



**ORDINARY COUNCIL**  
**PUBLIC MINUTES**  
TUESDAY 26 JULY 2016 AT 1.00PM

**Council Members >>**

The Mayor, Councillor Jenny Hill  
Councillor Russ Cook  
Councillor Verena Coombe  
Councillor Colleen Doyle  
Councillor Ann-Maree Greaney  
Councillor Paul Jacob  
Councillor Mark Molachino  
Councillor Kurt Rehbein  
Councillor Margie Ryder  
Councillor Maurie Soars  
Councillor Les Walker

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## Goals and Strategies of Townsville City Council >>

### Corporate Plan >>

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**Goal 1:** Economic Sustainability - A strong diverse economy which provides opportunities for business and investment with an integrated approach to long term planning where the city's assets meet the community needs.

- 1.1 Create economic opportunities for Townsville to drive economic and community prosperity.
- 1.2 Maximise opportunities through engagement and partnership with stakeholder achieve a strong resilient economy.
- 1.3 Utilise the City Plan to inform the development of current and future infrastructure needs of Townsville.
- 1.4 Promote and market Townsville as a vibrant destination for commerce, entertainment and lifestyle.
- 1.5 Provide and maintain water and sewage infrastructure to ensure a functioning network.
- 1.6 Provide and maintain a leading practice integrated transport network to facilitate the sustainable growth and efficient movement of Townsville.

**Goal 2:** Environmental Sustainability - A sustainable future where our environment is valued through the protection and enhancement of our unique, natural and built environment with a commitment to reducing our environmental impact.

- 2.1 Effective management, protection and conservation of our environment to ensure a balance between built infrastructure and areas of environmental significance.
- 2.2 Implement an effective integrated demand management approach to infrastructure planning and delivery.
- 2.3 Preserve our natural environment through active management, education and compliance activities.
- 2.4 Adopt urban design principles that create a distinct sense of place, enables and informs place creation, maximises efficiency, and enhances the built and natural environment.
- 2.5 Research and implement environmental solutions utilising innovative smart technology and encourage behaviour change.

**Goal 3:** Social Sustainability - A vibrant community that is accessible, safe, healthy, creative and knowledgeable, where we embrace diversity and our sense of community.

- 3.1 Encourage active and healthy lifestyles through accessible public facilities and community initiatives.
- 3.2 Support the community's access to and participation in a range of artistic, cultural and entertainment activities.
- 3.3 Enhance wellbeing and safety in the community.
- 3.4 Enhance a knowledgeable, inclusive and connected community that embraces growth and lifelong learning.
- 3.5 Provide community infrastructure and services that support growth and meets community needs.

**Goal 4:** Responsible Governance - A well-managed, transparent and effective organisation that gives the community confidence, demonstrates financial sustainability, where our customers are satisfied with our services and our employees are proud to work here.

- 4.1 Undertake robust and accountable financial, resource and infrastructure planning and management to ensure affordable and sustainable outcomes for our community.
- 4.2 Deliver best value customer service to our community.
- 4.3 Enable innovation and technology capacity within council to drive organisational efficiencies.
- 4.4 Engage with the community to inform council decision making processes.
- 4.5 Provide inspirational leadership and contemporary management systems that drives a coordinated, motivated, highly effective and efficient organisation.
- 4.6 Commit to open transparent and accountable governance to ensure community confidence and trust in council.
- 4.7 Promote an organisational culture that values and empowers its workforce.

### ACKNOWLEDGEMENT OF COUNTRY

The Townsville City Council would like to acknowledge the Bindal and Wulgurukaba peoples as Traditional Owners of the land on which our Council operates. We pay respect to Elders past, present and future and value the traditions, culture and aspirations of the first Australians of this land. We acknowledge and hold in great significance the valuable contribution that Traditional Owners have made and continue to make within the Townsville Community.

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**REPORT            COUNCIL MEETING**

**DATE             Tuesday 26 July 2016 at 1.00pm**

**ITEMS            1 TO 36**

**PRESENT**        The Mayor, Councillor J Hill  
                  Councillor R Cook  
                  Councillor V Coombe  
                  Councillor A Greaney  
                  Councillor P Jacob  
                  Councillor M Molachino  
                  Councillor K Rehbein  
                  Councillor M Ryder  
                  Councillor M Soars  
                  Councillor L Walker

### **Opening of Meeting and Announcement of Visitors**

The Chair, the Mayor, Councillor J Hill opened the meeting at 1.00pm.

