
ORDINARY COUNCIL MEETING 27 JANUARY 2009

MINUTES OF PROCEEDINGS OF THE ORDINARY MEETING OF THE TOWNSVILLE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, 86 THURINGOWA DRIVE ON TUESDAY 27 JANUARY 2009 COMMENCING AT 9.00 AM

PRESENT: Councillor L Tyrell, Chairperson
Councillor B Hewett
Councillor S Blom
Councillor N Marr
Councillor D Bell (as indicated in the report)
Councillor J Hill
Councillor A Parsons
Councillor D Crisafulli
Councillor R Gartrell
Councillor D Last
Councillor T Roberts
Councillor J Lane
Councillor V Veitch

The Meeting was opened with prayer delivered by the Pastor James MacPherson from Calvary Christian Church.

Confirmation of Minutes:

It was moved by Councillor D Last, seconded by Councillor V Veitch, "that the Minutes of the Ordinary Meeting held on 16 December 2008, be confirmed."

CARRIED

Petitions:

Mayor, Councillor L Tyrell - Petition Circulated at Carols by Candlelight to get Steve Price back as Compare

The Mayor, Councillor L Tyrell tabled a petition, dated 18 December 2008, signed by people attending Carols by Candlelight, requesting Council to have Steve Price compare the 2009 Carols by Candlelight. The petition to be forwarded to the Corporate Communications Department for further action.

Councillor D Bell took her seat in Chambers during discussions on the Planning and Economic Development Committee report.

REPORT PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday 20 January 2009 at 9.00 am

ITEMS 1 TO 13

PRESENT: Councillor D Crisafulli, Chair
Councillor V Veitch
Councillor R Gartrell
Councillor J Lane
Councillor A Parsons
The Mayor, Councillor L Tyrell

OBSERVERS: Councillor D Bell
Councillor S Blom
Councillor N Marr

A OPENING OF MEETING

The Chair, Councillor D Crisafulli declared the meeting open at 9.00 am.

B APOLOGIES AND LEAVE OF ABSENCE

MOVED by Councillor A Parsons, SECONDED by Councillor V Veitch, that the apology received from Councillor B Hewett be received and that for the purposes of Section 252(1)(b) of the *Local Government Act 1993*, Councillor B Hewett be granted leave of absence from this meeting.

C DECLARATIONS OF MATERIAL PERSONAL INTEREST AND CONFLICTS OF INTEREST

The Chair, Councillor D Crisafulli declared a potential conflict of interest with regards to planning consultants, Brazier Motti – Items 4 and 5.

D DEPUTATIONS

There were no Deputations.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**1 Executive - Minutes Planning and Economic Development Committee
- Meeting of 10 December 2008**

Sender >> Director Planning and Economic Development
Date >> 12 January 2009

Executive Summary >>

The minutes of the Planning and Economic Development Committee Meeting of 10 December 2008 are attached to the agenda item for confirmation.

Officer's Recommendation >>

That the Planning and Economic Development Committee confirm the minutes of its meeting held on 10 December 2008.

Committee Recommendation >>

It was moved by Councillor V Veitch, seconded by Councillor R Gartrell:

"that the Officer's Recommendation be adopted."

CARRIED

PLANNING ASSESSMENT

**2 Planning Assessment Unit: Material Change of Use of premises
(Preliminary Approval overriding the Planning Scheme) from the
Rural 400 planning designation to the Park Residential Planning
Designation on land described as Lot 2 RP 728339 M09/07 10015011**

Authorised by >> Director Planning and Economic Development
Date >> 23 December 2008

Executive Summary >>

The application relates to a Preliminary Approval overriding the Planning Scheme to change the use rights from the Rural 400 Planning Area to the Park Residential Planning area under the provisions of the Integrated Planning Act on land described as Lot 2 on RP 728339 and Lot 2 on RP 738646, off Granitevale Road, Alice River

The proposed development does not comply with the Rural Planning Area Character Statement, Rural Planning Area Codes, City Wide Codes and Desired Environmental Outcomes of the IPA Planning Scheme.

The applicant has not demonstrated sufficient planning need to support the proposed urban development in order to justify the non compliance with Council's Planning Scheme. Further, the proposed development will impact on the viability of the surrounding rural land by the encroachment of urban development where there is no recognised planning need to expand urban development at this location.

There are other areas within the City of Townsville which can sufficiently accommodate the population growth within recognised growth corridors that can be serviced by physical and social infrastructure in an orderly and cost effective manner. To approve such a development would be in direct conflict with Council's Planning Scheme and would displace urban communities outside the recognised growth corridors for the City.

The proposed urban development is considered unsustainable in relation to the provision of service infrastructure (sewerage reticulation) and community infrastructure (parks, welfare and social services, community centres) based on its location and the current lack of infrastructure servicing the area.

There is sufficient land stock in existing and future urban areas within the City of Townsville without expanding into this corridor of the City which is considered unsustainable, out of sequence and ultimately require "bring forward" costs to the developer and Council associated with the provision of physical and social infrastructure.

Officer's Recommendation >>

The Material Change of Use application for a Preliminary Approval overriding the Planning Scheme to change the use rights from the Rural 400 Planning Area to the Park Residential Planning area under the provisions of the Integrated Planning Act on land described as Lot 2 on RP 728339 and Lot 2 on RP 738646, off Granitevale Road, Alice River be refused on the following grounds –

- (i) the proposed material change of use of land does not comply with the Character Statement for the Rural Planning Area, specifically section 3.1.1 (b) (i) (iii) (iv) and section 3.1.1 (f) and (g) (iii);
- (ii) the proposed material change of use does not comply with the Rural Planning Area Code, specifically P1 (character and built form) P2 (separation distances), P5 (lot size), P6 (non rural development) and P7 (existing and future rural amenity);
- (iii) the proposed material change of use does not comply with the City Wide Codes, specifically section 5.5.3 P1 (transport) and section 5.6 (urban growth boundaries) and section 5.2 (Natural Areas Code - P1 and P3); and
- (iv) the proposed material change of use does not comply with the Desired Environmental Outcomes of the IPA Planning Scheme, specifically DEO 6 (Land Use Patterns) 2.6.2 (a), (b), (c) and (d), DEO 2 (Environmental Quality) 2.2.2 (d) (ii), DEO 5 (Economy) 2.5.2 (b) (iii) and DEO 1 (Nature) 2.1.2 (iii) and (iv).

Committee Recommendation >>

It was moved by Councillor V Veitch, seconded by Councillor R Gartrell:

"that Council note:

1. Material Change of Use application Ref M09/07 10015011 for land described as Lot 2 on RP 728339 and Lot 2 on RP 738646 off Granitevale Road, Alice River was considered by the Planning and Economic Development Committee at its meeting on 22 October 2008 with the Committee recommendation not being referred to the Council at the Applicant's request;
2. the applicant has subsequently represented Application M09/07 10015011 with no substantive amendment to that considered by the Planning and Economic Development Committee on 22 October 2008; and
3. the following recommendation of the Planning and Economic Development Committee in respect to Application M09/07 10015011 is now represented to Council for consideration:

The Material Change of Use application for a Preliminary Approval overriding the Planning Scheme to change the use rights from the Rural 400 Planning Area to the Park Residential Planning area under the provisions of the Integrated Planning Act on land described as Lot 2 on RP 728339 and Lot 2 on RP 738646, off Granitevale Road, Alice River be refused on the following grounds –

- (i) the proposed material change of use of land does not comply with the Character Statement for the Rural Planning Area, specifically section 3.1.1 (b) (i) (iii) (iv) and section 3.1.1 (f) and (g) (iii);
- (ii) the proposed material change of use does not comply with the Rural Planning Area Code, specifically P1 (character and built form) P2 (separation distances), P5 (lot size), P6 (non rural development) and P7 (existing and future rural amenity);
- (iii) the proposed material change of use does not comply with the City Wide Codes, specifically section 5.5.3 P1 (transport) and section 5.6 (urban growth boundaries) and section 5.2 (Natural Areas Code - P1 and P3); and
- (iv) the proposed material change of use does not comply with the Desired Environmental Outcomes of the IPA Planning Scheme, specifically DEO 6 (Land Use Patterns) 2.6.2 (a), (b), (c) and (d), DEO 2 (Environmental Quality) 2.2.2 (d) (ii), DEO 5 (Economy) 2.5.2 (b) (iii) and DEO 1 (Nature) 2.1.2 (iii) and (iv)."

CARRIED

3 Planning Assessment Unit: Multiple Dwelling (41 Units) - Material Change of Use (Impact) Assessment - 54-56 Perkins Street, South Townsville MI07/0071 1513040

Authorised by >> Director Planning and Economic Development
Date >> 15 December 2008

Executive Summary >>

A Development Application for Material Change of Use of Premises (Impact Assessment) - Multiple Dwelling (51 Units) on Lot 2 RP 701949 and Lot 1 RP 716185, situated at 54-56 Perkins Street, South Townsville has been received from Applicant >> Fachin Investments Pty Ltd as Trustee for The North Qld Family Trust No. 1 and the North Qld Family Trust No. 2 - Owner Fachin Investments Pty Ltd as Trustee for The North Qld Family Trust No. 1 and the North Qld Family Trust No. 2 - MI07/0071 1513040 has been recommended for approval.

Officer's Recommendation >>

The application for a Development Permit for Multiple Dwelling (31 x 2 and 10 x 3 Bedroom Units) on Lot 2 RP 701949 & Lot 1 RP 716185, situated at 54-56 Perkins Street, South Townsville be approved subject to the following conditions >>

DEVELOPMENT PERMIT

**MATERIAL CHANGE OF USE
MULTIPLE DWELLING (31 X 2 AND 10 X 3 HOME UNITS)**

SCHEDULE OF CONDITIONS

1. Site Layout

- a) The proposed development must generally comply with plans prepared by Hamilton Hayes Henderson Architects as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

DRAWING NAME	DRAWING NO.	DATE	STAMP DATE
SITE PLAN	DA-03-B	NOV 2008	26 NOVEMBER 2008
BASEMENT FLOOR PLAN	DA-04-B	NOV 2008	26 NOVEMBER 2008
GROUND FLOOR PLAN	DA-05-C	NOV 2008	5 JANUARY 2009
FIRST FLOOR PLAN	DA-06-C	NOV 2008	5 JANUARY 2009
SECOND FLOOR PLAN	DA-07-C	NOV 2008	5 JANUARY 2009
THIRD FLOOR PLAN	DA-08-C	NOV 2008	5 JANUARY 2009
ROOF PLAN	DA-09-B	NOV 2008	26 NOVEMBER 2008

ELEVATIONS	DA-10-B	NOV 2008	26 NOVEMBER 2008
ELEVATIONS	DA-11-B	NOV 2008	26 NOVEMBER 2008
SECTION	DA-12-B	NOV 2008	26 NOVEMBER 2008
SITE CONTEXT SECTIONS	DA-13-A	NOV 2008	26 NOVEMBER 2008

- b) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.
- c) One full set of the most up to date approved plans must be held on site, and available for inspection, for the duration of the construction phase.
- d) The storage room located near the pool equipment room must be provided with separate access and not be a joint access with the pool equipment room.

2. Defined Use

The use hereby permitted must be conducted at all times in conformity with the associated definition in City Plan 2005.

3. Building Materials

Prior to the issue of a Development Permit for Building Work, the developer must submit to, and be approved in writing by Council details of the external building materials and colours to be used as part of this development. In particular all buildings and structures associated with the use must be constructed from materials and painted an appropriate colour that is sympathetic to the surrounding built form, does not cause excessive glare and achieves a high level of visual integration with the surrounding environment.

4. Street Fencing

The developer must provide Council with plans of the proposed fence located along Davidson Street and Perkins Street frontages for written approval prior to a Development Permit for Building Works being issued.

5. Amalgamation of Allotments

Prior to the commencement of use the developer must amalgamate Lot 2 RP 701949 and Lot 1 RP 716185 into a single parcel.

The plan of reconfiguration must be registered, in accordance with the *Land Title Act 1994* prior to commencement of the use.

6. Water Supply and Sewerage Headworks Contributions

The developer must pay a water supply and sewerage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 2 – Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the

contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

7. Road Network Headworks Contribution

The developer must pay a road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 5 – Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

8. Breakwater Road Network Headworks Contribution

The developer must pay a breakwater road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 7 – Breakwater Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

9. Stormwater Drainage Headworks Contribution

The developer must pay a stormwater drainage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 6 – Stormwater Drainage Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

10. Lighting

The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.

External lighting of a graduated intensity must be provided which starts at a lower level of brightness at the perimeter of the site and rises to a crescendo of light at the entrance to buildings.

11. Property Numbering

Effective property numbers must be erected at the premises prior to the commencement of the use and be maintained to the satisfaction of the Council.

The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.

12. Drying Facilities

The developer must provide adequate clothes drying facilities. Where applicable clothes drying facilities must be screened from any street or adjacent property.

13. Letterboxes

The developer must ensure the location of the letter boxes on site is sufficient to cater for the units and is designed in such a way that enhances community safety through discouraging crime and anti-social behaviour.

14. Screen Fencing

The developer must provide a visual screen between the site and any adjoining land occupied by a residential building or any adjoining land contained in a Residential precinct in accordance with *City Plan Policy 2 Section 4 – Screen Fencing*.

Notwithstanding the above, with the written consent of the proprietor of any adjoining land, the screen on the boundary shared with that neighbour may consist of other materials or lesser height. For such a variation the developer must submit to and be approved by Council details of the alternative screen together with the written consent of the applicable adjoining owner prior to a Development Permit for Building Work being issued.

