



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

## **MINUTES ORDINARY MEETING OF COUNCIL**

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

**ON Tuesday 31 July 2007**

**Commencing at 4.00 p.m.**

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# MINUTES ORDINARY MEETING OF COUNCIL

Tuesday 31 July 2007

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**MINUTES ORDINARY MEETING OF COUNCIL - 31/07/07**

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**DECLARATION OF MEETING OPENING**

The Chairperson declared the meeting open at 3.55 p.m.

**PRESENT**

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

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

**Officers** S.M. Hegedus, CHIEF EXECUTIVE OFFICER  
T. Bennett, DIRECTOR FINANCIAL & INFORMATION SERVICES  
M.P. Sullivan, DIRECTOR ENGINEERING SERVICES  
B. Patterson, DIRECTOR COMMUNITY SERVICES  
G. Preston, DEPUTY DIRECTOR ENGINEERING SERVICES  
M. Wilson, PLANNING MANAGER  
T. Hohn, TECHNICAL OFFICER MARKETING  
K.M. Gillespie, UTILITIES SERVICES ADMINISTRATION OFFICER

**Observers** Nil

**Delegation** Nil

**APOLOGIES**

Nil.

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

Nil.

**ORD/2** **CONGRATULATIONS**

Nil.



ORD/3

**CONFIRMATION OF MINUTES OF PREVIOUS ORDINARY MEETING**

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ORD/3.2

**Adopt Minutes Special Meeting Wednesday 25th July 2007**

**To** His Worship the Mayor and Councillors

**File No** 1/2/10

**Date** 25th July 2007

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

Signed:

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**Summary/Purpose**

Minutes of the Special Meeting of Council held on Wednesday 25th July 2007.

**Officer's Recommendation**

That the minutes of the Special Meeting held on Wednesday 25th July 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 Special Meeting held on Wednesday 25th July 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 31st July 2007**

**To** His Worship the Mayor and Councillors

**File No** 1/2/10

**Date** 25th July 2007

**Prepared by** C.M. Harding, CEO's Personal Assistant

**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. CS Energy Tenth Anniversary 1997-2007.
06. Redland Shire Council Corporate Plan 2006-2010

**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**

Nil.

**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**

Nil.

**ORD.CW/2                      INWARDS CORRESPONDENCE**

Nil.

**ORD.CW/3                      GENERAL BUSINESS**

Nil.

## **KRA 2 - OUR ORGANISATION**

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

Nil.

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

#### **ORD.ORG/2.1                      Danny Nearhos Resignation Effective 29th June 2007**

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

**File No**                                4/4/310 & 4/2/76, Doc. No. 471704

**Date**                                    25th July 2007

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

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

#### **Summary/Purpose**

A letter dated 29th June 2007 tendering his resignation as Social, Cultural and Sporting Officer effective from 29th June 2007.

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

That this letter be received and Mr Nearhos's resignation be received.

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this letter be noted and Mr Nearhos' resignation be received.

**CARRIED**

*Ms T. Hohn, Marketing Officer Utilities and Mr M. Wilson, Planning Manager joined the Meeting at 3.58 p.m.*

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

Nil.

***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**

**ORD.UTS/1.1**

**Engineering Services Special Report Re: Community Water Use Survey**

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

**File No** 9/1/19 & 1/2/2

**Date** 26 July 2007

**Prepared by** T. Hohn, TECHNICAL OFFICER MARKETING

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

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

### **Summary/Purpose**

The purpose of this report is to inform Council of the proposed Community Water Use Survey.

Ms Toni Hohn, Marketing Officer Utilities gave a brief overview of the proposed community water use survey, advising:-

- Current demand management strategies are developed through limited consultation with the local community. Information is sourced from government departments such as the Environmental Protection Agency which in the past have looked after the WaterWise program and have provided support to local councils;
- The EPA developed a WaterWise Program for Council in 2001-2002. This program identified a number of WaterWise strategies which Council has adopted. This has helped manage and reduce demand;
- As effective as this program may have been, it does not contain current information or strategies designed specifically for the Dalby community;
- Council needs to obtain current research on water conservation issues unique and relevant to our own community;
- The survey will identify local issues which will help guide future planning and strategies for Council's WaterWise and demand management activities.
- The sort of information needed to plan WaterWise activities includes:
  - community attitudes towards saving water,
  - current water saving behaviours, and
  - effectiveness of WaterWise education and rebate scheme.
- Once the research has been quantified it will provide Council with an alternate and more accurate way to measure the success of its WaterWise activities, instead of relying solely on an overall reduction in water consumption as a measure of success.
- Strategic planning of future WaterWise initiatives, based on research from the survey, will ensure more resourceful use of WaterWise expenditure.

