Flood Planning Recommendations for Dalby Town Council - Sinclair Knight Mertz

To SM Hegedus, CHIEF EXECUTIVE OFFICER

File No 27/2/1

Date 21 November 2007

Prepared by MD Wilson, PLANNING MANAGER

Responsible Officer BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed: _____

Summary/Purpose

This report presents the Flood Planning Recommendations for Dalby Town Council prepared by Sinclair Knight Mertz.

Declaration of Material Personal Interest/Conflict of Interest

Nil.

Officer's Recommendation

RECOMMENDED that:

- A. in accordance with the Local Government Act Section 463 (g) Council close its meeting to the public to discuss actions to be taken by the local government under the *Integrated Planning Act 1997*, and
- B. Council resolve, in accordance with Schedule 1 of the Integrated Planning Act 1997, to amend the planning scheme to incorporate a flood planning code, make related amendments and other amendments where considered necessary.
- C. Council resolve to begin preparation of a flood planning code generally in accordance with Sinclair Knight Mertz Flood Planning Recommendations for Dalby Town Council, but involving the protection of development rights for detached houses on privately owned properties included in the residential or rural residential precincts where the land is affected by the High Risk Flood Area.

Justification

Nil.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.1 Confidential Report Flood Planning Recommendations for Dalby
Town Council - Sinclair Knight Mertz ...(Cont'd)

COUNCIL RESOLUTION

RESOLUTION INTO COMMITTEE OF THE WHOLE

MOVED and SECONDED

That the Meeting resolve into a Committee of the Whole at 4.45 p.m. to discuss the Confidential Report Flood Planning recommendations for Dalby Town Council - Sinclair Knight Mertz.

CARRIED

Mr Gerard Irwin, DO joined the Meeting at 5.05 p.m.

RESUMPTION OF COUNCIL MEETING

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 6.07 p.m.

CARRIED

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

MOVED and SECONDED

- A. Council resolve, in accordance with Schedule 1 of the Integrated Planning Act 1997, to amend the planning scheme to incorporate a flood planning code, make related amendments and other amendments where considered necessary.
- B. Council resolve to begin preparation of a flood planning code generally in accordance with Sinclair Knight Mertz Flood Planning Recommendations for Dalby Town Council, but also in accordance with B C F and H in table 4.4 Flood Management Options in High Risk area with the exception of D which is to be amended to read as follows:-
 - D) House extensions comprising habitable floor area are allowable below the 1 in 100 year ARI providing the extension does not constitute more than 20% of total floor area of the existing dwelling.
- C. CEO be authorised to develop an appropriate communications strategy on how best to address the implications of the flood study recommendations with the community.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

**ORD.PAL/1.2 Confidential Community Services Special Report Legal Opinions Re:
(D353-06/07) 73 Patrick Street - Clark**

To SM Hegedus, CHIEF EXECUTIVE OFFICER

File No P2934, Doc. No. 353-06/07

Date 20 November 2007

Prepared by MD Wilson, PLANNING MANAGER

Responsible Officer BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed: _____

Summary/Purpose

This report presents differing legal opinions obtained regarding the Clark development application for 73 Patrick Street.

Declaration of Material Personal Interest/Conflict of Interest

Nil.

Officer's Recommendation

RECOMMENDED that:

- A. in accordance with the Local Government Act Section 463 (g) Council close its meeting to the public to discuss actions to be taken by the local government under the *Integrated Planning Act 1997*, and
- B. Council receive and note these opinions.

Justification

Nil.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.2 Confidential Community Services Special Report Legal Opinions Re:
(D353-06/07) 73 Patrick Street - Clark ...(Cont'd)

COUNCIL RESOLUTION

RESOLUTION INTO COMMITTEE OF THE WHOLE

MOVED and SECONDED

That the Meeting resolve into a Committee of the Whole at 6.10 p.m. to discuss the Confidential Community Services Special Report Legal Options Re: (D353-06/07) 73 Patrick Street Clark.

CARRIED

Mr Gerard Irwin, DO, Mr Alan Christensen and Ms Kim Parker retired from the Meeting at 6.10 p.m.

RESUMPTION OF COUNCIL MEETING

MOVED and SECONDED

That the Committee of the Whole resume into open Council at 6.23 p.m.