Unless written consent is obtained from the affected adjacent property owner, the developer must not construct a fence adjacent to the property boundary where it impedes the maintenance and serviceability of an existing boundary fence. Furthermore consultation with adjoining property owners is essential so an amicable result is achieved in respect to the removal or retention of any existing adjoining fence.

The screen must be erected/planted prior to the commencement of the use and maintained thereafter to the satisfaction of the Council.

15. Screening of Plant and Utilities

Plant and utilities including air-conditioners must not be visible from the street. Furthermore they must be provided with aesthetic screens prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

16. Noise

The hours of construction and building work on site must be limited to between –

* 6.30 a.m. to 6.30 p.m. Monday to Saturday; with

* No work on Sundays or Public Holidays.

17. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Multiple Dwellings Code, in accordance with *City Plan Policy 2 - Development Standards, Section 8 - Provision for Refuse Services*. In particular,

- a) The approved waste storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The storage area is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.

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- b) An adequate hard stand area is to be made available along Perkins Street frontage for the collection of three (3) bulk garbage bins and six (6) recycling bins. When development is operational, please contact Environmental Health Services on 4727 9003 to commence refuse service.
 - c) The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk bins is not to be impeded by any over head obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
 - d) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the Environmental Protection (Waste Management) Regulation 2000.
 - e) The proposed waste refuse chute (as indicated on the submitted plans) must be designed and constructed in accordance with Townsville City Council Policy 105 - REQUIREMENTS FOR THE CONSTRUCTION AND INSTALLATION OF REFUSE CHUTES.

18. Relocation and Provision of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

19. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards detailed in City Plan Policy 2 – Development Standards and must be maintained thereafter to that standard.
- b) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * finished concrete;
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing materials to be approved in writing by Council prior to a Development Permit for Building Works being issued.
- c) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- d) The developer must provide a minimum 77 car spaces (including the car wash bay) on site of which of minimum 21 spaces are required to be dedicated for visitor parking and must be made available at all times for such.

Should it be the intent that the visitor spaces be provided behind a secured gate or barrier an intercom system or similar device must be provided to ensure public access to the visitor car parks.

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- e) In this instance One (1) dedicated car washing bay is to be provided on site and is to be provided prior to the occupation of any of the units. The bay is to be designed and constructed in accordance with the following:
- * imperviously paved
 - * provided with a hose cock
 - * graded to a central drain incorporating a silt trap
 - * fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing
- f) All exposed services provided within the car parking area must be suitably screened so as to conceal any unsightly elements. Details of such screening must be submitted to and approved in writing by Council prior to a Development Permit being issued for Building Work.

20. Stormwater Drainage

A certified design drawing prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) addressing the following requirements must be submitted to and endorsed by Council prior to a Development Permit for Building Works being issued.

- a) The development site must be graded so that it is free-draining. All runoff from storms naturally falling onto this development site (including roof runoff) must be collected within the property boundaries and discharged to 900 x 600mm RCBC at the south eastern corner of Cameron Park on the western side of Davidson Street. The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto this development site is diverted onto other neighbouring allotments.
- b) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- c) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.

21. Soil Erosion Minimisation, Sediment Control and Dust Control

Due to the potential for significant erosion and sediment discharge from this project, a soil erosion and sediment control plan must be provided, so as to achieve Specific Outcome *SO3* of the *Works* code. A detailed Soil Erosion Sediment Control Plan in accordance with *City Plan Policy 1 - Section 12 - Soil Erosion and Sediment Control* must be provided as part of Compliance Assessment for the development. The Soil Erosion Sediment Control Plan must:

- * incorporate performance standards, hold points and end points
- * include maps, calculations, timing/staging and rainfall events/design criteria
- * include specifications and construction details
- * include soil and water management plans
- * contain supporting documentation

- * include a maintenance and monitoring program
- * including geotechnical advice relating to the stability of the site during and after works including details on revegetation and stabilisation of the site.

An appropriately qualified professional must design and certify the program which must comply with the Environmental Protection Act 1994 and all its subordinate legislation using appropriate principals and techniques detailed in the "Soil Erosion and Sediment Control – Engineering Guidelines for Queensland Construction Sites".

22. Acid Sulphate Soils Management

Soil and groundwater investigations, in accordance with *City Plan Policy 1 Section 4 – Acid Sulphate Soils Management* must be conducted to support the proposed earth works. Such investigations must be certified by an appropriately qualified and experienced Registered Professional Engineer of Queensland, endorsed by the Department of Natural Resources and Water and must be submitted to and approved by Council prior to commencement of excavation.

23. Landscaping

- a) Prior to any works commencing on site a landscaping plan is required to be submitted to and approved by Council for a compliance assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of City Plan Policy 1.

As part of the landscaping plan the following items are to be included:

- * The footpath/road reserve along Davidson and Perkins Streets are to be turfed and provided with automated irrigation.
 - * The footpath/road reserve along Davidson and Perkins Streets are to be provided with mature street trees of a species selected for these sections of road.
 - * Details showing the area of the site located between the proposed buildings and the adjoining neighbours being extensively landscaped, including a mixed height canopy using mature dense plantings to Council's satisfaction.
 - * Local materials such as pink granite and indigenous plants are to be incorporated into the design to reinforce the sense of place and Townsville's unique identity.
- b) The landscape plans must be prepared by a suitably Qualified person who:
- * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer
- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within City Plan Policy 2 – Development Standards. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

24. Existing Street Trees

The existing street trees located within Davidson and Perkins Streets road reserves must not be damaged, removed, destroyed or lopped without the written consent of Council first being obtained.

25. Roadworks and Traffic

- a) The developer must construct a new concrete invert and crossover across the footpath in Perkins Street at the developer's expense in accordance with Council's standard drawing for *Driveway Accesses Urban Properties SD-030B*.
- b) The developer must remove the existing kerb and channel and vehicle accesses including crossovers in the kerb and channel, replace with new kerb and channel and reinstate the footpath on both street frontages in accordance with Council's standard drawing for *Kerb and Kerb & Channel Details*.
- c) The developer must gravel pave and bitumen surface the road shoulder in Perkins Street from lip of channel to edge of existing bitumen surfaced pavement for the full frontage of the development site in accordance with Council's standard drawing for *Gravel Bedding for Kerb and Channel*.
- d) The developer must construct a 1.5 metre wide concrete footpath to the full frontage of the site along both Davidson Street and Perkins Street in accordance with Council's standard drawings for *Typical Road Cross Sections* and *City Plan Policy 2 Development Standards*.

26. Street Enhancements

The developer must provide details of the proposed street enhancements along Davidson Street frontage in accordance with *City Plan 2005 Policy 2 – Development Standards, Section 3 – Footpath Treatment* and must include but not be limited to:

- * Pavement type;
- * Landscaping, including street trees;
- * Upgrade of kerb and channel; and
- * On-Street parking

Details of such works are required to be submitted to Council for written approval as part of a compliance assessment.

27. Traffic Management

- a) The developer is responsible for all traffic management of the site. The contingent design, implementation and maintenance of traffic management measures during construction must be provided in accordance with *City Plan Policy 2 – Development Standards, Section 6 – TCC Variations to Aus-Spec (C201 - Control of Traffic)*.
- b) During the construction phase of the development all contractor's vehicles that are not able to be contained on site must only utilise space within the road reserve that directly fronts the subject allotment, unless otherwise

approved by Council. Vehicles must not at any time obstruct footpath areas or sight lines within the vicinity of the development.

- c) All materials and machinery to be used during the construction period are to be wholly stored on the site unless otherwise agreed in writing by Council.

28. Stormwater Quality Management

A stormwater quality management plan (SQMP) must be submitted to and be endorsed by Council prior to the issue of a Development Permit for Building Work.

The SQMP must be prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) to address the quality of stormwater runoff from the site. In particular, the SQMP must adopt the water quality strategy of the Queensland Urban Drainage Manual (QUDM) by:

- a) defining the environmental values of the receiving waters.
- b) defining the water quality guidelines (levels, characteristics, etc) for those environmental values.
- c) identifying the sources of water quality contamination and construction/use activities likely to impact on the water quality guidelines.
- d) defining the water quality monitoring strategy required to measure the water quality characteristics for compliance with the adopted guidelines.
- e) defining the corrective actions and measures required to mitigate the effects of adverse contamination, use and/or activities in order to maintain the water quality guidelines.

SQMP measures must be carried out in accordance with the recommendations of the approved report.

29. Water Supply Master Plan

A Water Supply Master Plan (WSMP) must be submitted to and be endorsed by Council prior to the issue of a Development Permit for Building Works.

- a) The WSMP must be prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) to address the adequacy of supply for the development and the adjacent area.
- b) The WSMP must satisfy both the maximum hour design flow conditions and emergency fire flow conditions.
- c) The WSMP must identify any upgrading of the water reticulation network required to meet the above requirement.

30. Sewer Master Plan

A Sewer Master Plan (SMP) must be submitted to and be endorsed by Council prior to the issue of a Development Permit for Building Works.

- a) The SMP must be prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) to address the adequacy of the existing system for this development and the adjacent area.
- b) The SMP must satisfy both the maximum hour design flow conditions.
- c) The SMP must identify any upgrading of the sewerage reticulation network required to meet the above requirement.

31. Rock Breaking, Drilling and Piling

- a) Rock breaking, drilling and piling is permitted on the site for three hours a day between 2 p.m. and 5 p.m. on Monday, Tuesday, Thursday and Friday, excluding Public Holidays, until the required rock breaking, drilling or piling is completed.

Council and all residents within a 200m radius of the site must be advised in writing of the expected duration and the restricted times that rock breaking, drilling or piling will occur; or

- b) A noise management programme must be prepared for the rock breaking/drilling/piling activity, scheduling the expected equipment, duration (dates) and times (days and hours) of rock breaking, drilling or piling and the noise mitigation measures proposed.

The programme must be petitioned by all residents within 200m of the site of activity then submitted to and be endorsed by Council prior to commencement of works. All rock breaking, drilling or piling works must be carried out in accordance with the approved management programme, with the provision that no activity is permitted on Sundays or Public Holidays.

32. Further Approvals

Compliance Assessment

In accordance with section 3.5.31A (conditions requiring compliance) of the Integrated Planning Act 1997 prior to any works commencing on site all engineering and landscaping works associated with this development are to be submitted to and approved by Council for a compliance assessment against the relevant codes as identified below:

- * Works Code
- * Parking and Access Code, and
- * Landscaping Code.

The works must comply with the provisions of these codes, detailed in Part 6, Division 4 of the City Plan and (where applicable) are to include:

- * Earthworks
- * Crossovers
- * Kerb and channel work

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- * Carparking layout
 - * Landscaping including street plantings and irrigation within the road reserve
 - * Internal stormwater management
 - * Soil and sediment control measures
 - * Modification to services such as:
 - ** Sewerage
 - ** Water
 - ** Stormwater

All engineering designs/documentation associated with such an application must be prepared and where necessary certified by a suitably qualified/experienced person.

PLEASE NOTE: THE COLLECTIVE SUBMISSION OF THE DOCUMENTATION SPECIFIED ABOVE WILL RESULT IN AN EXPEDITED AND INTEGRATED RESPONSE THAT WILL BE BENEFICIAL IN PRODUCING AN OVERALL DEVELOPMENT OUTCOME.

ADVICE

1. Strata Titling

Upon completion of works, if the units are not to be strata titled, they will require registration under the Townsville City Council By Laws Chapter 8. Please contact Environmental Health Services for an application form.

2. Open Space Contribution in Lieu of Land

Should it be the intention that the dwelling units are to be held under separate title (strata titled), the developer must pay an open space contribution in accordance with *City Plan Policy 3 – Contributions, Section 3 – Public Open Space*. Payment of such a contribution must be made prior to signing of the building format plan. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

3. Water Supply

- a) The developer must make payment to Council to connect new water reticulation main(s) to Council's existing system. Requests for estimates for such connections are to be made to Infrastructure Planning - Water and Wastewater Business Unit and paid for prior to the works being undertaken.
- b) The developer will be advised of the minimum size water connection permitted upon application and in consultation with Council.

4. Sewerage

The developer must make payment to Council to connect new sewerage main(s) to Council's existing system. Requests for estimates for such connections are to be made to Infrastructure Planning - Water and Wastewater Business Unit and paid for prior to the works being undertaken.

5. Earthworks

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

6. Rock Breaking

- a) The activity of rock breaking is not assessable development under the City Plan 2005. However certain volumes of excavation associated with construction (Building Work) is assessable development. Rock breaking methods are regulated by the Workplace Health and Safety Act 1995, Environmental Protection Act 1994 and its regulations, policies and guidelines.
- b) Please be aware that the Department of Natural Resources, Mines and Water (DNRMW) Explosives Act 1999 and Explosives Regulations 1955 governs blasting using explosives in both rural and urban areas.

7. Trade Waste Permit

The developer is advised that a Trade Waste Permit may be required and should confirm this with Council's Trade Waste Inspector.

8. Environmental Considerations

E.P.A. Requirements

Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

9. Noise

Pool pumps are to be operated in accordance with the *Environmental Protection Regulation 1998*.