### **Acknowledgement to Country**

The Chair acknowledged the traditional owners of the land, the Wulgurukaba and the Bindal people, and paid respect to the elders past, present and future generations.

### **Prayer**

Paster Yn from the Global Indigenous Prayer Group delivered the opening prayer.

### **Apologies and Leave of Absence**

**It was MOVED by Councillor L Walker, SECONDED by Councillor M Molachino:**

"that the apology from Councillor C Doyle be received and that for the purposes of Section 162(1)(e) of the *Local Government Act 2009*, Councillor C Doyle be granted leave of absence from this meeting."

**CARRIED UNANIMOUSLY**

### **Confirmation of Minutes of Previous Meetings:**

**It was MOVED by Councillor L Walker, SECONDED by Councillor A Greaney:**

"that minutes of the Ordinary Council meeting of 28 June 2016 and minutes of the Special Council meeting of 6 July 2016 be confirmed."

**CARRIED UNANIMOUSLY**

**Disclosure of Interests**

- (i) Townsville Water and Waste Committee - Perceived conflict of interest - Item 17 - Councillor L Walker's son was working at Lend Lease.

**Correspondence**

There was no correspondence.

**Petitions**

There were no petitions.

**Deputations**

There were no deputations.

**Notices of Motion**

There were no notices of motion.

**Presentations**

There were no presentations.

**Mayoral Minute**

There was no Mayoral Minute.



## **Committee Items**

### **Community Health and Environment Committee**

***It was MOVED by Councillor A Greaney, SECONDED by Councillor M Molachino:***

*"that the committee recommendations to items 1 and 2 be adopted."*

**CARRIED UNANIMOUSLY**

### **1 Community and Environmental Services - Townsville Local Disaster Management Group - Minutes of Members' Meeting 18 May 2016**

#### **Executive Summary**

The Townsville Local Disaster Management Group (TLDMG) members meet every second month with staff of the Townsville City Council, Queensland Fire and Emergency Services Area Coordinator – Emergency Management, State Emergency Service Local Controller and other agencies.

Attached are the minutes of the meeting held on 18 May 2016.

At this meeting, the TLDMG:

- confirmed the Core Member and Deputy nominations from Townsville City Council, Queensland Fire and Emergency Services, Queensland Police Service and the State Emergency Service; and
- confirmed the appointment of chairpersons for the Recovery Committees.

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

1. That council endorse the minutes of the Townsville Local Disaster Management Group Members' Meeting held on 18 May 2016;
2. That council endorse Townsville Local Disaster Management Group's confirmation of the Core Member and Deputy nominations from Townsville City Council, Queensland Fire and Emergency Services, Queensland Police Service and the State Emergency Service; and,
3. That council endorse Townsville Local Disaster Management Group's confirmation of the appointment of chairpersons for the Recovery Committees.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 8970) where council resolved that the committee recommendation be adopted.**

## **2 3rd Annual National Community Safety Summit- 28 to 30 September 2016 - Sydney**

### **Executive Summary**

The 3<sup>rd</sup> Annual National Community Safety Summit will be held 28 - 30 September 2016 at the Novotel Sydney Central Hotel.

The Summit is titled 'Driving social cohesion and engagement' and participants will hear from over thirty community sector leaders in the key areas of theft, domestic and family violence, assaults, methamphetamines use (especially ice) and hate crimes.

Two post conference workshops will be held:

Workshop A - How to enact change in relation to alcohol-fuelled violence; and

Workshop B - Understanding and responding to risk in your community.

### **Officer's Recommendation**

1. That council consider nominating a Councillor to attend the 3<sup>rd</sup> Annual National Community Safety Summit will be held 28 - 30 September 2016 in Sydney.
2. That council approve travel and in accordance with section 162(1)(e) of the *Local Government Act 2009* grant leave of absence to nominated Councillor/s for 28 - 30 September 2016 to attend the 3<sup>rd</sup> Annual National Community Safety Summit.

### **Committee Recommendation**

1. That council nominate Councillor R Cook to attend the 3<sup>rd</sup> Annual National Community Safety Summit will be held 28 - 30 September 2016 in Sydney.
2. That council approve travel and in accordance with section 162(1)(e) of the *Local Government Act 2009* grant leave of absence to Councillor R Cook for 28 - 30 September 2016 to attend the 3<sup>rd</sup> Annual National Community Safety Summit.

### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 8970) where council resolved that the committee recommendation be adopted.**

## **Community and Cultural Development Committee**

***It was MOVED by Councillor R Cook, SECONDED by Councillor K Rehbein:***

*"that the committee recommendations to items 3 to 9 be adopted."*

**CARRIED UNANIMOUSLY**

### **3 Presentation Bringing NDIS to Life in Townsville - Proposal for Community Action**

#### **Executive Summary**

On 1 & 2 June 2016 the "Bringing the NDIS to Life in Townsville" Community Event was held in Townsville. The facilitation for this event was led by Queensland Council of Social Service (QCOSS) in partnership with Queenslanders with Disability Network (QDN), the local QDN Support Group, Queensland Government and Townsville City Council and other community partners.

This was a free two day event that brought together a gathering of people with a broad range of life experiences and expertise including community members with a disability (consumers of NDIS), families, carers, friends, interested community members and representatives from a broad range of community groups and networks. It was an opportunity to support people with disabilities to reimagine their future and to build inclusiveness, as NDIS (National Disability Insurance Scheme) is transitioned into Townsville.

The focus of the first day was on sharing what was known about NDIS and each of the following streams of interest: Pathways to Employment; Finding and Keeping a Home; and Reimagining the Future.

On the second day working groups were formed to generate ideas within the streams of interest. The working groups then prioritised their best idea which was pitched to a judging panel. Councillor Colleen Doyle was on the judging panel.

QCOSS provided a grant of \$3000 as seed funding that was awarded to the best prototype initiative to emerge at the end of the community event.

The "Pathways to Employment" group were successful with the winning proposal. The proposal incorporates the creation of an award to recognise and acknowledge workplaces that embrace diversity by employing differently-able people and therefore support and acknowledge the contribution that they make to the workplace. The award will include a universally recognised symbol (logo) that can be used by the successful workplaces on websites, letterheads and in windows of businesses/ workplaces.

The presentation will be made by Petrice Alberich, Coordinator, Community Connections; Marie Cameron, Coordinator, Community Connections; Joanne Lynam, Parent of Emma Lynam; Karen Metcalfe; and Geoff Klaer, Employer.

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

That council note the "Bringing NDIS to Life in Townsville" – Proposal for Community Action presentation.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 3 of the council minutes (page 8972) where council resolved that the committee recommendation be adopted.**

#### **4 Community Services - Lease - MA Olympic Football Club, Aplins Weir Rotary Park**

##### **Executive Summary**

MA Olympic Football Club have requested a new lease for a water bore and enclosure on a parcel of land located at Aplins Weir Rotary Park, 16 Burt Street Mundingburra – Lot 1 RP721522 for a term of 10years.

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

1. That council approve a lease to MA Olympic Football Club over land to install a bore pump and enclosure, located at Aplins Weir Rotary Park, 16 Burt Street Mundingburra – Lot 1 RP721522 for a term of up to 10 years, for the fee of \$1.00 per year, exclusive of GST, if requested.
2. The council resolves that the exemption in section 236 (1)(b)(ii) of the Local Government Regulation 2012 applies to the disposal of the land included in the lease, *because the disposal is to a community organisation.*
3. That council note that MA Olympic Football Club will be responsible for;
  - Maintenance, Repair, Replacement Obligations of Lessee
    - a) Structural (Clause 6.1a)
    - b) Services/pipes/conduits (clause 6.1 (b)
    - d) Minor maintenance (clause 6.6)

##### **Committee Recommendation**

That the officer's recommendation be adopted.

##### **Council Decision**

**Refer to resolution preceding item 3 of the council minutes (page 8972) where council resolved that the committee recommendation be adopted.**

#### **5 Community Services - Canine Obedience Club of Townsville - Lease - Heatley Park**

##### **Executive Summary**

The Canine Obedience Club of Townsville desire to lease of a parcel of land located at Heatley Park (a portion of Lot 494 EP1786). The club currently holds a lease over part of the Heatley Community Centre, and has built and owns a building that adjoins the male public toilets within the park. This building was approved by Council and built in 2005 by the club, however a lease over the land was never entered into.

