



"Working Together for a Better Dalby"

Minutes Ordinary Meeting of Council

Held at Dalby Town Council Chambers

ON Tuesday 28 August 2007

Commencing at 4.05 p.m.

Minutes Ordinary Meeting of Council

Tuesday 28 August 2007

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DECLARATION OF MEETING OPENING

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

PRESENT

Mayor	Cr B T O'Shea (Chairperson)
Councillors	Cr J.M. Hart Cr C.P. Milford Cr G.M. Nearhos Cr D.S. Smiles Cr R.A. Thornton Cr C.T. Tillman
Officers	T. Bennett, A/CHIEF EXECUTIVE OFFICER M. P. Sullivan, DIRECTOR ENGINEERING SERVICES B. Patterson, DIRECTOR COMMUNITY SERVICES R. Hamilton, SOCIAL CULTURAL & SPORTING OFFICER C.M. Harding, CEO's PERSONAL ASSISTANT
Observers	Nil
Delegation	Nil

APOLOGIES

Apologies for non-attendance were received from Crs W Geisel, R G Latemore and Mr S M Hegedus, CEO.

ORD/1 CONDOLENCES

Nil.

ORD/2 CONGRATULATIONS

Nil.

ORD/3 CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY MEETING

ORD/3.1 Adopt Minutes Ordinary Meeting of Council Tuesday 21st August 2007

To His Worship the Mayor and Councillors

File No 1/2/10

Date 23rd August 2007

Responsible Officer Cr W. Geisel, MAYOR

Signed: _____

Summary/Purpose

Minutes of the Ordinary Meeting of Council held on Tuesday, 21st August 2007.

Officer's Recommendation

That the minutes of the last Ordinary Meeting held on Tuesday, 21st August 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, 21st August 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

ORD/4.1 Amendment to Minutes Item Number ORD/9.1 Cr Warwick Geisel Notice of Motion - Rescind Council's Resolution Adoption New Name Dalby Regional Council

File No 5/3/3

Summary/Purpose

Cr C T Tillman requested an amendment to the incorrect wording of the minute recorded, in Item ORD/9.1 in relation to Cr Warwick Geisel's Notice of Motion Adoption New Name Dalby Regional Council, stating that her concerns were not that the name change could not be discussed further, but that Council was originally given insufficient time to deliberate and to make a more informed decision on a new name.

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1

REPORTS

ORD.CW/1.1

Community Services Special Report Re: Arrow Energy Community Fund

To

S M Hegedus, CHIEF EXECUTIVE OFFICER

File No

2/4/13

Date

23 August 2007

Prepared by

R. Hamilton, SOCIAL CULTURAL & SPORTING OFFICER

Responsible Officer

B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed:

Summary/Purpose

This report will summarise outcomes of the recent meeting between Dalby Town Council's SCSO Ms Rose Hamilton, Dalby Chamber of Commerce and Industry Inc Manager Ms Kerryn Calle, and Arrow Energy representatives Mr Gareth Quinn and Mr Rohan Fuller, and respectfully seek advice from Council with regard to appropriate proposals to be submitted to Arrow Energy.

Declaration of Material Personal Interest/Conflict of Interest

Cr R A Thornton declared a Material Personal Interest and retired from the Meeting at 4.07 p.m.

Officer's Recommendation

That this report be received and noted and that Council consider submitting a proposal to Arrow Energy which requests the full amount of proposed funding i.e. \$40,000 be allocated to Council to administer as a collaborative Community Grant fund. This proposal will also recommend that a proportion of the total funding be allocated to cover Council's administration costs which can be negotiated with Arrow Energy.

Justification

Nil

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1

REPORTS

ORD.CW/1.1

Community Services Special Report Re: Arrow Energy Community Fund ...(Cont'd)

COUNCIL RESOLUTION

MOVED and SECONDED

That this report be received and noted and that Council consider submitting a proposal to Arrow Energy which requests the full amount of proposed funding i.e. \$40,000 be allocated to Council to administer as a collaborative Community Grant fund. This proposal will also recommend that a proportion of the total funding be allocated to cover Council's administration costs which can be negotiated with Arrow Energy.

CARRIED

Cr R A Thornton and Mr Matthew Wilson re-joined the Meeting at 4.15 p.m.

KRA 1 - COMMUNITY WELLBEING

ORD.CW/1 REPORTS

**ORD.CW/1.2 Report Showgrounds Management Advisory Committee Meeting
Tuesday 14th August 2007**

To S M Hegedus, CHIEF EXECUTIVE OFFICER

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

Date 20 August 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 14th August 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/2 INWARDS CORRESPONDENCE

Nil.

ORD.CW/3 GENERAL BUSINESS

ORD.CW/3.1 Shortage Public Dental Services Dalby Area

File No 7/1/1 & 5/2/27

Summary/Purpose

The shortage of public dental services in the Dalby area was identified at Council's meeting held on Tuesday 7th August 2007 and it was resolved that Cr Tillman or Latemore raise this matter at the Dalby Wambo Health Service Forum held on 16th August 2007.