Pool pumps must not be operated

- * Before 7 a.m. or after 10 p.m. on any day if it causes audible noise to be made;
- * From 7 a.m. to 7 p.m. on any day if it makes or causes audible noise to be made of more than 50dB(A);
- * From 7 a.m. to 10 p.m. on any day if it makes or causes noise to be made of more than 5dB(A) above the background noise level.

Advice Agency Response - Department of Natural Resources and Water

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Department of Natural Resources and Water advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use.

PRELIMINARY APPROVAL

BUILDING WORK

SCHEDULE OF CONDITIONS

1. The proposed development has been assessed against the relevant provisions of the City Plan 2005. However, assessment against the Building Act 1975, the Building Regulation 2006 and the Building Code of Australia is still required.
2. An application for a Development Permit - Building Work is required for the proposed development. This application needs to be approved prior to any works commencing on the site.
3. All building work is to comply with the Building Act 1975, the Building Regulation 2006 and the Building Code of Australia.

Committee Recommendation >>

It was moved by Councillor J Lane, seconded by Councillor R Gartrell:

"that the Officer's Recommendation and the following additional/amended conditions be adopted:

ADDITIONAL

5. Noise Assessment Report

The developer must implement the recommendations of the *Noise Impact Assessment* prepared by MWA Environmental dated 8 January 2008 to mitigate the noise impacts on future residents.

AMENDED

16. Screening of Plant and Utilities

Plant and utilities including air-conditioners must not be visible from the street. Air conditioning units for Levels 1 - 4 must be located in the plant rooms as nominated. The applicant must provide details of the location of air conditioning units at ground level to ensure the units are not visible from the street frontage and adequately screened. Details must be submitted prior to the issue of a Development Permit for Building Works. Furthermore they must be provided with aesthetic screens prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

17. Visual Screens

The developer must provide visual screens in accordance with the approved plans to avoid overlooking into the adjoining properties. Furthermore the visual screens must be provided prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

19. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Multiple Dwellings Code, in accordance with *City Plan Policy 2 - Development Standards, Section 8 - Provision for Refuse Services*. In particular,

- a) The approved waste storage areas are to be of sufficient size to house all bins including recycling bins. The storage areas are to be suitably paved, with hose cocks fitted in close proximity to the enclosures and drain to sewer via a legal sewer connection.
- b) An adequate hard stand area is to be made available along Perkins Street frontage for the collection of three (3) bulk garbage bins and six (6) recycling bins. Prior to the issue of a Development Permit for Building Works, the developer must provide a waste management plan to demonstrate how the bulk bins will be relocated from the waste storage areas to the collection points (ie. complex manager, etc.). When development is operational, please contact Environmental Health Services on 4727 9003 to commence refuse service.
- c) The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk bins is not to be impeded by any over head obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- d) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the Environmental Protection (Waste Management) Regulation 2000.
- e) The proposed waste refuse chute (as indicated on the submitted plans) must be designed and constructed in accordance with Townsville City Council Policy 105 - REQUIREMENTS FOR THE CONSTRUCTION AND INSTALLATION OF REFUSE CHUTES.

21. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards detailed in City Plan Policy 2 – Development Standards and must be maintained thereafter to that standard.
- b) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * exposed aggregate concrete;
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing materials to be approved in writing by Council prior to a Development Permit for Building Works being issued.
- c) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward

direction.

- d) The developer must provide a minimum 77 car spaces (including the car wash bay) on site of which of minimum 21 spaces are required to be dedicated for visitor parking and must be made available at all times for such.

Should it be the intent that the visitor spaces be provided behind a secured gate or barrier an intercom system or similar device must be provided to ensure public access to the visitor car parks.

- e) One (1) dedicated car washing bay is to be provided on site and is to be provided prior to the occupation of any of the units. The bay is to be designed and constructed in accordance with the following:
- * imperviously paved
 - * provided with a hose cock
 - * graded to a central drain incorporating a silt trap
 - * fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing
- f) All exposed services provided within the car parking area must be suitably screened so as to conceal any unsightly elements. Details of such screening must be submitted to and approved in writing by Council prior to a Development Permit being issued for Building Work.

ADDITIONAL

24. Groundwater and Dewatering Management

A groundwater and dewatering management plan must be submitted to and be endorsed by Council prior to the issue of a Development Permit for Building Work.

The groundwater and dewatering management plan must be prepared by an appropriately qualified and experienced expert in the field to address the management of dewatering during the construction phase. In particular, the groundwater and dewatering management plan must consist of but not be limited to:

- a) monitoring frequencies (groundwater quality must be monitored before, during and after the construction of the development).
- b) bore monitoring locations.
- c) quantitative details of the dewatering system, including proposed duration of discharge and the hourly and total quantities of water to be discharged, and how this water will be treated.
- d) provide information on standards to which the groundwater be treated to prior to offsite discharge and reasons why this standard has been chosen.
- e) provide information on treatment methods including how groundwater will be treated to the specific standards, why the treatment method has been chosen and how effective it will be.
- f) a monitoring plan including parameters, methodology, frequency and how

and when monitoring data will be reported to Council. At a minimum the following items should be considered;

- * pH of the discharge water should be carefully monitored to provide and indicator or any potential oxidation of PASS affected by groundwater drawdown;
 - * ferrous iron should be measured prior to discharge using colour-metric test strips. Where ferrous iron is detected, it will need to be held, treated and re-tested prior to discharge;
 - * groundwater monitoring and sampling commence and continue during and after dewatering. As a minimum, pH, EC, DO, turbidity, water level, acidity as CaCO₃, Fe and Al should be monitored at appropriate frequencies;
 - * exact location and frequency of groundwater testing should be prescribed by a groundwater/water quality specialist. Evidence should be provided that any proposed groundwater treatment and monitoring plan will adequately describe the groundwater quality and the level of groundwater treatment prior to stormwater discharge.
- g) a strategy to manage non-conformities.
- h) location of treated water discharge.
- i) details and qualifications of the designated suitably qualified person to oversee the dewatering process, water quality treatment, testing and reporting.
- j) risk for settlement of neighbouring footings and in-ground services. Install permanent survey points for monitoring potential movements on the neighbouring structures on a regular basis, such as prior to commencement of the dewatering and then on a weekly interval.

The dewatering management strategies are re-evaluated following field trials to ensure the proposed management system performs adequately. All groundwater, PASS and other environmental monitoring results must be provided to Council on a regular basis during development.

AMENDED

28. Roadworks and Traffic

- a) The developer must construct a new concrete invert and crossover across the footpath in Perkins Street at the developer's expense in accordance with Council's standard drawing for *Driveway Accesses Urban Properties SD-030B*.
- b) The developer must remove the existing kerb and channel and vehicle accesses including crossovers in the kerb and channel, replace with new kerb and channel and reinstate the footpath on both street frontages in accordance with Council's standard drawing for *Kerb and Kerb & Channel Details*.

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- c) The developer must gravel pave and bitumen surface the road shoulder in Perkins Street from lip of channel to edge of existing bitumen surfaced pavement for the full frontage of the development site in accordance with Council's standard drawing for *Gravel Bedding for Kerb and Channel*.
 - d) The developer must construct a 1.5 metre wide concrete footpath to the full frontage of the site along both Davidson Street and Perkins Street in accordance with Council's standard drawings for *Typical Road Cross Sections* and *City Plan Policy 2 Development Standards*.
 - e) The developer must provide line marking and signage for the on-street car parking spaces and bin collection point for Perkins Street and Davidson Street in accordance with the approved plans. Details of the line marking and signage must be provided as part of Compliance Assessment."

CARRIED

Councillor V Veitch dissented from the above decision.

In accordance with Section s 246A of the *Local Government Act 1993* the Chair, Councillor D Crisafulli declared a potential conflict of interest with regards to Item 4.

- (a) ***the nature of the conflict of interest as described by the Councillor:***
The planning consultants, Brazier Motti donated to the (Team Tyrell) Election campaign.
- (b) ***how the Councillor dealt with the conflict of interest:***
Councillor D Crisafulli and all other Councillors remained in the meeting and voted on the Item.
- (c) ***if the Councillor voted on the issue – how the Councillor voted:***
Councillor D Crisafulli and all other Councillors voted as per the recommendation.

Councillor D Bell (Observer) vacated the meeting during discussion on the following item.

4 PAU (Request for Negotiated Decision Notice - Overriding the Planning Scheme (Section 3.1.6) - Material Change of Use (Impact Assessment) - Off Svensson Road, Mount Low M36/07 12933002

Authorised by >> Director Planning and Economic Development
Date >> 5 January 2009

Executive Summary >>

A request for a Negotiated Decision Notice for Development Application for the Material Change of Use of Premises (Impact Assessment) - Overriding the Planning Scheme (Section 3.1.6) on Lots 1,2,3 & 4 RP 746633, Lots 1 & 12 RP 860236, Lots 10 & 11 RP 748144 & Lot 2 SP 106691 situated Off Svensson Road, Mount Low has been received from Applicant >> Brazier Motti - Owner >> Jackson & Others - M36/07 - 9166 and recommended for approval subject to the amended draft schedule of conditions.

The requested changes acceded to by Council in this planning report are reasonable and relevant to the preliminary approval and should be approved as part of the applicant's request for a negotiated decision notice under section 3.5.17 of the *Integrated Planning Act*. The proposed changes would not give rise to further submissions under the provisions of the *Integrated Planning Act*.

Officer's Recommendation >>

The request for a Negotiated Decision Notice under section 3.5.17 of the Integrated Planning Act for the Development Application for a Material Change of Use of Premises (Impact Assessment) - Overriding the Planning Scheme (Section 3.1.6) on Lots 1,2,3 & 4 RP 746633, Lots 1 & 12 RP 860236, Lots 10 & 11 RP 748144 & Lot 2 SP 106691 situated Off Svensson Road, Mount Low be approved subject to the amended draft schedule of conditions >>

Committee Recommendation >>

It was moved by Councillor A Parsons, seconded by Councillor R Gartrell:

"that the Officer's Recommendation be adopted."

CARRIED

In accordance with Section s 246A of the *Local Government Act 1993* the Chair, Councillor D Crisafulli declared a potential conflict of interest with regards to Item 5.

- (a) ***the nature of the conflict of interest as described by the Councillor:***
The planning consultants, Brazier Motti donated to the (Team Tyrell) Election campaign.
- (b) ***how the Councillor dealt with the conflict of interest:***
Councillor D Crisafulli and all other Councillors remained in the meeting and voted on the Item.
- (c) ***if the Councillor voted on the issue – how the Councillor voted:***
Councillor D Crisafulli and all other Councillors, excluding Councillor J Lane, voted as per the recommendation. Councillor J Lane voted against the recommendation.

5 Planning Assessment Unit - Combined Application Reconfiguring a Lot (R393) and Material Change of Use Application for Preliminary Approval to allow a Traditional Residential Development - 91 Lots (M21/08)

Authorised by >> Director Planning and Economic Development
Date >> 13 December 2008

Executive Summary >>

A Combined Development Application for Material Change of Use - Preliminary Approval and the Reconfiguring a Lot into 91 Traditional Residential Lots (Impact

Assessment) to allow Development in Accordance with the Traditional Residential Planning sub-area for Lot 7 on SP 101866 at 102 Allambie Lane, Kelso has been received from Applicant >> Brazier Motti - Owner >> DS Beltz - M21/08 & R393 and recommended for approval.

Officer's Recommendation >>

That the Council approve the application for a Preliminary Approval for Material Change of use to allow Development in accordance with the Traditional Residential planning Sub area for Reconfiguring a Lot (Lot into 91 Lots on Lot 7 on SP 101866, situated at 102 Allambie Lane, Kelso subject to the following conditions >>

**MATERIAL CHANGE OF USE & RECONFIGURATION OF A LOT - 91
TRADITIONAL RESIDENTIAL LOTS
102 ALLAMBIE LANE, KELSO**

Schedule - Material Change of Use

1. General

The material change of use (development permit) relates to the change in the planning sub area use rights from the Park Residential sub area to use rights in accordance with the Residential Planning Area (Traditional Residential sub area) of the Thuringowa IPA Planning Scheme. Any subsequent development applications will be assessed against the applicable provisions of the IPA Planning Scheme for the Residential Planning Area (Traditional Residential sub area) on land described as Lot 7 on SP101866 as shown on the plan listed below except where varied by the conditions of this approval (development permit).

DRAWING NAME	DRAWING NO.	DATE
Proposed Reconfiguration	27956/2 D	19/12/08

Advisory note: Please note there are two (2) lots numbered fifty-seven (57) on plan Brazier Motti 27956/2C. It was assumed the lot located north of lot fifty-five (55) was meant to be lot number fifty-four (54).

2. Development Contributions

- a) In accordance with Council's adopted policies, fees and charges at the time of payment the developer must contribute towards (but not limited to) the provision of the following infrastructure as part of subsequent reconfiguration applications -
- Water Supply Headworks;
 - Sewerage Headworks;
 - Stormwater Drainage Network (Stormwater Infrastructure);
 - Road Network (Transport Infrastructure);
 - Public Garden & Recreation Space; and
 - Bikeways.

In lieu of works or land dedication (where relevant), the contribution must be paid at the rate current at the time of payment and in accordance with the relevant policies adopted at the time of payment.

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- b) When Council has adopted a PIP before the decision period has commenced for any subsequent Reconfiguration or Material Change of Use application associated with the total development, Council will charge fees and charges at the time of payment in accordance with the PIP.