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

1. That council approve the issuing of a lease to Canine Obedience Club of Townsville over land located at Heatley Park (a portion of Lot 492 EP1786) for a term of up to 10 years for the fee of \$1.00 per year, exclusive of GST, if requested.
2. That council resolves that the exception in section 236 (1)(b)(ii) of the Local Government Regulation 2012 applies to the disposal of the land included in this lease, because the disposal is to a community organisation.
3. That council note that under the conditions of the lease the Canine Obedience Club of Townsville will be responsible for;
  - Maintenance, Repair, Replacement Obligations of Lessee
    - a) Structural (Clause 6.1a)

- b) Services/pipes/conduits (clause 6.1 (b))
- c) Painting (clause 6.3)
- d) Minor maintenance (clause 6.6)
- Landscaping Obligation (clause 5.8)

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 3 of the council minutes (page 8972) where council resolved that the committee recommendation be adopted.**

### **6 Community Services - PCYC Castle Hill, Harold Phillips Park, Garbutt - Lease Renewal**

#### **Executive Summary**

The Queensland Police – Citizens Youth Welfare Association seeks to renew their lease of the PCYC Castle Hill facility and part of the land adjacent to the facility located at 4 Hugh Street, Garbutt (Lot 32 EP 1533)

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

1. That council approve the renewal of the lease with the Queensland Police – Citizens Youth Welfare Association over a portion of Lot 32 EP 1533, referred to as Harold Phillips Park, Hugh Street, Garbutt for a term of up to 10 years, for the rental fee of \$1.00 per year, exclusive of GST, if requested.
2. That the lease provide for the Queensland Police – Citizens Youth Welfare Association to be responsible for the following:  
  
Maintenance, Repair, Replacement of:
  - a) Structural (Clause 6.1a)
  - b) Services/pipes/conduits (clause 6.1 (b))
  - c) Painting (clause 6.3)
  - d) Minor maintenance (clause 6.6)
  - e) Landscaping (clause 5.8)
3. That council resolve that the exception in section 236 (1)(b)(ii) of the Local Government Regulation 2012 applies to the disposal of the land included in this lease, because the disposal is to a community organisation.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 3 of the council minutes (page 8972) where council resolved that the committee recommendation be adopted.**

## **7 Community Services - Townsville Polocrosse Club - LTO - Stuart Park - 2016**

### **Executive Summary**

Council approval has previously been given for the establishment of non-exclusive Licences to Occupy with community groups in order to enable their use of council controlled spaces.

Licences to Occupy formalise the conditions under which community groups are able to make use of these spaces.

The Townsville Polocrosse Club trains and competes at Stuart Park and have a current lease agreement with Council over the clubhouse, toilets and stables within the park. The club now seek to enter into a License to Occupy agreement over the green space at Stuart Park located at 76 – 94 Southward Road, Stuart (involving part of lot 2 and 4 on RP717998, and part of lot 16 and 17 on RP705936) for a term of five years in order to enable use of the park for club activities.

### **Officer's Recommendation**

That council approve the issuing of a License to Occupy agreement enabling the Townsville Polocrosse Club to utilise Stuart Park, located at 76 – 94 Southward Road, Stuart (involving part of lot 2 and 4 on RP717998, and part of lot 16 and 17 on RP705936) for a term of five years.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 3 of the council minutes (page 8972) where council resolved that the committee recommendation be adopted.**

## **8 Community Services - Licence to Occupy (LTO): Townsville District Bowhunters Club - Bowhunters Road, Condon.**

### **Executive Summary**

Council approval has previously been given for the establishment of a number of Licences to Occupy with community groups in order to enable their use of council controlled spaces.

Licences to Occupy formalise the conditions under which community groups are able to make use of these spaces.

Townsville District Bowhunters Inc. is seeking a Licence to Occupy (LTO) for 2 parcels of land located on Bowhunters Road, Condon (Lot 46 EP2176 and Lot 3 RP705774) for a term of 5 years for the purpose of archery.

### **Officer's Recommendation**

That council approve the issuing of Licence to Occupy (LTO) to Townsville District Bowhunters Inc. over Lot 46 EP2176 and Lot 3 RP705774 for the purpose of conducting activities associated with the sport of archery.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 3 of the council minutes (page 8972) where council resolved that the committee recommendation be adopted.**

## **9 Community Services - Annandale Falcons Football Club - Cranbrook Park - Surrender of Licence to Occupy (LTO)**

### **Executive Summary**

Annandale Falcons Football Club experienced a rapid decline in playing/membership numbers towards the end of the 2015 soccer season. The club committee decided to wind up the club, ensuring that all assets have either been distributed to other organisations or removed from Cranbrook Park.

### **Officer's Recommendation**

That council approve the surrender of the License to Occupy agreement with Annandale Falcons Football Club at Cranbrook Park.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 3 of the council minutes (page 8972) where council resolved that the committee recommendation be adopted.**

## Infrastructure Services Committee

***It was MOVED by Councillor M Molachino, SECONDED by Councillor V Coombe:***

*"that the committee recommendations to items 10 to 12 be adopted."*

**CARRIED UNANIMOUSLY**

### **10 Engineering Services - Request to Name Parks in Stockland's North Shore Estate, Burdell**

#### **Executive Summary**

Council has received a request from the Urban Design Manager of RPS Australia Asian Pacific, on behalf of Stockland Development Pty Ltd, to name 10 parks in Stockland's North Shore, Burdell.