Cr Tillman reported that she had discussed the matter with Mrs Colleen Rasmussen, Director of Nursing, who advised that she was in the process of trying to attract a dentist to Dalby, however the biggest problem was the lack of affordable housing. Mrs Rasmussen suggested that Council write a letter to the Minister for Health and Ageing, the Hon. Tony Abbott and also to the Department of Health seeking consideration in providing subsidized housing in order to attract a dentist to Dalby.

Council also agreed to forward a copy to the Shadow Minister for Health, Nicola Roxon.

COUNCIL RESOLUTION

MOVED and SECONDED

That Council:_

- (a) forward a letter to the Minister for Health and Ageing, the Hon Tony Abbott, seeking consideration in providing subsidized housing in order to attract a dentist to Dalby; and
- (b) forward a copy to the Shadow Minister for Health, Nicola Roxon and the Department of Health.

CARRIED

KRA 1 - COMMUNITY WELLBEING

ORD.CW/3

GENERAL BUSINESS

ORD.CW/3.2

Public Notice Commencement 2007/08 Swimming Season

File No

16/2/1

Summary/Purpose

Mr Blaine Patterson, DCS advised that the Dalby Swimming Pool is ready for opening and that the swimming season for 2007/08 will commence on Saturday 8th September 2007 and that an advertisement will be placed in this Friday Herald.

KRA 6 - ECONOMIC PROSPERITY

ORD.ECP/1 REPORTS

Nil.

ORD.ECP/2 INWARDS CORRESPONDENCE

ORD.ECP/2.1 Western Downs Development Group Draft Strategic Action Plan

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 5/2/28, Doc. No. 483284

Date 23 August 2007

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed: _____

Summary/Purpose

A copy of the draft Strategic Plan being developed for the Western Downs Development Group is attached for Council's comment and feedback.

The objective behind this document is to identify ways of attracting a range of people and to foster the growth of industry, employment and services within the region.

With the amalgamation taking Council into the western downs, it is important to review the document and become more aware of strategies being identified to improve economic development here and farther to the west.

The following feedback was provided:-

- Council supports the document in principle, however tabled some concerns with the immediate incorporation of the group - need to determine how the Western Downs Development Group fits with amalgamation
- Relevant document - as new Regional Council was based on economic development for region
- Discussion on whether Roma Regional Council will be a member of the group
- Confusion with the name and branding Western Downs Development Group - especially if Dalby Regional Council's name is changed to Western Downs Regional Council
- At this stage, did not want to commit to appointment of Manager for 3 year term - were concerned on how far to progress plan and whether new Council would adopt Strategic and Action Plan - needs to be a major function of new regional Council
- Suggestion to present a copy to the Dalby Regional Council Local Transition Committee
- Council agreed no additional funding being allocated in budget - Council has allocated \$15,000 in its budget for economic development
- Need to have quote to compile a shire specific Strategic and Action Plan.
- Next Meeting Tuesday 4th September 2007
- Once document is finalised and approved by WDROC, Council would have a copy available.

KRA 6 - ECONOMIC PROSPERITY

ORD.ECP/2 INWARDS CORRESPONDENCE

**ORD.ECP/2.1 Western Downs Development Group Draft Strategic Action Plan
 ... (Cont'd)**

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

Council's direction is required.

Justification

Nil

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report and the copy of the Brand Development Proposal be received and noted.

CARRIED

Ms Rose Hamilton, SCSO retired from the Meeting at 4.40 p.m.

ORD.ECP/3 GENERAL BUSINESS

Nil.

KRA 2 - OUR ORGANISATION

ORD.ORG/1 REPORTS

Nil.

ORD.ORG/2 INWARDS CORRESPONDENCE

ORD.ORG/2.1 G Gormley Tender Resignation Effective 13th September 2007

To S.M. Hegedus, CHIEF EXECUTIVE OFFICER

File No 4/4/211, Doc. No. 482953

Date 23 August 2007

Responsible Officer T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES

Signed: _____

Summary/Purpose

A letter dated 16th August 2007 tendering his resignation from Council effective Thursday 13th September, 2007.

Declaration of Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That Gary Gormley's resignation be received with regret.

Justification

Nil

COUNCIL RESOLUTION

MOVED and SECONDED

That Gary Gormley's resignation be received with regret.

CARRIED

KRA 2 - OUR ORGANISATION

ORD.ORG/2

INWARDS CORRESPONDENCE

ORD.ORG/2.2

Darling Downs Regional Organisation of Councils Unconfirmed Minutes Meeting 10th August 2007

To

His Worship the Mayor and Councillors

File No

5/3/19, Doc. No. 480859

Date

23 August 2007

Responsible Officer

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

A copy of the unconfirmed minutes of the DDROC Meeting of Directors held on Friday 10th August 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

Western Downs Regional Organisation of Councils Minutes General Meeting 7th August 2007

To

His Worship the Mayor and Councillors

File No

5/2/26, Doc. No. 481702

Date

23 August 2007

Responsible Officer

S.M. Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

A copy of the minutes of the Western Downs Regional Organisation of Councils (WDROC) General Meeting held on 7th August 2007, and reminding Council that the next meeting is scheduled for 7th 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/3

GENERAL BUSINESS

ORD.ORG/3.1

Proposed Meeting Dates September 2007

To

His Worship the Mayor and Councillors

File No

1/1/1

Date

19th July 2007

Responsible Officer

S M Hegedus, CHIEF EXECUTIVE OFFICER

Signed:

Summary/Purpose

The proposed list of meeting dates for September 2007 be received with the Meeting scheduled for Tuesday 4th September 2007 being amended to an Ordinary Meeting.