3. Water Supply & sewerage

- a) The development must be serviced by reticulated water supply and sewerage systems at the cost of the developer in accordance with Council's adopted standards.
- b) The developer must carry out water supply and sewerage works external to the development to connect the development to Council's existing networks.

4. 50 Year ARI Flood Levels

- a) All lots created by this development must be constructed to be above the 50 year ARI flood level in accordance with Council's standards.
- b) The developer must prepare a flood study to determine the levels of floods having a 50 year ARI to enable Council to determine the minimum fill levels and the minimum floor levels for habitable rooms in dwellings erected on the land. This report must be submitted to Council for review and approval with the first operational works application.
- c) In addition to Condition 4b) the developer must demonstrate in the flood study that this proposed development will not increase the floodwater levels or floodwater velocities on existing lots and roads. This flood study must include any mitigation works and the mitigation works must be done at the cost of the developer.

6. Stormwater Drainage

- a) Designs for stormwater drainage associated with the approved development must be in accordance with Council's adopted standards.
- b) All external catchments discharging to the subject site must be accepted and accommodated within the development's stormwater drainage system.
- c) Prior to the approval of any development permits for the reconfiguration of the subject land an overall stormwater assessment must be undertaken for the entire catchment that is subject of the application.
- d) The development and use must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding, concentration of stormwater, increase in water levels or velocities of stormwater on adjoining land or roads.
- e) Prior to the approval of any Operational Works applications for each individual reconfiguration stage the developer must provide a water sensitive urban design report detailing mitigation measures proposed to reduce pollutant loads in the stormwater discharge.

Advisory Note: Before commencing the assessment and the design to satisfy the abovementioned condition 6(e) please discuss with Council's Infrastructure Development Team.

7. Internal Road Network

- a) The development must have road connections to the north, east and west of the subject land and generally in accordance with approved plan 27956/2C.

8. Easements and Reserves

- a) The developer must at its cost grant and cause to be registered on the title documents all easements or reserves over all underground drains, constructed drainage works and improved drains which are placed under the control of Council.
- b) The developer must at its cost grant and cause to be registered on the title documents, all easements or reserves required by Council or other public utility entity for access to or for the provision of essential services.
- c) The developer must at its cost cause to be registered surrenders of any existing easements and/or leases where necessary in connection with the subsequent subdivision.
- d) The extent and location of easements, reserves and surrenders required in 8(a) to 8(c) will, as far as possible, be determined prior to issue of the development permit for operational works or upon completion of works if subsequently found necessary.

Schedule - Reconfiguration of a lot

1. Site Layout

- a) The proposed development must generally comply with plans prepared by Brazier Motti as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

DRAWING NAME	DRAWING NO.	DATE
Proposed Reconfiguration	27956/2 D	19/12/08

Advisory note: Please note there are two (2) lots numbered fifty-seven (57) on plan Brazier Motti 27956/2C. It was assumed the lot located north of lot fifty-five (55) was meant to be numbered fifty-four (54).

- b) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.
- c) One full set of the most up to date approved plans must be held on site, and available for inspection, for the duration of the construction phase.

2. Water Supply and Sewerage Headworks

- a) The developer must contribute in accordance with Planning Scheme Policy - Water Supply and Sewerage Headworks towards the provision of water supply and sewerage headworks required to service the approved development.
- b) Water supply and sewerage headworks contributions for the development shall be paid to Council prior to the approval of the plan of survey. The

contributions are calculated on the basis of ninety (90) additional lots. The headworks contributions shall be at a rate specified under Council's Planning Scheme Policy in force at the time of payment.

NOTE - *Currently a water unit is valued at \$301.03 and a sewerage unit is valued at \$570.80. Contributions are required to be paid at the rate of 12 water per lot and 10 sewerage units per lot.*

3 Stormwater and Transport Infrastructure Contribution

- a) The developer must contribute in accordance with Thuringowa Council's Planning Scheme Policy on Infrastructure Contributions - Stormwater and Transport Infrastructure.
- b) The contributions must be paid at the rate current at the time of payment. The contributions are calculated on the basis of ninety (90) additional lots. The contributions must be paid to Council prior to the approval of the Plan of Survey.

NOTE - *Currently the (TTITRP Sector 8) road contribution for each lot is \$3,383.60 (December 2008).
Currently the (SW1-Thuringowa) stormwater contribution for each lot is \$1,684.00 (December 2008).*

4. Bikeways

The developer must provide for bikeways in accordance with the Planning Scheme and Aus-spec D9. The developer must pay to Council a cash contribution towards the provision of bikeways at the rate current at the time of payment. The current estimated amount of the contribution is \$32,310.00 based on ninety (90) additional residential lots. The contribution is payable prior to approval of the Plan of Survey.

NOTE - *Currently the bikeway contribution for each lot is \$359.00 (December 2008).*

5. Open Space Contribution in Lieu of Land

Instead of dedicating land for park purposes the developer must pay to Council a cash contribution as specified in Council's schedule of fees and charges. The contribution is payable at the rate current at the time of payment. The current amount of the contribution is \$198,000.00 based on ninety (90) additional lots. The contribution is payable prior to approval of the Plan of Survey.

NOTE - *Currently the open space contribution for each lot is \$2,200.00.*

6. Water Supply Internal and External

- a) The applicant must provide a reticulated water supply, including service connection points, to each lot, from an approved point of connection to each lot in the subdivision. The water supply must be constructed in accordance with the standard design plans of Council and must meet both the maximum design flow and emergency fire flow conditions.

- b) The approved point of connection for the supply of water from Council's water supply system shall be the existing reticulation water main in Allambie Lane, Shetland Place and Janelle Street.
- c) A network analysis of the proposed subdivision must be submitted to and approved by Council to ensure that the reticulation network satisfies both the maximum design hour flow conditions and the emergency fire flow conditions. It must be submitted with the application for operational works.
- d) The developer must provide an alternative water supply feed (back-feed) from reticulation mains in previous stages of development where the total number of lots capable of supply interruption from one direction exceeds 40. (Sect. 6.2.3 of W.S.A. Code 03-2002).

7. Sewerage Reticulation Internal and External

- a) The developer must provide a reticulated sewerage service, including service connection points inside each lot and any necessary pump stations and rising mains, from the point of connection to each lot in the subdivision. The sewerage service must be constructed in accordance with the standard design plans of Council.
- b) The point of connection for the sewerage service to Council's sewerage system shall be the nearest existing sewer manhole for reticulation purposes or as agreed with Council.
- c) The new connection/s to the existing sewerage reticulation shall not exceed the capacity of the existing downstream system.

8. Relocation and Provision of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

9. Roadwork

- a) The developer must construct all the roads in the subdivision and all the intersections to existing streets to a gravel paved asphaltic concrete surfaced standard for a 95% reliability for a 20 year design life, together with concrete kerb and channelling to each side of the street.
- b) The developer must construct roads, along all road frontages to each property as shown on Drawing No. 27956/2 C. dated 18/08/08. The road classifications are to be in accordance with the following guidelines.

Road	Road Type
New 20.0m wide road reserve –Stage 1	COT Council Access Street - Type B
New 17.0m wide road reserve – Stage 1.	COT Council Access Place - Type A

New 15.0m wide road reserves – Stage 1.	2 x 4.2m wide verges to back of kerb 2 x 0.60m wide layback kerb and channel 2 x 2.95m wide asphalt lanes
New 17.0m wide road reserves – Stage 2.	COT Council Access Place - Type A
New 17.0m wide road reserves – Stage 3.	COT Council Access Place - Type A
New 17.0m wide road reserves – Stage 4.	COT Council Access Place - Type A
New 15.0m wide road reserves – Stage 4.	2 x 4.2m wide verges to back of kerb 2 x 0.60m wide layback kerb and channel 2 x 2.95m wide asphalt lanes

- c) These roads are to be constructed in accordance with former Thuringowa Council standards.
- d) *Advisory Note: The former Townsville City Council layback kerb and channel can be used.*
- e) The proposed new 20.0 metre wide road that is located between proposed Lots 8 and 9 must have a continuous direct access to Allambie Lane before the release of the plan of survey for Stages 1-4 as shown on plan 27956/2C.
- f) An application for street names must be submitted to and approved by Council prior to any Operational Works being approved. Approved street names must be shown on all engineering drawings submitted for Operational Works.
- g) The proposed northern access to Allambie Lane, from the end of new 20.0 metre wide road that is located between proposed Lots 8 and 9, is only temporary. Access to Allambie Lane may be restricted in movements after the development is completed and once an alternate access to the development is provided in the future. Any disclosure statement and/or contract of sale relating to land the subject must include a copy of these development conditions to ensure prospective purchasers are aware of the temporary nature of the access to Allambie Lane.
- h) The developer must upgrade and extend the existing constructed road that is constructed in front of lots currently described as Lot 45 on SP175563 & Lot 47 on SP175563. The road must be upgraded to be a COT Council Access Street - Type B.
- i) In addition to Condition 9(g) the existing intersection of Janelle Street and Amy Court must be reconstructed so that is a tee intersection and is in accordance with the Manual Uniform of Traffic Control Devices.

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- j) The developer must undertake public notification and also complete a public consultation process with the residents for the proposed works associated with the required works stated in Conditions 9(g) and 9(h).
 - k) Any driveways that are affected by the Janelle Street extension and also the Janelle Street and Amy Court intersection works must be retained and the final profile (including drainage) and surface type cannot be worse than the existing.
 - l) The new 20.0m wide road reserve located between proposed Lots 8 & 9 must align with the new road that has been constructed on the Lot currently described as Lot 16 on RP720516.
 - m) The intersection of the new 17.0 metre wide and 20.0 metre wide roads in Stage 1 must be designed so that horizontal geometry prevents any vehicle from driving straight through and in accordance with the Manual Uniform Traffic Control Devices.
 - n) The intersection of the new 15.0 metre wide and 17.0 metre wide roads in Stage 1 must be designed so that horizontal geometry prevents any vehicle from driving straight through and in accordance with the Manual Uniform Traffic Control Devices.
 - o) The intersection of the new 15.0 metre wide and 17.0 metre wide roads in Stage 4 must be designed so that horizontal geometry prevents any vehicle from driving straight through and in accordance with the Manual Uniform Traffic Control Devices.
 - p) In addition to Conditions 9(l) and 9(n), the lot configurations shall be amended to comply.
 - q) Line marking and traffic road signage must be installed at all the anomalous tee intersections in accordance with the Manual Uniform Traffic Control Devices.

10. Traffic Management Plan

Traffic management of the development must be prepared in accordance with Aus-Spec (C201 - Control of Traffic) and must be submitted and approved by Council as part of Operational Works for the development. The developer must:

- a) provide to Council a traffic management plan prepared in accordance with the Manual of Uniform Traffic Control Devices 2001 (MUTCD – Part 3 Works on Roads) and certified by a Registered Professional Engineer of Queensland (RPEQ).
- b) ensure all plant vehicles used on site are covered by comprehensive and compulsory third party insurance covers. Proof of such cover is to be provided to Council upon request.
- c) make itself aware of the location of other services within the road reserve and obtain authorisation for working with or near those services.

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- d) ensure the works as detailed in the traffic management plan are implemented and maintained at the site.
 - e) ensure trees within the road reserve are not removed, unless they have been explicitly shown to be removed on the drawings.
 - f) identify as part of the traffic management plan that all contractor's vehicles during the construction phase of the development are able to be contained on site or if not provide details of the proposed location for such parking.
 - g) identify as part of the traffic management plan that all materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise agreed in writing by Council.

11. Soil Erosion Minimisation, Sediment Control and Dust Control

- a) During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management. The contingent design, implementation and maintenance of measures must be provided in accordance with *Aus-spec Specification C211 – Control of Erosion and Sedimentation*.
- b) During the construction phase of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.

12. Drainage

- a) The developer must construct:-
 - (i) underground stormwater drains sufficient to collect and carry to the Bohle River, via the southern open drain system, all stormwater falling on and flowing onto the land, from a storm having an ARI of 2 years;
 - (ii) any open drains or surcharge paths necessary to convey to the point of lawful discharge, runoff from a storm having an ARI of 50 years and in excess of the capacity of the roadside and underground drainage; and
 - (iii) such work as is necessary to ensure that there is no ponding, no concentration of stormwater, no increase in floodwater levels or velocities of stormwater on adjoining land or roads.
- b) All external catchments discharging to the subject site must be accepted and accommodated within the development's stormwater drainage system.
- c) The development and use must not interfere with the natural flow of stormwater.
- d) The development must provide a drainage surcharge path so that the floodwaters from the large residential allotments located to the east of the subject land can drain and complies with the conditions of the Material Change of Use approval and also Conditions 12(a) to 12(c).

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- e) The stormwater must be conveyed to and discharged at the point of lawful discharge being the Bohle River.
 - f) Drainage easements and reserves must have a minimum width of 4 metres unless otherwise approved by Council.
 - g) All required drainage improvement works that are proposed in the Southern Open Drain (Lot 150 on RP852602), must be completed before the release of the Stage 1 plan of survey.
 - h) Inter-allotment drainage shall be designed to capture and disperse water runoff from a storm event with an average recurrence interval of fifty (50) years.
 - i) Any inter-allotment drainage easements that are less than the minimum width of 4 metres will not be considered Council Infrastructure in terms of future maintenance and ownership of any inter-allotment drainage infrastructure. Easement documentation to be lodged as part of the plan of survey process must remove Council's responsibilities in terms of future maintenance and ownership, however Council must be retained as an authority to vary or remove the easement.