## **KRA 4 - UTILITY SERVICES**

### **ORD.UTS/1                REPORTS**

**ORD.UTS/1.1            Engineering Services Special Report Re: Community Water Use Survey ...(Cont'd)**

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

NIL

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

That this report be received and noted.

#### **Justification**

NIL

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That this report be received and noted.

**CARRIED**

*Ms T. Hohn, MOU retired from the Meeting at 4.06 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**

**Community Services Special Report Re: Adoption Dalby Town Planning Scheme 2007**

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

**File No** 6/7/5

**Date** 25 July 2007

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

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

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

### **Summary/Purpose**

The purpose of this report is to seek resolution from Council adopting the Dalby Town Planning Scheme 2007, and to secure Council's agreement to making the necessary administrative arrangements to have the scheme ready for commencement on 1 September 2007.

Mr M. Wilson, Planning Manager addressed Council providing background on the status of the Dalby Town Council Planning Scheme 2007 and highlighting the changes made to the Planning Scheme as a result of the second round of State interest checks.

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

NIL

### **Officer's Recommendation**

Recommended that Council resolve:

- (a) to adopt the Dalby Town Planning Scheme 2007 including the changes required by the State for commencement on 1 September 2007,
- (b) to make necessary administrative arrangements including:
  - (i) making any minor administrative changes to the scheme;
  - (ii) publishing a notice in both a local newspaper and the government gazette, stating that the planning scheme was adopted,
  - (iii) ensuring that the planning scheme is available for inspection and purchase, and
  - (iv) providing the chief executive with a copy of the published notice and 5 certified copies of the planning scheme, in accordance with the relevant guidelines.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.1

Community Services Special Report Re: Adoption Dalby Town Planning Scheme 2007 ...(Cont'd)

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### **Justification**

NIL

### **COUNCIL RESOLUTION**

MOVED and SECONDED

That Council:-

- (c) adopt the Dalby Town Planning Scheme 2007 including the changes required by the State for commencement on 1 September 2007,
- (d) make necessary administrative arrangements including:
  - (i) making any minor administrative changes to the scheme;
  - (ii) publishing a notice in both a local newspaper and the government gazette, stating that the planning scheme was adopted,
  - (iii) ensuring that the planning scheme is available for inspection and purchase, and
  - (iv) providing the chief executive with a copy of the published notice and 5 certified copies of the planning scheme, in accordance with the relevant guidelines.

**CARRIED**

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

**ORD.PAL/1                      REPORTS**

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**ORD.PAL/1.2                      (D584-06/07) Community Services Special Report Re: Reconfiguring a Lot to Realign Boundary - Hartley**

**To**                                      SM Hegedus, CHIEF EXECUTIVE OFFICER

**File No**                                P262, Doc. No. 584-06/07

**Date**                                    25 July 20007

**Prepared by**                        MD Wilson, PLANNING MANAGER

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

Signed:

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### **Summary/Purpose**

#### **DEVELOPMENT APPLICATION**

<b>Application No:</b>	584-06/07
<b>Applicant:</b>	J. L. Hartley, C & R Hartley
<b>Owner:</b>	J. L. Hartley, C & R Hartley
<b>Site Address:</b>	Curtis, Condamine and Wallace Streets
<b>Real Property Description:</b>	Lot 1 on RP188501 & Lot 67 on D93
<b>PDLU Designation:</b>	Residential & Open Space
<b>Zone:</b>	Medium Constraint
<b>Precinct:</b>	Residential & Open Space
<b>Proposal:</b>	Realignment of dividing boundary to remove encroachments
<b>Area of Land:</b>	3.035ha

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.