CARRIED

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

MOVED and SECONDED

That this Report be received and that Council receive and note these opinions.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.3 (D353-06/07) Community Services Special Report Re: Material Change of Use to Establish Residential Development Multiple Occupancy - 73 Patrick Street - Clark

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No P2934, Doc. No. 353-06/07

Date 20 November 2007

Prepared by M.D. Wilson, PLANNING MANAGER

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

DEVELOPMENT APPLICATION

Application No:	D353-06/07
Applicant:	C & A Clark
Owner:	C & A Clark
Site Address:	73 Patrick Street, Dalby
Real Property Description:	Lot 4 on RP72634, Parish of Dalby
PDLU Designation:	Residential
Zoning:	High Constraint
Proposal:	Material Change of Use to establish Residential Development Class 1B Multiple Occupancy – 4 dwelling units
Area of Land:	1518m ²
Submissions:	Nil

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

It is recommended that the proposed development be refused. The reason for refusal relies on the flood study prepared by Sinclair Knight Mertz and adopted by Council. It appears that, if Council were to approve development, the issue of liability will exist regardless of the flood planning code that is currently being developed.

Making a decision on this matter provides the applicant with some certainty and allows clear options. If refused, the applicant can appeal against Council's decision and seek legal advice.

Declaration of Material Personal Interest/Conflict of Interest

Nil.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.3

(D353-06/07) Community Services Special Report Re: Material Change of Use to Establish Residential Development Multiple Occupancy - 73 Patrick Street - Clark ...(Cont'd)

Officer's Recommendation

RECOMMENDED that:

the applicant be advised that the application for Development Approval for Material Change of Use to establish a Multiple Occupancy comprising 4 dwelling units on land described as Lot 4 on RP72634, situated at 73 Patrick Street, Dalby, is refused, for the following reasons:-

- (i) Residential development is proposed in an area subject to unacceptable flooding for residential uses.
- (ii) The proposed development results in an avoidable compromise in residential amenity in accordance with section 4.2.2.2 of the transitional planning scheme.
- (iii) There are not sufficient grounds to allow the development despite the flooding impact.

Justification

Nil.

The Mayor invited Mr Chris Clark to address Council on his development proposal. Mr Clark expressed his disappointment and frustration on the lengthy time taken to process the development application, including the number of times the application was deferred, queried legal advice received and the refusal of the development application.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that the applicant be advised that the application for Development Approval for Material Change of Use to establish a Multiple Occupancy comprising 4 dwelling units on land described as Lot 4 on RP72634, situated at 73 Patrick Street, Dalby, is refused, for the following reasons:-

- (i) Residential development is proposed in an area subject to unacceptable flooding for residential uses.
- (ii) The proposed development results in an avoidable compromise in residential amenity in accordance with section 4.2.2.2 of the transitional planning scheme.
- (iii) There are not sufficient grounds to allow the development despite the flooding impact.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.4 (010.2007.0166.001) Community Services Special Report Re: Material Change of Use to establish a Multiple Dwelling - Pioneer Spirit Pty Ltd

To SM Hegedus, CHIEF EXECUTIVE OFFICER

File No P1803, Doc. No. 010.2007.0166.001

Date 6 November 2007

Prepared by MD Wilson, PLANNING MANAGER

Responsible Officer BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed: _____

Summary/Purpose

DEVELOPMENT APPLICATION

Application No:	010.2007.0166.001
Applicant:	Pioneer Spirit Pty Ltd
Owner:	Pioneer Spirit Pty Ltd
Site Address:	34 Myall Street
Real Property Description:	Lot 4 on RP54216
Precinct:	Residential
Overlay:	Multiple Occupancy
Proposal:	MCU Multiple Dwelling
Area of Land:	2307m ²
Submissions:	N/A

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

Declaration of Material Personal Interest/Conflict of Interest

Nil

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.4

(010.2007.0166.001) Community Services Special Report Re: Material Change of Use to establish a Multiple Dwelling - Pioneer Spirit Pty Ltd ... (Cont'd)

Officer's Recommendation

RECOMMENDED that:

- A. the applicant is advised that the application for Development Approval for a Material Change of Use to establish a Multiple Dwelling on land described as Lot 4 on RP54216, situated at 34 Myall Street, Dalby, is refused, for the following reasons:-
- (a) The proposed development conflicts with **PC22 Flooding**, and cannot be made to comply by the setting of conditions,
 - (b) The proposed development conflicts with **PC26 Excavation and Filling**, and cannot be made to comply by the setting of conditions,
 - (c) The proposed development would increase residential density in an area subject to high and extreme flood hazard,
 - (d) There are not sufficient grounds to allow the proposed development despite the conflict with the Town code,
- B. The applicant be advised of the Concurrence Agency Response/s:

Justification

Nil

The Mayor also provided Mr David Turner with the opportunity to address Council on his development proposal. Mr Turner expressed his disappointment with the refusal of his development application, and the fact that Council had not identified the need to conduct a flood study report after the 1981 flood.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.4