13. Stormwater Quality Management

A stormwater quality management plan (SQMP) must be submitted to and be endorsed by Council prior to the issue of a Development Permit for Operational Works.

The SQMP must be prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) to address the quality of stormwater runoff from the site. In particular, the SQMP must adopt the water quality strategy of Australia Runoff Quality (ARQ) by:

- a) defining the environmental values of the receiving waters.
- b) defining the water quality guidelines (levels, characteristics, etc) for those environmental values.
- c) identifying the sources of water quality contamination and construction/use activities likely to impact on the water quality guidelines.
- d) defining the water quality monitoring strategy required to measure the water quality characteristics for compliance with the adopted guidelines.
- e) defining the corrective actions and measures required to mitigate the effects of adverse contamination, use and/or activities in order to maintain the water quality guidelines.

SQMP measures must be carried out in accordance with the recommendations of an approved report.

Advisory Note: Before commencing the assessment and the design to satisfy the abovementioned conditions please discuss with Council's Infrastructure Development Team.

14. Electricity Supply and Street Lighting

- a) The developer must prior to approval of the Plan of Survey submit a certificate or proof of 100% payment, of letter of offer, from Ergon Energy (or other suitable entity) stating that satisfactory arrangements have been made with it for the provision of an underground electricity supply and street lighting to the subdivision and must provide at the developer's cost:-
 - (i) a reticulated underground electricity supply to each part of the subdivision in accordance with the requirements of the Electricity Service Provider; and
 - (ii) overhead street lighting, designed and certified by an engineer registered under the Professional Engineer's Act of 2002, in accordance with AS1158 and the requirements of Ergon Energy (or other suitable entity).
- b) The developer must install ducting to the satisfaction of the Electricity and Telecommunications Service Providers prior to the approval of the Plan of Survey.
- c) The lighting category to be applied to the lighting technical parameter requirements of ASAS 1158 shall be:
 - Extension of Janelle Street – Category P5;
 - All new internal roads – Category P5.

15. Telecommunications

- a) Telecommunications must be provided so as to achieve the Performance Criteria P6 of section 5.5.4 of the *General Development Code*. In particular,
 - (i) Underground telecommunications must be provided to the frontage of each allotment, to the standards of the telecommunications authority. Written confirmation from the service provider must be submitted to Council prior to signing the survey plan.

16. Minimum Fill Levels

- a) The developer must prepare a flood study to determine the levels of floods having a 50 year ARI to enable Council to determine the minimum fill levels and the minimum floor levels for habitable rooms in dwellings erected on the land. The study must be submitted with an application for operational works.
- b) The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood and must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.5% to ensure that the land is free draining.
- c) If the level of fill along an adjoining property boundary exceeds 100mm a retaining wall with at least a 50mm parapet above the fill level must be constructed.

17. Operational Works Approvals

- a) Where operational works are required to be carried out for the reconfiguration, the developer must, within a period of two years from the date of this permit and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
- (i) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is a current Registered Professional Engineer Queensland; and
 - (ii) a certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice namely:-

(i) Drawings	COT Aus-spec Handbook - 'Preparation of Engineering Drawings & Specifications'
(ii) Road Pavement	COT Aus-spec 1 Development Design Specification No. D2 - 'Pavement Design'
(iii) Stormwater Discharge & Drainage	COT Aus-spec 1 Development Design Specification No. D5 – 'Stormwater Drainage Design'
(iv) Bridge Structures	AUSTROADS 'Bridge Design Code' also including later relevant requirements
(v) Street Lighting	Australian Standard AS 1158
(vi) Water	WSAA Water Supply Code of Australia (WSA03-2002) and former Thuringowa Council Addendum WSA03-2002.01
(vii) Sewer	WSAA Sewerage Code of Australia (WSA02-2002) and former Thuringowa Council Addendum WSA02-2002.01.

- (iii) a letter from the Electricity Service Provider stating that the electricity can be readily supplied to the proposed development.

- b) No work must be commenced prior to issue of a development permit for operational works.

All engineering designs/documentation associated with such an application must be prepared and where necessary certified by a suitably qualified/experienced person.

PLEASE NOTE: THE COLLECTIVE SUBMISSION OF THE DOCUMENTATION SPECIFIED ABOVE WILL RESULT IN AN EXPEDITED AND INTEGRATED

RESPONSE THAT WILL BE BENEFICIAL IN PRODUCING AN OVERALL DEVELOPMENT OUTCOME.

18. Building and Access Envelope Plans

- a) A building and access envelope plan for each lot must be prepared, recognising all constraints (including underground services, corner sight distances, street furniture) and showing the:-
- (i) building setbacks;
 - (ii) noise amenity for proposed dwellings located adjacent to Shetland Place;
 - (iii) garbage collection points;
 - (iv) area of the footpath that can be used for vehicle access to the property; and
 - (v) the incorporation of footnotes in the building envelope plan that provides advice on the construction of a climatically responsive dwelling in relation to site specific characteristics of the lot including
 - (a) a building orientation that minimises the length of external wall areas that are exposed to solar radiation;
 - (b) an internal layout ensuring that living areas are protected from summer solar radiation (i.e. living areas orientated north to north east and service areas are oriented to the west and south);
 - (c) building projections are used to minimise summer solar radiation to external walls (i.e. carports, large overhangs, external screens are incorporated that fully shade western and south-west facing external walls from solar radiation); and
 - (d) a building layout that maximises the capture of prevailing breezes (living area windows and doors are oriented to the north east, room layouts and internal access ways are designed to maximise cross ventilation). The building envelope plan must show the direction of prevailing breezes.
 - (e) and the positioning of the sun in relation to the morning and afternoon as part of an orientation diagram.
- b) The developer must install bollards at the end of the new 17.0 metre wide road reserve located in Stage 1 as shown on plan 27956/2C. The bollards must prevent the existing Lot 107 on SP175563 from having direct access to this new road. Bollards shall be installed in accordance with COT standard drawing 10050 unless otherwise approved by Council.
- c) Proposed Lot 5 cannot have a driveway located within the anomalous tee intersection.
- d) Proposed Lot 6 can have a maximum 5.0 metre wide permissible driveway access from the southeast corner property boundary. No driveway is permitted within the anomalous tee intersection.

-
- e) Proposed Lot 9 cannot have a driveway located within the anomalous tee intersection.
 - f) Proposed Lot 16 can have a maximum 5.0 metre wide permissible driveway access from the northeast corner property boundary. No driveway is permitted within the anomalous tee intersection.
 - g) Proposed Lot 17 can have a maximum 5.0 metre wide permissible driveway access from the northwest corner property boundary. No driveway is permitted within the anomalous tee intersection.
 - h) Proposed Lot 78 cannot have a driveway located within the anomalous tee intersection.
 - i) Proposed Lot 80 can have a maximum 5.0 metre wide permissible driveway access from the southeast corner property boundary. No driveway is permitted within the anomalous tee intersection.
 - j) Proposed Lot 81 can have a maximum 5.0 metre wide permissible driveway access from the southeast corner property boundary. No driveway is permitted within the anomalous tee intersection.
 - k) A preliminary plan must be submitted with the application for operational works and approved by Council prior to the issue of a development permit for those works. The Plan shall reference Council's Standard Drawings 10600 and 10605.
 - l) A final plan must be submitted to and approved by Council prior to the approval of the Plan of Survey when all "as constructed" details are known including the required setbacks from sewers in accordance with Council's Policy.

NOTE: Condition 18 (a)(vi)(a-e) has been included to ensure building designers and buyers consider the fundamental principles of constructing a dwelling that is climatically responsive to the tropical climate. The inclusion of these advice notes in the Building Envelope and Access Plan will allow the building designer / buyer to consider these principles prior to the lodgement of the building application for the dwelling house.

19. Easements and Reserves

- a) The developer must at its cost grant and cause to be registered on the title documents all easements or reserves over all underground drains, constructed drainage works and improved drains which are placed under the control of Council.
- b) The developer must at its cost grant and cause to be registered on the title documents, all easements or reserves required by Council or other public utility entity for access to or for the provision of essential services.
- c) The developer must at its cost cause to be registered surrenders of any existing easements and/or leases where necessary in connection with the subdivision.
- d) The extent and location of easements, reserves and surrenders required in (a) to (c) above will, as far as possible, be determined prior to issue of the

development permit for operational works or upon completion of works if subsequently found necessary.

20. Street Nameplates and Signs

- a) Street nameplates must be erected at each road intersection, indicating the name of each street and the street numbers. The signs must be erected in accordance with the MUTCD (Manual of Uniform Traffic Control Devices) and designed to Council's standard Drawings. The street name plates must not include the former Thuringowa Council logo.
- b) The proposed name of any new street shall be submitted to Council for its approval prior to submission of the Engineering Drawings.
- c) Standard traffic regulatory and advisory signs must be shown on the engineering drawings and must be erected in accordance with the approved drawings and specifications.

21 Permanent Survey Marks

- a) One permanent survey mark must be installed at intervals no greater than 30 lots in accordance with the Surveyor's Act, with a minimum of one survey mark for each reconfiguration of 5 lots or more.
- b) Council is to be provided with a copy of the relevant Permanent Mark Sketch Plans and Data Sheets, suitably completed for both Vertical and Horizontal Control Data.

22 Street Vegetation

Street vegetation must be planted in accordance with Council's guidelines.

23. Noise Mitigation

- a) The developer must submit a detailed acoustic report with the operational works application, prepared in accordance with the "Environmental Protection Act 1994 - Environmental Protection (Noise) Policy 1997" investigating the Shetland Road noise impacts on the existing and proposed residential lots on the subject land. The detailed acoustic report must provide solutions.

NOTE - Also refer to Condition 18(a)(ii).

- b) If required, an acoustic fence must be constructed along the effected property boundaries of those proposed residential lots.
- c) The building design and construction of any dwellings on the effected proposed residential lots shall comply with AS/NZ 2107- 2000 and AS/NZ 3671 – 1989.

24. Shetland Place Intersection Contribution

- a) The developer must make a cash contribution for the cost of constructing the entire intersection for the new 20.0 metre wide road that connects to Shetland Place (as shown on plan 27956/2C). The cost of the intersection

must be supported by schedule of estimates that have been signed by a Registered Professional Engineer Queensland. The cash contribution must be paid before the release of the plan of survey for the first reconfiguration application.

- b) The payment of the cash contribution shall be adjusted according to increases in the Road Construction Index as at the end of June in each year until the payment is made to Council.

25. Traffic Study

- a) The developer must provide a traffic impact assessment of Allambie Lane and Margaret-Ellen Drive intersection. This traffic impact assessment must include this proposed development, any required amendments to the intersection and be completed by a current Registered Professional Engineer Queensland.
- b) The developer must provide the traffic impact assessment of Allambie Lane and Margaret-Ellen Drive intersection to Council for review and approval and prior to the lodgement of the operational works application.

26. Waste Collection Points

- a. A centralised paved kerbside collection point must be provided for proposed Lots 4, 5, 39, 40, 42, 43, 54 (listed as 57), 55, 57, 58, 69, 70, 72, 73, 79 and 80 at an appropriate area located near the intersection of the new 15.0m wide and the new 17.0m wide roads to accommodate waste bins during collection days.

ADVICE

1. Portable Long Service Leave Notification

As per the Qleave – Building and Construction Industry Authority Guidelines, for works over \$80,000, Council must sight a copy of the receipted Portable Long Service Notification and Payment form prior to the issue of a Development Permit to carry out Operational Work.

2. Payment of Rates, Charges and Expenses

Prior to signing the survey plan, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.

3. Satisfaction of Approval Conditions

Unless explicitly stated elsewhere in this permit, all requirements of the conditions of this approval must be satisfied prior to Council signing the survey plan. Council may, at its absolute discretion, agree to accept other forms of security to guarantee compliance with conditions to enable an early signing of a survey plan.

4. **Limitation of Approval**

The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material) provided to it by the applicant.

The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnity and save the Council harmless in respect of any claim so arising.

5. **Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

6. **Further Approval Required**

The developer must obtain a Development Permit to carry out Plumbing and Drainage Works prior to the commencement of sanitary drainage works.

Concurrence Agency Conditions - Department of Transport

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Department of Transport advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use and Reconfiguring a Lot subject to the conditions, as attached.

Concurrence Agency Response - Department of Natural Resources and Water

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Department of Natural Resources and Water advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use and Reconfiguring a Lot.

Committee Recommendation >>

It was moved by Councillor V Veitch, seconded by Councillor R Gartrell:

"that the Officer's Recommendation with the following amended conditions be adopted:

1. **General**

The material change of use (preliminary approval) relates to the change in the planning sub area use rights from the Park Residential sub area to use rights in accordance with the Residential Planning Area (Traditional Residential sub area) of the Thuringowa IPA Planning Scheme. Any subsequent development applications will be assessed against the applicable provisions of the IPA

Planning Scheme for the Residential Planning Area (Traditional Residential sub area) on land described as Lot 7 on SP101866 as shown on the plan listed below except where varied by the conditions of this approval (development permit).

DRAWING NAME	DRAWING NO.	DATE
Proposed Reconfiguration	27956/2 D	19/12/08

Advisory note: Please note there are two (2) lots numbered fifty-seven (57) on plan Brazier Motti 27956/2C. It was assumed the lot located north of lot fifty-five (55) was meant to be lot number fifty-four (54).