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

That council endorse the names proposed for the parks in North Shore, as per table below:

<b>Park Name</b>	<b>Property Number</b>	<b>Park Address</b>
Lady Musgrave Park	539481	7 Lady Musgrave Circuit
Mode Park	548697	8 Masthead Avenue - alongside Mode Way
Osterlund Park	536444	0 Dampier Crescent - fronting Osterlund Place
Ashmore Park	536444	0 Dampier Crescent - fronting Ashmore Crescent
Marquise Park	542998	65 Marquise Circuit
Yalbira Park	545648	25 Marquise Circuit - fronting Yalbira Avenue
Kahana Park	544011	1 Lona Avenue - at the start of Kahana Avenue
Solaris Park	547270 and 547269	2 Cira Way and 48 Waterway Drive
Sunhaven Park	550059	84 Sunhaven Boulevard
Discovery Park	550311	2 Trevalla Entrance

#### **Committee Recommendation**

That this item be referred to the next Infrastructure Services Committee to allow further information to be provided.

#### **Council Decision**

**Refer to resolution preceding item 10 of the council minutes (page 8977) where council resolved that the committee recommendation be adopted.**

### **11 Engineering Services - Black Spot Programme 2017/18**

#### **Executive Summary**

The Department of Transport and Main Roads have called for nominations for the Black Spot Programme for 2017/18.

This report provides information on the projects that have been submitted for funding approval

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

That council note the projects that have been submitted for funding approval under the Black Spot Programme for the 2017/18 financial year.

#### **Committee Recommendation**

That the officer's recommendation be adopted.



## **Council Decision**

**Refer to resolution preceding item 10 of the council minutes (page 8977) where council resolved that the committee recommendation be adopted.**

## **12 Engineering Services - PSA00039 Supply and Delivery of Roadbase and Aggregates**

### **Executive Summary**

Council issued tender PSA00039 for a preferred supplier arrangement for the supply and delivery of Roadbase and Aggregates. The recommended contract is for 12 months with the option of a further two 12 month periods.

This report outlines the tender submissions received and council's recommendation for awarding the tender PSA00039 Supply and Delivery of Roadbase and Aggregates.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA00039 – Preferred Supplier Arrangement for Supply and Delivery of Roadbase and Aggregates for Zone 1 and Zone 2 to Holcim Australia Pty Ltd on a Schedule of Rates contract.
3. That council award PSA00039 for 12 months with the option of two extension periods of 12 months.

### **Committee Recommendation**

1. That Officer's Recommendations 1 and 2 be adopted.
2. That council award PSA00039 for 12 months. Any extension must come back to Council for approval. Upon awarding of the tender and the notification of the unsuccessful tenders that a tender debrief opportunity be provided to each of the unsuccessful proponents.

## **Council Decision**

**Refer to resolution preceding item 10 of the council minutes (page 8977) where council resolved that the committee recommendation be adopted.**

## **Governance and Finance Committee**

### **13 Treasury Report - June 2016**

#### **Executive Summary**

Attached to the Report to Council is an internal treasury report to provide council with information on cash, investments and debt. The report informs council on its monthly cash position.

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

That council note the treasury report for June 2016 and the information contained therein.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

***It was MOVED by Councillor V Coombe, SECONDED by Councillor P Jacob:***

*"that the committee recommendation be adopted."*

***CARRIED UNANIMOUSLY***

## Townsville Water and Waste Committee

*In accordance with section 173 of the Local Government Act 2009, Councillor L Walker declared a perceived conflict of interest in regards to item 17.*

- (a) the name of the councillor who has the perceived conflict of interest:**  
*Councillor L Walker*
- (b) the nature of the conflict of interest as described by the Councillor:**  
*Councillor L Walker's son was working at Lend Lease.*
- (c) how the Councillors dealt with the perceived conflict of interest:**  
*The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.*
- (d) if the Councillor voted on the issue – how the Councillor voted:**  
*The Councillor voted as per the officer's recommendation.*
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
*The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.*

***It was MOVED by Councillor P Jacob, SECONDED by Councillor A Greaney:***

*"that the committee recommendations to items 14 to 19 be adopted and that items 20 and 21 be considered separately in closed session."*

***CARRIED UNANIMOUSLY***

## **14 Business Management & Compliance - Monthly Report Card - June 2016**

### **Executive Summary**

Townsville Water and Townsville Waste's monthly report cards containing year to date operating results for 2015/16 are submitted for the month of June 2016.