(010.2007.0166.001) Community Services Special Report Re: Material Change of Use to establish a Multiple Dwelling - Pioneer Spirit Pty Ltd ... (Cont'd)

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that:-

- A. the applicant is advised that the application for Development Approval for a Material Change of Use to establish a Multiple Dwelling on land described as Lot 4 on RP54216, situated at 34 Myall Street, Dalby, is refused, for the following reasons:-
- (a) The proposed development conflicts with **PC22 Flooding**, and cannot be made to comply by the setting of conditions,
 - (b) The proposed development conflicts with **PC26 Excavation and Filling**, and cannot be made to comply by the setting of conditions,
 - (c) The proposed development would increase residential density in an area subject to high and extreme flood hazard,
 - (d) There are not sufficient grounds to allow the proposed development despite the conflict with the Town code,
- B. The applicant be advised of the Concurrence Agency Response/s:

CARRIED

DELEGATIONS

ORD/D.1 **Motion to Move For Suspension of Standing Orders**

File No 6/1/10 & 1/12/3

Summary/Purpose

To suspend standing orders to allow representatives from Bendigo Bank to address Council at 6.45 p.m.

COUNCIL RESOLUTION

MOVED and SECONDED

That Council suspend standing orders to allow representatives from Bendigo Bank to address Council.

CARRIED

DELEGATIONS

ORD/D.2 **Mr Paul O'Keeffe and Mr Malcolm Frizzell Will Join Meeting Discuss Bendigo Bank**

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 6/1/10

Date 22 November 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

Mr Paul O'Keeffe, Regional Manager South West Queensland and Mr Malcolm Frizzell, Senior Community Enterprise Manager for Bendigo Bank joined the meeting at 6.45 p.m. to provide a presentation to Council on the operations of the Bendigo Bank.

- Community bank enterprise - formed from local group of people
- Continued demand to open community bank in towns
- Sought in principle support from Council to engage community to pursue a community enterprise in Dalby
- shared concept of community banking with the key success factors being:-
- community governance - the ability to collectively organise and engage with community
 - Access to an income stream - cash in hand
 - Key partnership with local, state and federal governments
 - Community bank contribution to community strengthening - over \$11m into community including general infrastructure and schools
 - Paid \$4M in dividends to local shareholders - created more than 840 new jobs, almost \$9 billion in banking business - almost half a million accounts - more than 48,500 shareholders and more than 1400 directors
- The process - identify projects - form steering committee - pledge program - community buy in - legal entity formed - agency agreements Bank and Telco - monthly income to company account - community enterprise launched
- The power of an ongoing income
- Projects for Dalby - will engage with locals in the town and ask the question
- Community owned bank model - is self sustaining with cash flows
- Ability of what leveraging of community enterprise can do to provide large scale projects into town
- Courtesy discussion with Council - any major problems - make intentions known to council of engaging community -
- Franchise agreement with Bendigo Bank - fee - \$60,000 for five years

Mr Paul O'Keefe and Mr Malcolm Frizzell retired from the meeting at 7.25 p.m.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.5

Confidential Community Services Special Report Re: K R & C M Turner - Development Agreement Reconfigure Lot 227 RP869367 & Dalby Investment Corporation Request to Remove Railway Tracks on Lot 15 SP122105 Bunya Highway

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No P4132

Date 21 November 2007

Prepared by MD Wilson, PLANNING MANAGER

Responsible Officer BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed: _____

Summary/Purpose

The purpose of this report is to inform Council of the Deed Agreement of K R & C M Turner and to seek Council's position on the enforcement of this agreement.

The report also seeks to inform council of Dalby Investment Corporation's request for Council's support in the removal of railway line along Lot 15 SP122105 fronting Council land on the corner of Irvingdale Road and Bunya Highway. These matters are related because the purchaser of the Turner allotment is the same company asking for Council's support regarding the removal of the rail line.

Declaration of Material Personal Interest/Conflict of Interest

Cr C P Milford declared a conflict of interest and retired from meeting at 7.30 p.m.

Officer's Recommendation

RECOMMENDED that:

- A. in accordance with the Local Government Act Section 463 (g) Council close its meeting to the public to discuss actions to be taken by the local government under the *Integrated Planning Act 1997*, and
- B. Dalby Investment Corporation be advised that Council has no objection to the application for removal of the railway line on land described as Lot 15 on SP122105, fronting Council land at the corner of Irvingdale Road and Bunya Highway; and
- C. Council resolve to take action on the Development Agreement Deed signed by K R & C M Turner in relation to the approval to reconfigure Lot 227 on Registered Plan 869367, Baker Street, Dalby.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.5

Confidential Community Services Special Report Re: K R & C M Turner - Development Agreement Reconfigure Lot 227 RP869367 & Dalby Investment Corporation Request to Remove Railway Tracks on Lot 15 SP122105 Bunya Highway ...(Cont'd)

Justification

Nil.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that Council defer any decision pending receipt of legal advice.