9. Roadwork

- a) The developer must construct all the roads in the subdivision and all the intersections to existing streets to a gravel paved asphaltic concrete surfaced standard for a 95% reliability for a 20 year design life, together with concrete kerb and channelling to each side of the street.
- b) The developer must construct roads, along all road frontages to each property as shown on Drawing No. 27956/2 C. dated 18/08/08. The road classifications are to be in accordance with the following guidelines.

Road	Road Type
New 20.0m wide road reserve –Stage 1	COT Council Access Street - Type B
New 17.0m wide road reserve – Stage 1.	COT Council Access Place - Type A
New 15.0m wide road reserves – Stage 1.	2 x 4.2m wide verges to back of kerb 2 x 0.60m wide layback kerb and channel 2 x 2.95m wide asphalt lanes
New 17.0m wide road reserves – Stage 2.	COT Council Access Place - Type A
New 17.0m wide road reserves – Stage 3.	COT Council Access Place - Type A
New 17.0m wide road reserves – Stage 4.	COT Council Access Place - Type A
New 15.0m wide road reserves – Stage 4.	2 x 4.2m wide verges to back of kerb 2 x 0.60m wide layback kerb and channel 2 x 2.95m wide asphalt lanes

- c) These roads are to be constructed in accordance with former Thuringowa Council standards.
- d) *Advisory Note: The former Townsville City Council layback kerb and channel can be used.*

-
- e) The proposed new 20.0 metre wide road that is located between proposed Lots 8 and 9 must have a continuous direct access to Allambie Lane and the entire length of road must be formally gazetted and constructed to the Allambie Lane connection before the release of the plan of survey for Stages 1-4 as shown on plan 27956/2C.
 - f) An application for street names must be submitted to and approved by Council prior to any Operational Works being approved. Approved street names must be shown on all engineering drawings submitted for Operational Works.
 - g) The proposed northern access to Allambie Lane, from the end of new 20.0 metre wide road that is located between proposed Lots 8 and 9, is only temporary. Access to Allambie Lane may be restricted in movements after the development is completed and once an alternate access to the development is provided in the future. Any disclosure statement and/or contract of sale relating to land the subject must include a copy of these development conditions to ensure prospective purchasers are aware of the temporary nature of the access to Allambie Lane.
 - h) The developer must upgrade and extend the existing constructed road that is constructed in front of lots currently described as Lot 45 on SP175563 & Lot 47 on SP175563. The road must be upgraded to be a COT Council Access Street - Type B.
 - i) In addition to Condition 9(g) the existing intersection of Janelle Street and Amy Court must be reconstructed so that is a tee intersection and is in accordance with the Manual Uniform of Traffic Control Devices.
 - j) The developer must undertake public notification and also complete a public consultation process with the residents for the proposed works associated with the required works stated in Conditions 9(g) and 9(h).
 - k) Any driveways that are affected by the Janelle Street extension and also the Janelle Street and Amy Court intersection works must be retained and the final profile (including drainage) and surface type cannot be worse than the existing.
 - l) The new 20.0m wide road reserve located between proposed Lots 8 & 9 must align with the new road that has been constructed on the Lot currently described as Lot 16 on RP720516.
 - m) The intersection of the new 17.0 metre wide and 20.0 metre wide roads in Stage 1 must be designed so that horizontal geometry prevents any vehicle from driving straight through and in accordance with the Manual Uniform Traffic Control Devices.
 - n) The intersection of the new 15.0 metre wide and 17.0 metre wide roads in Stage 1 must be designed so that horizontal geometry prevents any vehicle from driving straight through and in accordance with the Manual Uniform Traffic Control Devices.
 - o) The intersection of the new 15.0 metre wide and 17.0 metre wide roads in Stage 4 must be designed so that horizontal geometry prevents any vehicle

from driving straight through and in accordance with the Manual Uniform Traffic Control Devices.

- p) In addition to Conditions 9(l) and 9(n), the lot configurations shall be amended to comply.
- q) Line marking and traffic road signage must be installed at all the anomalous tee intersections in accordance with the Manual Uniform Traffic Control Devices.

23. Noise Mitigation

- a) The developer must submit a detailed acoustic report with the operational works application, prepared in accordance with the "Environmental Protection Act 1994 - Environmental Protection (Noise) Policy 1997" investigating the future Shetland Place road reserve noise impacts on the existing and proposed residential lots on the subject land. The detailed acoustic report must provide solutions.

NOTE - Also refer to Condition 18(a)(ii).

- b) If required, an acoustic fence must be constructed along the effected property boundaries of those proposed residential lots. The type and design of the acoustic fencing must be submitted and approved by Council prior to its construction.
- c) The building design and construction of any dwellings on the effected proposed residential lots must comply with AS/NZ 2107- 2000 and AS/NZ 3671 – 1989.

24. Shetland Place Intersection Contribution

- a) The developer must make a cash contribution for the cost of constructing the entire intersection for the new 20.0 metre wide road that connects to Shetland Place (as shown on plan 27956/2C). The cost of the intersection must be supported by schedule of estimates that have been signed by a Registered Professional Engineer Queensland. The cash contribution must be paid before the release of the plan of survey for the first reconfiguration application.
- b) The payment of the cash contribution must be adjusted according to increases in the Road Construction Index as at the end of June in each year until the payment is made to Council.

25. Traffic Study

- a) The developer must provide a traffic impact assessment of Allambie Lane and Margaret-Ellen Drive intersection. This traffic impact assessment must include this proposed development, any required amendments to the intersection and be completed by a current Registered Professional Engineer Queensland. Any works required as a consequence of the traffic impact assessment must be completed at the developer's cost and prior to the release of the plan of surveys associated with stages 1-4 of this reconfiguration.

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- b) The developer must provide the traffic impact assessment of Allambie Lane and Margaret-Allen Drive intersection to Council for review and approval and prior to the lodgement of the operational works application.

26. Waste Collection Points

A centralised paved kerbside collection point must be provided for proposed Lots 4, 5, 39, 40, 42, 43, 54 (listed as 57), 55, 57, 58, 69, 70, 72, 73, 79 and 80 at an appropriate area located near the intersection of the new 15.0m wide and the new 17.0m wide roads to accommodate waste bins during collection days."

CARRIED

Councillor J Lane dissented from the above decision.

SPECIAL PROJECTS

6 Special Projects Unit - Removal of 20-24 Fulham Road, Pimlico from Local Heritage Database

Authorised by >> Director Planning and Economic Development
Date >> 19 December 2008

Executive Summary >>

20-24 Fulham Road, Pimlico is listed on the Local Heritage Database and City Plan 2005 - Schedule 5.

The two storey residence previously located on this site has been removed.

As a result of the removal of the building, the property at 20-24 Fulham Road, Pimlico has been determined to have diminished cultural heritage significance and now no longer satisfies the criteria for inclusion on the Local Heritage Database and City Plan 2005 - Schedule 5.

Officer's Recommendation >>

- 1) That 20-24 Fulham Road, Pimlico be removed from the Local Heritage Database and City Plan 2005 - Schedule 5.
- 2) That the City Plan Unit is advised to proceed with a Schedule 5 amendment to City Plan 2005.
- 3) That the Special Projects Unit write to the owner of the property to advise them of the decision.

Committee Recommendation >>

It was moved by Councillor V Veitch, seconded by Councillor J Lane:

"that the Officer's Recommendation be adopted."

CARRIED

7 Special Projects Unit - Removal of 63 Hugh Street, West End from the Local Heritage Database and City Plan 2005 - Schedule 5

Authorised by >> Director Planning and Economic Development
Date >> 19 December 2008

Executive Summary >>

63 Hugh Street, West End is listed on the Local Heritage Database and City Plan 2005 - Schedule 5.

In July 2008, the building was moved to RPD Lot 1 RP 747056, which is located in the Charters Towers Regional Council Local Government Authority.

As a result of the removal of the building, the property at 63 Hugh Street, West End has diminished cultural heritage significance and now no longer satisfies the criteria for inclusion on the Local Heritage Database and City Plan 2005 - Schedule 5.

Officer's Recommendation >>

That Council resolves

- 1) That 63 Hugh Street, West End be removed from the Local Heritage Database and City Plan 2005 - Schedule 5.
- 2) That the City Plan Unit is advised to proceed with a Schedule 5 amendment to City Plan 2005.
- 3) That the Special Projects Unit write to the owner of the property to advise them of the decision.

Committee Recommendation >>

It was moved by Councillor V Veitch, seconded by Councillor J Lane:

"that the Officer's Recommendation be adopted."

CARRIED

8 Special Projects Unit: Further Consideration of Application - St Brigids Catholic Church

Authorised by >> Director Planning and Economic Development
Date >> 11 December 2008

Executive Summary >>

Council has been previously notified of an application to vary the listing of St Brigids Church on the Queensland Heritage Register.

The manager of Strategy and Planning, Cultural Heritage at the Queensland Environmental Protection Agency has advised Townsville City Council that the period in which the Chief Executive of the EPA is to make a recommendation on the application to vary the entry of the St Brigids Catholic Church has been extended.

The decision is now due on 04 February 2009.

Property	Address	Council owned
St Brigids Catholic Church	523 Stuart Drive, Stuart	No

Officer's Recommendation >>

For the information of Council.

Committee Recommendation >>

It was moved by Councillor V Veitch, seconded by Councillor J Lane:

"that Council receive the advice from the Environmental Protection Agency."

CARRIED

9 Special Projects Unit: Herveys Range Camping Ground, Queensland Heritage Register

Authorised by >> Director Planning and Economic Development
Date >> 12 December 2008

Executive Summary >>

The Queensland Heritage Council has advised Townsville City Council that it has resolved not to enter the Camping Reserve, Herveys Range as a Heritage Place on the Queensland Heritage Register. The place has been referred for consideration as an archaeological place.

Property	Real Property Description	Council Owned
Range Hotel, Burial Ground and Camping Reserve,	Lot 26 on SP149308 and Easements A & B on EP 2018	Trustee

Herveys Range	and Lot 0 Road (part of Page Road)	
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The Notice of Decision is the final step in the process of consideration of a property as a Heritage Place. Council will be notified on whether the property will be listed as an archaeological place.

Officer's Recommendation >>

For the information of Council.

Committee Recommendation >>

It was moved by Councillor V Veitch, seconded by Councillor J Lane:

"that Council receive the report."

CARRIED

10 Special Projects Unit - Conservation Management Plan for Former School of Arts Building, Townsville

To >> Director Planning and Economic Development
Date >> 11 December 2008

Executive Summary >>

In September 2007, Council was awarded \$14,000 including GST from the Queensland Government, Environmental Protection Agency. This funding was for the preparation of a Conservation Management Plan of the Former School of Arts Building. This building is a Council asset (Property number 8100), and is currently being leased by Dance North. The building is located at the corner of Stanley and Walker Streets in the CBD.

The Former School of Arts Building is listed on the Queensland Heritage Register as well as in Schedule 5 of City Plan 2005.

A suitably qualified consultant, Ruth Woods, was duly engaged to develop the Conservation Management Plan. The Plan will assist Council's Special Projects Unit and Facilities Management Services with regard to maintenance, repairs and minor development work on the property into the future.

The final document has now been received by Council. It will be necessary to review and perhaps amend the document in five years.

Officer's Recommendation >>

For the information of the Planning and Economic Development Committee

Committee Recommendation >>

It was moved by Councillor J Lane, seconded by Councillor V Veitch:

"that Council receive the report."

CARRIED

11 Special Projects Unit: Q150 funding

Authorised by >> Director Planning and Economic Development
Date >> 11 December 2008

Executive Summary >>

Special Projects Unit has been successful in obtaining a \$10,000 grant, through the third round of the State Government's Q150 Community Funding Program. The funds will provide for a unique theatre performance to be enacted at the 2009 Townsville Heritage Day.

Officer's Recommendation >>

For the information of Council.

Committee Recommendation >>

It was moved by Councillor J Lane, seconded by Councillor V Veitch:

"that Council note the \$10,000 grant from the Q150 Community Funding program".

CARRIED

CITY PLAN

**12 City Plan Unit: Future Amendment No. 368: Plant Schedules -
Landscaping Code: Shortened Amendment**

Authorised by >> Director Planning and Economic Development
Date >> 21 October 2008

Executive Summary >>

The City Plan Unit has been notified of amendments to the *Land Protection (Pest and Stock Route Management) Regulation 2003* in accordance with s36 of the *Land Protection (Pest and Stock Route Management) Act 2002*. Five species which appear

in the Landscaping Code in City Plan 2005 as 'Undesirable Species' have been listed as a 'Class III pests' and one species which is listed as a 'Class II pest' under the *Land Protection (Pest and Stock Route Management) Regulation 2003*. Also one specie which has been declared as a 'Class 1 pest' appears in the Landscaping Code in City Plan 2005 as a 'Recommended Vines and Scrambling Plants'.

An amendment is required to the City Plan 2005, Appendix 1 – Plant Schedules of the Landscaping Code to reflect the changes to the *Land Protection (Pest and Stock Route Management) Regulation 2003*. The inconsistency between these two documents may result in serious consequences as the *Land Protection (Pest and Stock Route Management) Act 2002*, under Part 5, Division 2, Section 39 will penalise a person who introduces a declared pest other than under a declared pest permit.

Officer's Recommendation >>

- (1) Pursuant to section 2.1.5 of the *Integrated Planning Act 1997* (IPA) and section 2(1) of Schedule 1 of the IPA, prepare an amendment to the Plant Schedules in the Landscaping Code of City Plan 2005 to provide consistency between the *Land Protection (Pest and Stock Route Management) Regulation 2003* and City Plan 2005 in accordance with the attachments to this report.
- 2) Pursuant to section 10 of Schedule 1 of IPA, seek from the Minister for Infrastructure and Planning a shortened amendment process.