KRA 3 - BUILT ENVIRONMENT

ORD.BE/1 REPORTS

Nil.

ORD.BE/2 INWARDS CORRESPONDENCE

Nil.

ORD.BE/3 GENERAL BUSINESS

Nil.

KRA 4 - UTILITY SERVICES

ORD.UTS/1 REPORTS

Nil.

ORD.UTS/2 INWARDS CORRESPONDENCE

Nil.

ORD.UTS/3 GENERAL BUSINESS

Nil.

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1

REPORTS

ORD.PAL/1.1

(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

25 July 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/1.1

(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 reason:-

- (i) Residential development is proposed in an area subject to unacceptable flooding for residential uses.
- (ii) There are not sufficient grounds to allow the development despite the flooding impact.

Justification

Nil.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be deferred to the Ordinary Meeting scheduled for Tuesday 4th September 2007 pending receipt of legal advice.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/1 REPORTS

ORD.PAL/1.2 (D513-06/07) Community Services Special Report Re: Material Change of Use to Establish Residential Development Multiple Occupancy 9 Carlow Drive - Pearse

To S M Hegedus, CHIEF EXECUTIVE OFFICER

File No P3391, Doc. No. 513-06/07

Date 25 July 2007

Prepared by M.D. Wilson, PLANNING MANAGER

Responsible Officer B. Patterson, DIRECTOR COMMUNITY SERVICES

Signed:

Summary/Purpose

DEVELOPMENT APPLICATION

Application No:	D513-06/07
Applicant:	B. Pearse
Owner:	P & P Baker
Site Address:	9 Carlow Drive, Dalby
Real Property Description:	Lot 16 on RP853434, Parish of Dalby
PDLU Designation:	Residential
Zoning:	High Constraint
Proposal:	Material Change of Use to establish Residential Development Class 1B Dual Occupancy – 2 dwelling units
Area of Land:	1000m 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/1.2

(D513-06/07) Community Services Special Report Re: Material Change of Use to Establish Residential Development Multiple Occupancy 9 Carlow Drive - Pearse ...(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 Dual Occupancy comprising 2 dwelling units on land described as Lot 16 on RP853434, situated at 9 Carlow Drive, Dalby, is refused, for the following reason:-

- (i) Residential development is proposed in an area subject to unacceptable flooding for residential uses.
- (ii) There are not sufficient grounds to allow the development despite the flooding impact.

Justification

Nil.

COUNCIL RESOLUTION

MOVED and SECONDED

That this Report be deferred to the Ordinary Meeting scheduled for Tuesday 4th September 2007 pending receipt of legal advice.

CARRIED

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/2 INWARDS CORRESPONDENCE

Nil.

ORD.PAL/3 GENERAL BUSINESS

ORD.PAL/3.1 Update On Dalby Regional Council Local Transition Committee

File No 5/3/3

Summary/Purpose

Cr David Smiles advised that the Inaugural Meeting of the Dalby Regional Council Local Transition Committee will be held on Monday 3rd September, 2007 at the Chinchilla Shire Council and sought feedback from Council on a few issues placed on the agenda prior to attending the meeting.

- Appointment of Chairperson - advised of his intention to nominate Cr Carl Milford
- Chief Executive Officers being invited to attend the Meetings as Observers
- Consideration appointment community representative - sought any suggestions from Council
- Mrs Beth Woods was provided as a suggestion

KRA 5 - PLANNING AND LIVEABILITY

ORD.PAL/3

GENERAL BUSINESS

ORD.PAL/3.2

Removal Mature Trees Footpath

File No

12/1/13

Summary/Purpose

Mr M Sullivan, DES sought Council's direction on removal of mature trees on footpaths and whether Council should charge the owner or at the minimum request that the owner replace the tree. Removal of the trees certainly changes the streetscape. Council has no policy.

The cost to remove a mature tree is approximately \$600.

Council resolved to charge the owner \$600 for removal of each tree. It was further discussed that Council in the future should consider developing a Policy, however given the timing of the reform process, it is not practical to do so at this time.

COUNCIL RESOLUTION

MOVED and SECONDED

That Council charge the owner \$600 per tree to remove and replace mature trees on footpaths.

CARRIED

MEETING CLOSURE

The Meeting concluded at 5.15 p.m.

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

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

Signed: _____
Cr O'Shea
A/MAYOR OF DALBY

29th August 2007

APPENDIX / ATTACHMENTS