### **Officer's Recommendation**

**RECOMMENDED** that:

- A. the applicant be advised that the application for Development Approval for Reconfiguring a Lot on land described as Lot 1 on RP188501 and Lot 67 on D93, situated at Curtis, Condamine and Wallace Streets, Dalby, is approved, subject to the following conditions:-

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

**ORD.PAL/1**

### **REPORTS**

**ORD.PAL/1.2**

**(D584-06/07) Community Services Special Report Re: Reconfiguring a Lot to Realign Boundary - Hartley ...(Cont'd)**

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### **Planning**

1. Compliance with the facts and circumstances set out in the application and all Council Local Laws being adhered to and generally in accordance with the approved plans (except where varied by conditions of approval).
2. All outstanding rates and charges shall be paid in full prior to the submission to Council of the Plan of Survey.
3. All conditions are to be complied with prior to the endorsement of approval of the relevant Plan of Subdivision, unless otherwise stated.

### **Engineering**

4. The finished floor levels of habitable floor area on the subject land shall be a minimum of 300mm above 1 in 100 ARI.
5. Reticulated water supply shall be provided separately to each allotment in the subdivision in accordance with the requirements of the Transitional Planning Scheme.
6. Connection to Council's reticulated sewer mains shall be provided separately to each allotment in accordance with the Transitional Planning Scheme.
7. Where deemed necessary by Council, the relocation of services within the subject land shall be undertaken by the applicant at no cost to Council.
8. Prior to the issue of a Development Approval for a Dwelling House, an approved crossing shall be provided at the point of access to each allotment in accordance with Council's Local Planning Policies on Engineering Works.
9. Submission of a certificate signed by a licensed surveyor, stating that after the completion of all works associated with the subdivision, survey marks, including permanent survey marks, were reinstated where necessary and all survey marks are in their correct position, in accordance with the Plan of Survey.
10. The subject site shall be adequately drained and all stormwater shall be disposed of to the satisfaction of Council and to relevant engineering standards.
11. Any filling on-site shall not interfere with the natural drainage of adjoining land, cause unmanageable flows to affect other land, or divert flood water or otherwise take up flood storage capacity for the 1 in 100 ARI.
12. The applicant shall submit a certificate from the provider agency to indicate provision of a telephone supply to each of the proposed allotments is available.

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

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

#### **ORD.PAL/1.2                      (D584-06/07) Community Services Special Report Re: Reconfiguring a Lot to Realign Boundary - Hartley ...(Cont'd)**

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13. The applicant shall submit a certificate from the provider agency to indicate provision of a power supply to each of the proposed allotments is available.
14. Where appropriate, easements shall be provided in favour of Council to contain infrastructure elements.
15. The cost of providing services to each proposed Lot shall be at the expense of the applicant.
16. The intersection of Condamine and Wallace Streets shall be constructed to a sealed standard to cater for a 6m wide future pavement in Wallace Street, and shall extend a distance of 6 metres east of the eastern property boundary shared with Condamine Street.
17. A single chord truncation at 45° and 5.65m in length shall be provided on the corner of Curtis and Condamine Streets, and the corner of Wallace and Condamine Streets.

#### **Environmental Health**

18. The operations and construction work associated with this development are to be carried out to the requirements of Council. In particular, no nuisance is to be caused to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours. Where material is spilled or carried onto existing roads, it is to be removed forthwith so as to restrict dust nuisance and ensure traffic safety. Adequate safety precautions are to be maintained where work is taking place on existing roads and any damage deemed by the Environmental Health Officer to be attributable to the progress of works or vehicles associated with the development of the site, shall be repaired to Council's satisfaction.
- B. The approved plans/drawings for this development approval are listed in the following table:

<b>Plan/Drawing Number</b>	<b>Plan/Drawing Name</b>	<b>Date</b>
Plan of Proposed	Lot 1 on RP188501 &	19/10/2004
Realignment of Boundaries	Lot 67 on D93	

- C. The applicant be advised that:-
- (a) Prior to works commencing on-site, separate applications for Development Permit for Operational Works will be required to be approved;
  - (b) Prior to commencement of the use, the applicant shall contact Council's Planning Manager, to arrange a Development Compliance Inspection;
  - (c) The applicant must ensure compliance with environmental conditions whether required to hold an Environmental Authority or not. These include, but are not limited to water quality, air quality, noise levels, waste waters, lighting and visual quality as a result of any activity or by-product or storage of materials within the confines of the building(s) and property boundaries.