Committee Recommendation >>

It was moved by Councillor V Veitch, seconded by Councillor R Gartrell:

"that the Officer's Recommendation be adopted."

CARRIED

13 City Plan Unit - Future Amendment No. 373 - Townsville Growth Study - Project Brief

Authorised by >> Director Planning and Economic Development
Date >> 3 December 2008

Executive Summary >>

The amalgamation of Townsville and Thuringowa councils requires a consolidated planning scheme by circa 2011. Requirements for studies to inform the new planning scheme are required and should be commenced as soon as practicably possible. A primary consideration should be the management of future growth in the new local government area in a sustainable manner.

The combined Townsville - Thuringowa region is expected to grow from about 165,000 people (2006) to 213,000 people by 2021. Where and when to accommodate these 48,000 people and the associated commercial, industrial and other uses over the next 15 years is a pressing question for land use, transport and infrastructure planning.

Consequently attached to the agenda item is a project brief for a study to be undertaken which will provide Council with a helpful and important tool for planning a sustainable city into the future.

Funds in the order of \$50,000, exclusive of GST, have been allocated for this project in the City Planning 2008/2009 budget.

Officer's Recommendation >>

That Council endorse:

1. The facilitation of a growth study for Townsville City in accordance with Attachment A – Townsville Growth Study Project Brief.
2. The allocation of \$50,000 from the 2008/2009 City Planning budget in order to engage a suitably qualified consultant.

Committee Recommendation >>

It was moved by Councillor J Lane, seconded by Councillor A Parsons:

"that the Officer's Recommendation be adopted."

CARRIED

e) CONSIDERATION OF BUSINESS NOTIFIED BY A COUNCILLOR

There was no business notified by a Councillor.

f) CONSIDERATION OF NOTIFIED MOTIONS

There were no motions notified.

g) QUESTIONS

There were no questions from Councillors.

Councillor J Hill requested that Item 3 - Planning Assessment Unit: Multiple Dwelling (41 Units) - Material Change of Use (Impact) Assessment - 54-56 Perkins Street, South Townsville MI07/0071 1513040, be dealt with separately.

This item was deferred pending further information regarding Queensland Rail.

Councillor D Bell requested that Item 5 - Planning Assessment Unit - Combined Application Reconfiguring a Lot (R393) and Material Change of Use Application for Preliminary Approval to allow a Traditional Residential Development - 91 Lots (M21/08), be dealt with separately.

It was moved by Councillor D Bell, seconded by Councillor J Hill:

"that Item 5 be deferred for further discussion to the next Planning and Economic Development Committee meeting."

CARRIED

It was moved by Councillor D Crisafulli, seconded by Councillor V Veitch:

"that Items 1, 2, 4, and 6 to 13 of the report of the Planning and Economic Development Committee meeting held on 20 January 2009 be received and the recommendations contained therein be adopted."

CARRIED

CORPORATE SERVICES

2 Corporate - Council and Committee Meeting Schedule for 2009

Prepared by >> Chief Executive Officer
 Date >> 20 January 2009

Executive Summary >>

Council and Committee meetings have been tentatively scheduled for 2009. It is proposed Committees will meet on the following days and times, commencing on Tuesday 10 February 2009. Council meetings will be held on the fourth (4th) Tuesday of each month.

Tuesday	Infrastructure	9.00 am
	Corporate Governance	2.00 pm
Wednesday	Planning & Economic Development	9.00 am
	Community Safety & Health	2.00 pm
Thursday	Lifestyle & Community Development	9.00 am
	Environment & Sustainable Development	2.00 pm
Tuesday	Ordinary Council	9.00 am

Officer's Recommendation >>

That Council adopt the following schedule of Council and Standing Committee meetings for 2009.

Date	Committee
Tuesday, 10 February 2009	Infrastructure
	Corporate Governance
Wednesday, 11 February 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 12 February 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday 24 February 2009	Ordinary Council
Tuesday, 10 March 2009	Infrastructure
	Corporate Governance
Wednesday, 11 March 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 12 March 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 24 March 2009	Ordinary Council
Friday 10 April 2009	Good Friday
Monday 13 April 2009	Easter Monday
Tuesday, 14 April 2009	Infrastructure
	Corporate Governance
Wednesday, 15 April 2009	Planning & Economic Development
	Community Safety & Health

Thursday, 16 April 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 28 April 2009	Ordinary Council
Monday 4 May 2009	Labour Day
Tuesday, 12 May 2009	Infrastructure
	Corporate Governance
Wednesday, 13 May 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 14 May 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 26 May 2009	Ordinary Council
Monday 8 June 2009	Queen's Birthday holiday
Tuesday, 9 June 2009	Infrastructure
	Corporate Governance
Wednesday, 10 June 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 11 June 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 23 June 2009	Ordinary Council
Monday 29 June 2009	Townsville Show Day
Tuesday, 14 July 2009	Infrastructure
	Corporate Governance
Wednesday, 15 July 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 16 July 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 28 July 2009	Ordinary Council
Tuesday, 11 August 2009	Infrastructure
	Corporate Governance
Wednesday, 12 August 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 13 August 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 25 August 2009	Ordinary Council
Tuesday, 8 September 2009	Infrastructure
	Corporate Governance
Wednesday, 9 September 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 10 September 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 22 September 2009	Ordinary Council
Tuesday, 13 October 2009	Infrastructure
	Corporate Governance
Wednesday, 14 October 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 15 October 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 27 October 2009	Ordinary Council
Tuesday, 10 November 2009	Infrastructure
	Corporate Governance

Wednesday, 11 November 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 12 November 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 24 November 2009	Ordinary Council
Tuesday, 8 December 2009	Infrastructure
	Corporate Governance
Wednesday, 9 December 2009	Planning & Economic Development
	Community Safety & Health
Thursday, 10 December 2009	Lifestyle & Community Development
	Environment & Sustainable Development
Tuesday, 15 December 2009	Ordinary Council

It was moved by Councillor D Bell, seconded by Councillor N Marr:

"that the Officer's recommendation be adopted."

CARRIED

3 Corporate Governance - Councillor Remuneration 2009

Prepared by >> Chief Executive Officer
Date >> 19 January 2009

Executive Summary >>

In accordance with section 236(a) of the *Local Government Act 1993*, Council is required to adopt annually, a resolution authorising payment of remuneration to Councillors. The resolution is to provide for payment of remuneration effective 1 January 2009 and in accordance with section 236(a)(c) must state the following:

- The purpose for which the remuneration is to be paid;
- The person (s) who is entitled to the remuneration;
- The amount of remuneration that is to be paid; and
- If the amount of remuneration to be paid to councillors, other than the mayor, varies as between councillors - the reason for the variation.

Officer's Recommendation >>

That Council pursuant to section 236 of the *Local Government Act 1993* and in accordance with the Local Government Remuneration Tribunal Report 2008, adopt the following Remuneration Schedule for the purpose of providing payment of remuneration to Councillors effective from 1 January 2009.

1. Salary

Remuneration for Townsville City Council Elected Members as a Category 6 Council, shall be:

Mayor 112% of the annual aggregate salary for a Member of the Queensland Legislative Assembly as per the Queensland Parliament Member's Entitlements Handbook being \$141,750 for the 2009 calendar year.

Deputy Mayor 75% of the annual aggregate salary of a Member of Queensland Legislative Assembly as per the Queensland Parliament Member's Entitlements Handbook being \$94,920 for the 2009 calendar year.

Committee Chairperson 68% of the annual aggregate salary for a Member of the Queensland Legislative Assembly as per the Queensland Parliament Member's Entitlements Handbook being \$86,060 for the 2009 calendar year.

Councillors 66% of the annual aggregate salary of a Member of the Queensland Legislative Assembly as per the Queensland Parliament Member's Entitlements Handbook being \$83,530 for the 2009 calendar year.

The remuneration fixed above will be all inclusive and no additional remuneration will be payable for:

- performing higher duties;
- annual leave, sick leave or special leave (i.e. bereavement leave); or
- any other benefits otherwise applicable to officers under the Local Government Officers Award.

The remuneration fixed above will be effective from 1 January 2009 until such time as Council resolves otherwise.

2 Amalgamation Loading as per the Tribunal Report 2007 and 2008

Councillor Level	15/3/08 to 30/6/09	01/7/09 to 30/6/10	1/7/10 to 30/6/11	1/7/11 to 15/3/2012
Mayor	\$12,970	\$9,730	\$6,490	\$3,240
Deputy Mayor	\$9,180	\$6,890	\$4,590	\$2,300
Councillor	\$8,230	\$6,170	\$4,120	\$2,060

Councillors are accountable to the Australian Taxation Office for receipt of this income as they are for any other income.

3. Method of Payment and Escalation

Remuneration will be paid in equal instalments in line with the normal Council pay periods and in accordance with the escalation provisions set out in the Queensland Parliament Members Entitlements Handbook.

4. Superannuation

Elected members will be entitled to superannuation benefits in respect to their salary in accordance with sections 238 and 238(a) of the *Local Government Act 1993*.

It was moved by the Mayor, Councillor L Tyrell, seconded by Councillor V Veitch:

"that the Officer's recommendation be adopted with the exception of the Mayor's Salary which shall remain at the 2008 level being 107% of the annual aggregate salary for a Member of the Queensland Legislative Assembly as per the Queensland Parliament Member's Entitlements Handbook."

CARRIED

4 Corporate - Leave of Absence - Councillor R Gartrell

Prepared by >> Chief Executive Officer
Date >> 16 January 2009

Executive Summary >>

Councillor R Gartrell has applied for leave of absence from Tuesday 10 February up to and including Saturday 14 February 2009 for holidays.

Officer's Recommendation >>

That Council approve the leave of absence for Councillor R Gartrell from Tuesday 10 February up to and including Saturday 14 February 2009.

It was moved by Councillor N Marr, seconded by Councillor V Veitch:

"that Councillor R Gartrell be granted leave of absence from Tuesday 10 February up to and including Saturday 14 February 2009 for the following Committee's:

Corporate Governance Committee	10 February 2009
Planning and Economic Development Committee	11 February 2009
Environment and Sustainable Development Committee	12 February 2009."

CARRIED

5 Corporate - 5th Annual Australian Roads Summit 09

Prepared by >> Director Corporate Services
Date >> 26 November 2008

Executive Summary >>

The 5th Annual Australian Roads Summit 09 will be held on the 5th and 6th March 2009 at the Hilton Hotel in Brisbane. The program outline is available from the Councillor Support Officer.

Officer's Recommendation >>

That Council:

1. approve the attendance of Councillors interested in attending the 5th Annual Australian Roads Summit 09; and
2. that leave of absence be granted.

It was moved by Councillor B Hewett, seconded by Councillor D Bell:

"That Council approve:

1. the attendance of Councillor B Hewett at the 5th Annual Australian Roads Summit 09 at the Hilton Hotel in Brisbane on 5-6 March 2009; and"
2. that leave of absence be granted."

CARRIED

6 Corporate - LGAQ Economic & Regional Development Conference 2009 - 4-6 March 2009 - Rydges Southbank, Townsville

Prepared by >> Director Corporate Services
Date >> 21 January 2009

Executive Summary >>

The LGAQ is hosting the Economic and Regional Development Conference 2009 from 4 - 6 March 2009 at Rydges Southbank, Townsville. The event will explore regionalism, local governance and place based economic development with greater opportunities for partnerships and collaboration to further economic and regional development outcomes across Queensland.

Officer's Recommendation >>

That Council approve the attendance of Councillor(s) at the LGAQ Economic and Regional Development Conference 2009 on the 4 - 6 March 2009.

It was noted by the Mayor, Councillor L Tyrell, that this item was dealt with at the Ordinary Council meeting held on 16 December 2008 where approval was given for the Mayor, Councillor L Tyrell and Councillors B Hewett, D Last, D Bell, and J Hill to attend the Queensland Economic and Regional Development Conference on the 4-6 March 2009.

Councillor B Hewett indicated that he would attend the 5th Annual Australian Roads Summit 09 on the 5-6 March 2009 and withdrew his attendance at the Queensland Economic and Regional Development Conference on the 4-6 March 2009.

7 Corporate Communication Sub-branding Review

Prepared by >> Director Corporate Services
Date >> 20 January 2009

Executive Summary >>

Following amalgamation, the Council became the custodian of nearly 70 sub-brands. If not managed properly, sub-brands or brand extensions can lead to confusion amongst customers, staff and other primary audiences and expense in administration and maintenance.

Officers of the Corporate Communication Unit have prepared a report and make recommendations on sub-branding which aims to:

- Remove sub-brands that are not sustainable, ratifying branding to a manageable number.
- Allow for better management of retained sub-brands through simplified approach.

Officer's Recommendation >>

That the Council endorse the following as outlined in the attached report on sub-branding direction.

1. Remove all internal provider sub-brands.
2. Retain public service provider sub-brands.
3. Remove business unit sub-brands with the exception of TBC. Develop a new sub-brand for the Council's water unit.
4. Remove, review and retain program sub-brands as outlined in the sub-branding report.

-
5. Remove, review and retain event sub-brands as outlined in the sub-branding report.
 6. Remove, review and retain program sub-brands as outlined in the sub-branding report.