CARRIED

Cr C P Milford re-joined the Meeting at 7.35 p.m.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

**ORD.PAL/1.6 Confidential (010.2007.0180.001) Community Services Special Report
Re: Temporary Work Camp - Laing O'Rourke**

To SM Hegedus, CHIEF EXECUTIVE OFFICER

File No P984, Doc. No. 010.2007.0180.001

Date 21 November 2007

Prepared by MD Wilson, PLANNING MANAGER

Responsible Officer BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed: _____

Summary/Purpose

DEVELOPMENT APPLICATION

Application No: 010.2007.0180.001
Applicant: Laing O'Rourke
Owner: DT Henning, GM Henning, PW Henning, and L Huber
Site Address: Warrego Highway, Dalby
Real Property Description: Lot 262 on AG789
Zone: Town Zone
Precinct: Part Light Industrial, part Open Space, and part Residential
Proposal: Temporary Work Camp
Area of Land: 36.96Ha
Submissions: Nil at this stage

This report foreshadows the consideration of the proposed development and provides some assessment of the merits of the proposal.

Declaration of Material Personal Interest/Conflict of Interest

Crs D S Smiles and G M Nearhos declared a conflict of interest and retired from the Meeting at 7.40 p.m.

Officer's Recommendation

- A. in accordance with the Local Government Act Section 463 (g) Council close its meeting to the public to discuss actions to be taken by the local government under the *Integrated Planning Act 1997*, and
- B. Council receive and note the report.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.6

Confidential (010.2007.0180.001) Community Services Special Report
Re: Temporary Work Camp - Laing O'Rourke ...(Cont'd)

Justification

Nil.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

Crs D S Smiles and G M Nearhos re-joined the Meeting at 7.45 p.m.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.7 Community Services Monthly Town Planning Report - October 2007

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/8

Date 21 November 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 October 2007.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and noted.

Justification

Nil

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.8 **Community Services Monthly Building Report - October 2007**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/9

Date 6th November 2007

Prepared by S A Cameron, CUSTOMER SERVICE OFFICER

Responsible Officer B Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

This Report details building activities for the month of October 2007.

Declaration of Material Personal Interest/Conflict of Interest

Nil.

Officer's Recommendation

That this Report be received and noted.

Justification

Nil.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and noted.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.9

Community Services Monthly Report Re: Health and Environment - October 2007

To SM Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/4

Date 16 November 2007

Prepared by V Stephens, CONSULTING ENVIRONMENTAL HEALTH OFFICER

Responsible Officer BF Patterson, DIRECTOR OF COMMUNITY SERVICES

Signed: _____

Summary/Purpose

To present the report on the activities of Council's Health and Environment Program for October 2007.

Declaration of Material Personal Interest/Conflict of Interest

Nil.

Officer's Recommendation

That this report be received and noted.

Justification

Nil.

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 **Friends Myall Creek Minutes Meeting 26th September 2007**

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 22/2/5, Doc. No. 507365

Date 22 November 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A copy of the minutes of the Meeting of Friends of Myall Creek held 26 September 2007.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That the Minutes be received and noted.

Justification

Nil

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

ORD.ECP/1.1

Community Services Special Report Re: Toowoomba and Golden West Tourism - Amend Articles of Association

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/13/13

Date 19 November 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

To inform Council of the requirement for Toowoomba and Golden West Tourism to amend it's Articles of Association due to the up-coming local government amalgamations.

Declaration of Material Personal Interest/Conflict of Interest

Nil.

Officer's Recommendation

That Council provide in principle support for the proposed change to the Toowoomba and Golden West Tourism Articles of Association whereby each regional council to work with the Tourism Association can appoint one representative to the Toowoomba and Golden West Tourism Board.

Justification

Nil.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and that Council provide in principle support for the proposed change to the Toowoomba and Golden West Tourism Articles of Association whereby each regional council to work with the Tourism Association can appoint one representative to the Toowoomba and Golden West Tourism Board.

CARRIED

KRA 6 - ECONOMIC PROSPERITY

ORD.ECP/2 INWARDS CORRESPONDENCE

Nil.

ORD.ECP/3 GENERAL BUSINESS

Nil.