### **Officer's Recommendation**

That council note the report cards from Townsville Water and Townsville Waste for the month of June 2016.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 8980) where council resolved that the committee recommendation be adopted.**

**15 Business Management and Compliance - Customer Service Standard Report Card 2015/2016**

**Executive Summary**

Townsville Water and Townsville Waste Services publish a Customer Service Standard Report Card each quarter and annually to report their performance against their targeted service standards as identified in their Customer Service Standards. The results for the 2015/2016 financial year are available and ready to be published on council's website.

**Officer's Recommendation**

That council note the results of the 2015/2016 Customer Service Standard Report Cards for Townsville Water and Townsville Waste Services.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 8980) where council resolved that the committee recommendation be adopted.**

**16 Wastewater Operations- Systematic Inspection Program - Infiltration and Inflow Study of Sewers, Program 17 - Roseneath, Stuart, Rosslea, Oonoonba, Idalia, Annandale, Murray, Douglas (Catchments R5, S10A, S13A, A9A, SB15, S15, S6B, SA6C,S6A, SB5B, S4A, S5**

**Executive Summary**

Council resolved at its meeting of 26 August 2008 to undertake a Systematic Inspection Program, namely Infiltration and Inflow Study (I/I) of sewers and private house drains of all premises to identify illegal connections to council's sewerage system.

Townsville Water's Wastewater Operations section seeks approval to undertake program seventeen in Roseneath, Stuart, Rosslea, Oonoonba, Idalia, Annandale, Murray and Douglas (Catchments R5, S10A, S13A, A9A, SB15, S15, S6B, SA6C,S6A, SB5B, S4A, S5B, SA5B, AS4A, S15A, S14A, SA14A, SA1and SA1B) pursuant to section 134 of the Local Government Act 2009. The program is expected to commence between 29 August and 12 September 2016 and will be completed within a period of three months.

Council's approval is sought for the systematic inspection program to commence.

The Chief Executive Officer will authorise the relevant council staff to enter properties to undertake these inspections.

**Officer's Recommendation**

That council approve the undertaking of a systematic inspection program pursuant to *section 134 of the Local Government Act 2009*, in Roseneath, Stuart, Rosslea, Oonoonba, Idalia, Annandale, Murray and Douglas (specifically sewerage catchments R5, S10A, S13A, A9A, SB15, S15, S6B, SA6C,S6A, SB5B, S4A, S5B, SA5B, AS4A, S15A, S14A, SA14A, SA1 and SA1B) starting between 29 August and 12 September 2016 and completed within 3 months.

**Committee Recommendation**

That the officer's recommendation be adopted.

## **Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 8980) where council resolved that the committee recommendation be adopted.**

### **17 Wastewater Operations - Cleveland Bay Purification Plant Odour Control Upgrade Project Budget Amendment Request**

#### **Executive Summary**

This report outlines the additional budget required to finalise the odour control upgrade works required at Cleveland Bay Purification Plant (CBPP) to:

- » protect the health and safety of council employees, contractors and visitors at CBPP,
- » protect CBPP assets from the effects of corrosion resulting from high hydrogen sulphide (H<sub>2</sub>S) levels; and
- » to ensure that environmental nuisance protection requirements are met in relation to encroaching development.

It is proposed to fund this from the other treatment plant renewals/upgrades budget for the 2016/2017 financial year. Funds will be made available in this budget by redistribution of renewals and upgrade works with lesser priority.

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

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council endorse an increase of the Cleveland Bay Purification Plant Odour Upgrade budget by \$330,245 (excluding GST) to allow the completion of the defects rectifications work and commissioning of this facility by the Water Matters Alliance.
3. That council endorse an increase of the maximum budgeted payment of \$330,245 (excluding GST) to the Water Matter Alliance Non Owner Participants in the 2016/2017 financial year to complete the odour upgrade works at Cleveland Bay Purification Plant.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

## **Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 8980) where council resolved that the committee recommendation be adopted.**

## **18 Major Projects - Tender Evaluation - TCW00169 - Cleveland Bay Purification Plant - Immersed Hollow Core Membrane System Supply**

### **Executive Summary**

Council is progressing with the hydraulic treatment capacity upgrade of its Cleveland Bay Purification Plant (CBPP) to ensure continued compliance with environmental licensing conditions.