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

ORD.PAL/1

REPORTS

ORD.PAL/1.2

**(D584-06/07) Community Services Special Report Re: Reconfiguring a Lot to Realign Boundary - Hartley ...(Cont'd)**

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Any amendment, alteration or addition to the development approval will require further consideration by Council in assessing any changes to the environmental conditions;

- (e) The **relevant period** for the development approval (Reconfiguring of a Lot) shall be **four (4) years** starting the day the approval is granted or takes effect. In accordance with Section 3.5.21(2) of the IPA, the development approval for Reconfiguring a Lot lapses if a plan for the reconfiguration is not given to Council under Section 3.7.2(2) within the abovementioned **relevant period**.

An applicant may request Council to extend the **relevant period** provided that such request is made in accordance with Section 3.5.22 of the IPA and before the development approval lapses under Section 3.5.21 of the IPA;

### **Justification**

Nil.

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### **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/2**                      **INWARDS CORRESPONDENCE**

**ORD.PAL/2.1**                      **Friends Myall Creek Minutes Meeting 30th May 2007**

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

**File No**                              22/2/5, Doc. No. 472589

**Date**                                      25th July 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 on 30th May 2007.

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

Nil

### **Officer's Recommendation**

That the Minutes be received and noted.

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### **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/3                      GENERAL BUSINESS**

**ORD.ECP/3.1                      Discussion Local Government Reform Commission Recommendation  
Dalby Regional Council ...(Cont'd)**

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### **COUNCIL RESOLUTION**

MOVED and SECONDED

That -

- a. Council forward a submission to the Minister for Local Government, Planning and Sport requesting consideration of a boundary realignment between the proposed Dalby Regional Council and Toowoomba Regional Council to include the areas of Cecil Plains and Bowenville as per the Local Government Reform Commission Report;
- b. Council approach Toowoomba City Council seeking their support for the submission.

**CARRIED**

Mr Hegedus, CEO referred to correspondence received 31 July 2007 from the Minister for Local Government, Planning and Sport advising that the State Government will take submissions from affected Councils on the matters of names for the new Councils and whether or not the new Councils should be divided or undivided, further advising that joint submissions must be received by this Friday 3 August 2007.

Mr Hegedus further advised that he and the Mayor, Cr W. Geisel have been invited to attend a meeting with the other effected Councils on Wednesday 1 August 2007 to discuss these matters and sought direction from Council on the issues of name and divisions.

### **COUNCIL RESOLUTION**

MOVED and SECONDED

That the name Dalby Regional Council be retained.

**CARRIED**

### **COUNCIL RESOLUTION**

MOVED and SECONDED

That -

- a. Council support the Local Government Reform Commission recommendation that the new Dalby Regional Council be undivided; and
- b. that it be recommended that the new Council establish a structure to engage all affected communities in the new Regional Council.

**CARRIED**

***KRA 6 - ECONOMIC PROSPERITY***

**ORD.ECP/3                      GENERAL BUSINESS**

**ORD.ECP/3.1                      Discussion Local Government Reform Commission Recommendation  
Dalby Regional Council ...(Cont'd)**

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**COUNCIL RESOLUTION**

MOVED and SECONDED

That should the other amalgamated Councils elect to forward a submission to the Minister for Local Government, Planning and Sport to change the name of Dalby Regional Council and request divisions within the new regional Council, that Dalby Town Council forward their own submission in relation to these matters.

**CARRIED**

Mr Stephen Hegedus, CEO suggested that the issue of Council's representation on the Local Transitional Committee be placed on the agenda of a future Meeting once the terms of reference are known.

**MEETING CLOSURE**

The Meeting concluded at 5.44 p.m.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting held this thirty-first day of July 2007.

Submitted to the Ordinary Meeting Of Council held this fourteenth day of August 2007.

Signed:

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

1 August 2007.

APPENDIX / ATTACHMENTS

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