KRA 2 - OUR ORGANISATION

ORD.ORG/1

REPORTS

ORD.ORG/1.1

Dalby Town Council Draft Copy Annual Report 2006/07

To

His Worship the Mayor and Councillors

File No

1/12/3

Date

22 November 2006

Prepared by

C.M. Harding, CEO's PERSONAL ASSISTANT

Responsible Officer

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed: _____

Summary/Purpose

A draft copy of Council's Annual Report for 2006/07 is presented for Council's perusal including the financial statements.

Officer's Recommendation

That the Annual Report be received and noted.

COUNCIL RESOLUTION

MOVED and SECONDED

That the Annual Report be received and noted.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

**ORD.ORG/1.2 Financial and Information Services Special Report Re: Property 45
Bunya Street Dalby**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/3, P.827

Date 20 November 2007

Responsible Officer T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed: _____

Summary/Purpose

This report is to advise Council of the outcome of the Auction held 17 November 2007 of property located at 45 Bunya Street, Dalby.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

This report be received, noted and no further action required.

Justification

Nil

COUNCIL RESOLUTION

MOVED and SECONDED

This report be received, noted and no further action required.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

ORD.ORG/1.3 Financial & Information Services Report Re: Gas Pricing Structure

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No 1/2/3, 14/1/1

Date 21 November, 2007

Responsible Officer T Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed:

Summary/Purpose

The purpose of this report is to provide Councillors with statistics of payment & disconnection actions resulting from the recent gas domestic notice.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

The information be received and noted.

Justification

Nil

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be received and the information noted.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/2

INWARDS CORRESPONDENCE

ORD.ORG/2.1

Dingle and Cairns Chartered Accountants Matters Arising 2006/07 Audit

To

His Worship the Mayor and Councillors

File No

2/4/19, Doc. No. 508430

Date

21 November 2007

Responsible Officer

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

A letter dated 6 November 2007 advising that the audit for 2006/07 has been completed and the general purpose financial statements have been audited and certified without qualification, and providing a copy of the final audit results.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this letter and the financial statements be received, the contents noted and the CEO be directed to action all matters raised as per the Chief Executive Officer's responses.

Justification

Nil

COUNCIL RESOLUTION

MOVED and SECONDED

That this letter and the financial statements be received, the contents noted and the CEO be directed to action all matters raised as per the Chief Executive Officer's responses.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/2

INWARDS CORRESPONDENCE

ORD.ORG/2.2

Unconfirmed Minutes Dalby Regional Council Local Transition Committee Meeting Friday 16 November 2007

To

His Worship the Mayor and Councillors

File No

1/20/2, Doc No. 508754

Date

22 November 2007

Responsible Officer

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

A copy of the unconfirmed minutes of the Dalby Regional Council Local Transition Committee held in Tara on Friday 16 November 2007.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That the minutes be received and noted.

Justification

Nil

COUNCIL RESOLUTION

MOVED and SECONDED

That the minutes be received and noted.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/2

INWARDS CORRESPONDENCE

ORD.ORG/2.3

Dalby Regional Council Local Transition Committee Request Assistance Communication and Consultation Plan

To His Worship the Mayor and Councillors

File No 1/20/2, Doc. No. 508961

Date 21 November 2007

Responsible Officer S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

A letter dated 15th November 2007 advising that the Dalby Regional Council Local Transition Committee adopted a Communication and Consultation Plan at the meeting held on Friday 12th October 2007, and are now seeking Council's assistance in identifying community groups to be consulted on the transition to the new regional council.

Also need to consider a suitable, mutually convenient time to meet.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this letter be received and that Council identify community groups to be consulted.

Justification

Nil

COUNCIL RESOLUTION

MOVED and SECONDED

That this letter be received and that the Chamber of Commerce, U3A and National Seniors be identified as community groups to be consulted and for Councillors to advise the CEO's PA of any additional groups.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/2 **INWARDS CORRESPONDENCE**

ORD.ORG/2.4 **Parking Infringements Investigating Options Through State Penalties Enforcement Registry**

File No 13/1/4

Summary/Purpose

Mrs Trish Bennett, DFIS advised Council on the difficulties being experienced in introducing the recovery process using SPER (State Penalties Enforcement Registry). As a result the recovery process will be undertaken through the Dalby Court.

ORD.ORG/3 **GENERAL BUSINESS**

Nil

MEETING CLOSURE

The Meeting concluded at 8.05 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-seventh day of November 2007.

Submitted to the Ordinary Meeting of Council held this fourth day of December 2007.

Signed: _____
Cr Geisel
MAYOR OF DALBY

28th November 2007

APPENDIX / ATTACHMENTS