Pursuant to *Section 228(3)(a)* of the *Local Government Regulations 2012 (QLD)* council resolved on 27 January 2016 to invite Expressions of Interest (EOI) for the supply of immersed hollow fibre membrane systems which perform a critical role at the treatment plant and contribute to its hydraulic performance.

Council received three expressions of interest from suitably experienced suppliers. All three were invited to submit a tender for contract TCW00169 Immersed Hollow Fibre Membrane System Supply. Tenders closed on 18 May 2016. Three submissions were received. An evaluation panel assessed the submissions and after calling for clarifications arrived at a recommendation for preferred tenderer.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remains confidential unless council decides otherwise by resolution.
2. That council acknowledge Evoqua Water Technologies Pty Ltd as the preferred tenderer and subject to successful negotiations council approve the making of contract TCW00169 Immersed Hollow Fibre Membrane Systems with the preferred tenderer.
3. That council acknowledge the second and third ranked tenderers and in the event of failed negotiations with the preferred tenderer council approve the making of contract TCW00169 Immersed Hollow Fibre Membrane Systems with the second and then third ranked tenderer subject to successful negotiations.
4. That council delegate approval to make contract TCW00169 Immersed Hollow Fibre Membrane Systems to the Chief Executive Officer.
5. That council delegate authority to the Chief Executive Officer to approve contract TCW00169 Immersed Hollow Fibre Membrane System Supply variations to a limit of 5% of the contract sum.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 8980) where council resolved that the committee recommendation be adopted.**

## **19 Programs & Technical Support - Tender Evaluation -TOW00049 TCC Recyclables Solution**

### **Executive Summary**

Recyclable material collected from council's kerbside collection service is delivered to a Materials Recovery Facility (MRF) for further processing and or resale. The current MRF contract expires on 30 June 2017. Tender 'TOW00049 - TCC Recyclable Material Recovery Services' was called in April 2016 to appoint a new contractor to allow sufficient lead time for them to construct a new facility and be ready for commencement of services on 1 July 2017. One submission was received for this tender. This report provides an analysis and evaluation of this submission.

Endorsing the recommendation will see the construction of a new, high-technology MRF capable of processing the recyclable material to such a quality that ensures that maximum value add happens locally, rather than transferring the bulk of the economic activity outside of the local region. To deliver the required infrastructure, the contractor will employ up to 12 local sub-contractors for a period of four to six weeks during installation of the plant and equipment. Once the plant is operational, they will employ seven to ten locally based full time staff members. The tenderer has indicated they will invest \$1.2 million into the local economy during the construction phase alone.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award tender TOW00049 - TCC Recyclables Material Recovery Services to RDT Operations Pty Ltd for a maximum period of ten years consisting of an initial eight year term and two one year optional extensions at a gate fee of \$93.50 per tonne (GST exclusive) up to 15,000 tonnes per annum, subject to rise and fall, and with tendered discounts to apply in excess of this annual tonnage.
3. That council delegate authority to the Chief Executive Officer, or their delegate, to approve variations within the limits of the operational budget provided the variations are for services under contract TOW00049.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 8980) where council resolved that the committee recommendation be adopted.**

**Council agreed to change the order of business to consider items 20 and 21 in the closed session.**

**20 Programs and Technical Support - Tender Assessment - TCW00172 Morey Street Water Main Replacement**

**Refer to resolution preceding item 14 of the Council Minutes (Page 8980) where council resolved that item 20 be considered in closed session.**

**Refer page 9016 of the Council Minutes for item 20 Programs and Technical Support - Tender Assessment - TCW00172 Morey Street Water Main Replacement**

**21 Programs and Technical Support - Tender Assessment - TCW00176 Armstrong Street and Queens Road Water Main Replacement**

**Refer to resolution preceding item 14 of the Council Minutes (Page 8980) where council resolved that item 21 be considered in closed session.**

**Refer page 9017 of the Council Minutes for item 21 Programs and Technical Support - Tender Assessment - TCW00176 Armstrong Street and Queens Road Water Main Replacement**



**Planning and Development Committee**

**It was *MOVED* by Councillor L Walker, *SECONDED* by Councillor A Greaney:**

*"that the committee recommendations to items 25 to 29 be adopted and that items 22 to 24 be dealt with separately."*

**CARRIED UNANIMOUSLY**

*Item 22 MI14/0043 Material Change of Use (Impact) - Multiple Dwelling (6 x 4 Bedroom Units) - 21 Willmet Street Townsville City*

**It was *MOVED* by Councillor L Walker, *SECONDED* by Councillor V Coombe:**

*"that the committee recommendation be adopted."*

**CARRIED**

In accordance with council's Meeting Procedures Policy where council does not unanimously support an Officer's Recommendation or an alternative resolution Councillors are to have recorded their reasons for doing so.