It was moved by Councillor B Hewett, seconded by Councillor N Marr:

"that the Officer's recommendation be adopted."

CARRIED

8 Corporate Communications - Council Event 2009/2010 Program Proposal

Prepared by >> Director Corporate Services
Date >> 20 January 2009

Executive Summary >>

An eighteen month events calendar has been prepared by Events and Protocol Unit - Corporate Communications for direct delivery of events in partnership with several council departments. The purpose of this report is to advise Councillors of the direction of the event program. This program has been devised taking into account the events that Council has previously sponsored or supported, with the aim of ensuring that the city's entire events program is balanced and appeals to a range of target audiences.

There is no change to the approved budget expenditure for this financial year, and the budget for the following financial year will be presented as part of the council's budget process.

Officer's Recommendation >>

That Council approve the Event program for 2008/2009/2010.

It was moved by Councillor R Gartrell, seconded by Councillor J Lane:

"that the Council Event 2008/2009/2010 Program Proposal be adopted."

Council Event 2008/2009/2010 Program Proposal

1.0: Process.

1. Workshop program with Financial Assistance and Event Group (12 January 2008)
2. Financial Assistance and Event Group to recommend program to Council - January 2009 meeting.
3. Installation of Program January 2009
4. 2009/2010 program budget process begins - February 2009.
5. 2009/2010 program budget approval May 2009.
6. Installation of 2009/2010 program July 2009.

2.0: 2009/2010 Program Summary:

- as delivered by the Events and Protocol Unit in partnership with Departments across Council

2009 Proposed Event Program

<i>Jan 2009</i>	<i>Feb 2009</i>	<i>Mar 2009</i>	<i>Apr 2009</i>	<i>May 2009</i>	<i>Jun 2009</i>
Australia Day	Cotters Markets	Townsville Arts Awards	National Youth Week	Heritage Day	Smart City & Eco Fiesta
Cotters Markets	Citizenship Ceremony	Cotters Markets	Anzac Day Services	Cotters Markets	Cotters Markets
Citizenship Ceremony	Civic Receptions	Riverway Markets	Cotters Markets	Riverway Markets	Riverway Markets
Civic Receptions	Strand Presents program	Citizenship Ceremony	Riverway Markets	Strand Markets	Strand Markets
Strand Presents program	Neighbourhoods Alive Program	Civic Receptions	Citizenship Ceremony	Citizenship Ceremony	Citizenship Ceremony
Neighbourhoods Alive Program		Strand/Riverway Presents program	Civic Receptions	Civic Receptions	Civic Receptions
		Neighbourhoods Alive Program	Strand/Riverway Presents program	Strand/Riverway Presents program	Strand/Riverway Presents program
			Neighbourhoods Alive Program	Neighbourhoods Alive Program	Neighbourhoods Alive Program

<i>July 2009</i>	<i>Aug 2009</i>	<i>Sept 2009</i>	<i>Oct 2009</i>	<i>Nov 2009</i>	<i>Dec 2009</i>
CMCA Rally	Seniors Picnic in the Park	Strand Ephemera	Strand Ten Year Celebrations	Mayors Christmas Tree Appeal	Carols By Candlelight
Townsville 400 Race Week	Seniors Music Day on Magnetic Island	Pioneer's Party	Cotters Markets	Remembrance Day Services	New Year's Eve Celebrations
Cotters Markets	Cotters Markets	Cotters Markets	Riverway Markets	Cotters Markets	Cotters Markets
Riverway Night Markets	Riverway Markets	Riverway Markets	Strand Markets	Riverway Markets	Strand Markets
Strand Markets	Strand Markets	Strand Markets	Citizenship Ceremony	Strand Markets	Citizenship Ceremony
Citizenship Ceremony	Citizenship Ceremony	Citizenship Ceremony	Civic Receptions	Citizenship Ceremony	Civic Receptions
Civic Reception	Civic Receptions	Civic Receptions	Strand/Riverway Presents program	Civic Receptions	Strand Presents program
Strand/Riverway Presents program	Strand/Riverway Presents program	Strand/Riverway Presents program	Neighbourhoods Alive Program	Strand/Riverway Presents program	Neighbourhoods Alive Program
Neighbourhoods Alive Program	Neighbourhoods Alive Program	Neighbourhoods Alive Program		Neighbourhoods Alive Program	

2010 Six Month Proposed Event Program

Jan 2010	Feb 2010	Mar 2010	Apr 2010	May 2010	Jun 2010
Australia Day	Cotters Markets	Townsville Arts Awards	National Youth Week	Heritage Day	Smart City & Eco Fiesta
Cotters Markets	Citizenship Ceremony	Cotters Markets	Anzac Day Services	Cotters Markets	Cotters Markets
Citizenship Ceremony	Civic Receptions	Riverway Markets	Cotters Markets	Riverway Markets	Riverway Markets
Civic Receptions	Strand Presents program	Citizenship Ceremony	Riverway Markets	Strand Markets	Strand Markets
Strand Presents program	Neighbourhoods Alive Program	Civic Receptions	Citizenship Ceremony	Citizenship Ceremony	Citizenship Ceremony
Neighbourhoods Alive Program		Strand/Riverway Presents program	Civic Receptions	Civic Receptions	Civic Receptions
		Neighbourhoods Alive Program	Strand/Riverway Presents program	Strand/Riverway Presents program	Strand/Riverway Presents program
			Neighbourhoods Alive Program	Neighbourhoods Alive Program	Neighbourhoods Alive Program
				Festival of Learning	

3.0: Event Changes to 18 month program:

3.1 New Events

- **Q150 events** will be staged in Townsville in 2009. One of significance will be the visit by the **Q150 Steam Train** in May 2009. An opportunity exists to stage the **Heritage Day** event in conjunction with this visit. Planning Department and Events and Protocol Unit are currently in planning stages for event, updates will be forthcoming in late January 2009.
- **Townsville 400 Race Week** will be held in the lead up to the V8 Supercar race in July. The Townsville 400 Race Week Festival Committee, which has been established by TCC, is coordinating activities which are being held by a number of community and business enterprises to encourage longer visitation from race and general tourists. The Events and Protocol Unit will support the race week calendar with a series of events to ensure that locals and visitors to the city have a range of entertainment and activities to choose from.
- **Strand Ten Year Celebrations.** The tenth anniversary of the Strand redevelopment will be in October 2009. The redevelopment of the Strand changed the culture of the City in 1999 and a celebration is planned to mark this significant milestone. Additional entertainment programs and production will be positioned around Strand Night Markets and the following days on October 2 & 3, 2009.

3.2 Event Changes

- **Welcoming Babies Ceremonies** will be expanded to include three events annually from 2009. All three events to run in conjunction with other events that have some synergy. - Eco Fiesta 2009, Strand Ten Year Celebrations 2009 and Australia Day Celebrations 2010.

3.3 Programs under review

- **Markets** - Following amalgamation, the Council is responsible for three public market programs. A review of our delivery processes for our successful Strand, Cotters and Riverway markets is underway, aiming to look for opportunities for cross promotion and synergy in delivery.

-
- **Streets Alive and neighbourhood Fun Days** - The Events and Protocol team will review these programs with a view to providing a strategic direction and improve accessibility."

CARRIED

INFRASTRUCTURE SERVICES

9 Water & Asset Planning - Development of a Localised Flood Management Strategy

Prepared by >> Director Water & Asset Planning
Date >> 20 January 2009

Executive Summary >>

At its meeting held on 16 December 2008 the Council noted that a Localised Flood Management Strategy was to be developed for its consideration at its March meeting. The proposed strategy was considered necessary to ensure a planned and co-ordinated approach to managing flooding, rather than considering known flooding areas in isolation.

The intention of this report is:

1. To provide the Council with an understanding of localised storm water flooding and action taken to date;
2. To agree on the proposed scope of the proposed Localised Flood Management Strategy;
3. To identify the implementation of immediate actions to better inform the community in relation to stormwater flooding events.

Officer's Recommendation >>

That the Council resolve to:

1. Approve the proposed scope of the Localised Flood Management Strategy as detailed in the report of the Director of Water and Asset Planning, dated 20 January 2009;
2. Direct the Director of Water and Asset Planning to develop a centralised register linked to the Geographic Information System for recording and classifying the extent of localised stormwater flooding;
3. Direct the Director of Water and Asset Planning to develop an interim community information program to improve community awareness in relation to the likely frequency and extent of localised flooding, assistance available, and measures that can be taken to minimise any impact.

-
4. Direct the Director of Water and Asset Planning to develop a policy and associated procedures for full disclosure of known flooding events that have impacted upon individual properties.

It was moved by Councillor D Bell, seconded by Councillor A Parsons:

"that the Officer's recommendation be adopted."

CARRIED

Councillors S Blom and R Gartrell vacated and resumed their seats in the Chamber during discussions on the following items.

CLOSED SESSION

It was moved by Councillor B Hewett, seconded by Councillor D Bell:

"that Council RESOLVE to close the meeting in accordance with Sections 463(1) (e) of the *Local Government Act 1993* which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it."

CARRIED

The Council discussed the agenda items

It was moved by Councillor D Last, seconded by Councillor V Veitch:

"that Council RESOLVE to open the meeting."

CARRIED

CONFIDENTIAL

COMMUNITY SERVICES

10 Community Planning and Services - Townsville Civic Theatre Extension Evaluation Board Report

Agenda Item >>

Authorised by >> Director Infrastructure Services
Date >> 23 January 2009

Executive Summary >>

Townsville City Council in its meeting of 25 November 2008 resolved to seek Expression of Interests for the Townsville Civic Theatre Extension project which is proposed to be completed by the end of 2009. These were called in the Courier Mail and Townsville Bulletin on Saturday 13 December 2008. The Evaluation Board has

assessed the submissions and short listed five respondents in accordance with the requirements of the Procurement Principles outlined in the Local Government Act 1993 for Council's consideration.

Officer's Recommendation >>

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution and:
2. That Council resolve to invite submissions for tender to undertake the Townsville Civic Theatre Extension works as identified from the Evaluation Board's recommendation as follows:

TCS (QLD) Pty Ltd
Abigroup Contractors Pty Ltd
Watpac Constructions (QLD) Pty Ltd
Leighton Contractors Pty Ltd, and
Matrix Project (QLD) Pty Ltd

It was moved by Councillor J Lane, seconded by Councillor B Hewett:

"that the Officer's recommendation be adopted."

CARRIED

11 Contract T5057 – Bohle Plains Water Supply Pipeline - Contractor: Auzscot Pty Ltd - Early Works for Wastewater Upgrade Program

Agenda Item >> Tabled at the meeting

Authorised by >> Director Water and Asset Planning
Date >> 27 January 2009

Executive Summary >>

Council has previously awarded Contract T5057 to Auzscot Pty Ltd for the construction of a Trunk Water main along Dalrymple Road and a section of the Ring Road. (Council Meeting 28 October 2008).

Council has previously accepted a recommendation to undertake the Wastewater Upgrade Program on the basis of a Centralised Delivery Strategy (Council Meeting 13 October 2008).

It was identified early in the design process that a sewer rising main would be required near to the water main works on the Ring Road and synergies may be possible. However the issue was complicated by the fact that Thiess and the Department of Main Roads had control of the Ring Road corridor and there were a number of scheduling challenges.

Detailed design has confirmed that the planned Sewer rising main between Pump Stations BP01 and BP02 (as part of the Wastewater Upgrade Project) can be located immediately parallel to the Water main being installed under Contract T5057.

Approval to proceed with the proposed contract variation is required by 27th January 2009 to allow Auzscot to confirm pipe orders with suppliers and start work on site as they need to have the dual pipes constructed prior to the full opening of the Ring Road at the end of March 2009.

Officer's Recommendation >>

That Council resolve:

1. That it is satisfied that Auzscot Pty Ltd is the only supplier reasonably available to it to undertake the works detailed in the Executive Manager's report dated 27th January; and
2. To direct the Chief Executive Officer to negotiate a variation with Auzscot Pty Ltd to Contract T5057, to undertake the following additional works:
 - Supply of DICL pipe for the culvert crossings along the Ring Road bikeway
 - Supply and Installation of DN300 PVC sewer rising main along the Ring Road section of the works
 - Miscellaneous Works including Air Valves, Chambers, Connections, and sundry associated engineering works

It was moved by Councillor V Veitch, seconded by Councillor D Last:

"that the Officer's recommendation be adopted."

CARRIED

General Business:

Councillor B Hewett - Expression of Appreciation

Councillor B Hewett thanked all the Councillors and staff for all the help he has received over the last month during his period in hospital. The Mayor, Councillor L Tyrell wished Councillor Hewett a speedy recovery.

Mayor, Councillor L Tyrell - Death of Margie de Graff

The Mayor, Councillor L Tyrell informed the meeting that Margie de Graff passed away last night at 8.00pm. Margie had been battling cancer for several years and was a great employee of the former Thuringowa City Council for over 30 years in many important roles concluding with her role as a Customer Service Officer.

Councillor D Crisafulli - Australia Day Awards

Councillor D Crisafulli offered congratulations on behalf of Council to all the citizens of Townsville who had received Australia Day Awards on Monday, including the Mayor who had received the Medal of the Order of Australia. He concluded with the comment "long may all those people continue to contribute".

There being no further items of business the Mayor, Councillor L Tyrell, closed the meeting at 10.35am.

CONFIRMED this

day of

2009

MAYOR

CHIEF EXECUTIVE OFFICER