<b>For</b>	<b>Against</b>
The Mayor, Councillor J Hill	Councillor A Greaney
Councillor R Cook	
Councillor V Coombe	
Councillor P Jacob	
Councillor M Molachino	
Councillor K Rehbein	
Councillor M Ryder	
Councillor M Soars	
Councillor L Walker	
<b>Reasons Against</b>	

Councillor Greaney advised that based on feedback from local residents she feels this development is not in accordance with the current Planning Scheme and some traffic management issues. Councillor Greaney acknowledged the architectural design is far more sympathetic to the landscape but she does not want to see intensification in this area.

*Item 23 MI15/0029 - Material Change of Use (Impact) Multiple Dwelling- 10 X 3, 6 X 2 and 2 X 1 Bedroom Units - 3-7 Macrossan Street, South Townsville*

**It was *MOVED* by Councillor L Walker, *SECONDED* by Councillor V Coombe:**

*"that the committee recommendation be adopted."*

**CARRIED UNANIMOUSLY**

**Councillor A Greaney requested it be noted that the trees that are replanted provided by the developer are in alignment with the current trees in the street. She believes this application will be in keeping with the streetscape and character of the area.**

*Item 24 MC15/0114 Report - Saint Eagles Souths Football Club - Request to waive infrastructure charges - 2 Petunia Street, Aitkenvale*

**It was *MOVED* by Councillor L Walker, *SECONDED* by Councillor K Rehbein:**

*"that the committee recommendation be adopted."*

**CARRIED UNANIMOUSLY**

## 22 MI14/0043 Material Change of Use (Impact) - Multiple Dwelling (6 x 4 Bedroom Units) - 21 Willmet Street Townsville City

### Executive Summary

The proposed development relates to a Material Change of Use of Premises (Impact Assessable) for a Multiple Dwelling to be located at Lot 15 on RP 701633, 21 Willmet Street, Townsville City, which has been assessed under the Superseded City Plan 2005. The site area is 911m<sup>2</sup> and is situated between Willmet Street and Herbert Street along the ridgeline of Melton Hill. The application was Impact Assessable and therefore required public notification. The subject site is situated in the City View Slopes Residential Precinct of the superseded City Plan 2005 and in the Low density residential zone of the City Plan (2014).

The proposal seeks the removal of the existing dwelling and the construction of a three storey residential complex comprising of 6 x 4 bedroom units, a semi-excavated basement car park and a roof top recreational area. Each unit has street frontage and the main vehicular access is from Willmet Street. A 20 minute drop off/pick up zone is located within the property boundary on Herbert Street.

During the notification period 39 submissions were received, 38 opposing and one in favour. The submission in favour was in the form of a petition containing five signatures. The submissions raised a number of points such as traffic, car parking, heritage values, amenity, over-development, geotechnical assessment and infrastructure and construction impacts. All of these matters have been considered and addressed in this report.

The development is consistent with the Strategic intent of the City Plan 2005 and is considered to be in keeping with the established character and amenity of the immediate area and is recommended for approval.

The Committee also considered the verbal comments of Roger MacCallum and John McHugh provided at the meeting.

### Officer's Recommendation

That council approve Development Permit MI14/0043 being an application for Multiple Dwelling (6 x 4 Bedroom Units) under section 243 of the *Sustainable Planning Act 2009*, on land described as Lot 15 RP 701633, 21 Willmet Street, Townsville City subject to the following conditions:

### SCHEDULE OF CONDITIONS

#### 1. Approved Plans and Supporting Documentation

##### Condition

- a) The proposed development must generally comply with drawing(s) as referenced in the table below and attached as stamped "Approved Subject to Conditions", except as otherwise specified by any condition of this approval.

Drawing Name	Drawing No.	Project No.	Plan Submitted and Stamped
Site Plan & Landscape Concept Plan	103.A	14016	23.10.14
Ground Floor Plan	104.A	14016	23.10.14
First Floor Plan	105.A	14016	23.10.14
Second Floor Plan	106.A	14016	23.10.16
Third Floor Plan	107.A	14016	23.10.14
Common Rooftop Amenities	108.A	14016	23.10.14
Roof Plan	109.A	14016	23.10.14
East Elevation	201.A	14016	23.10.14
West Elevation	202.A	14016	23.10.14
North & East Elevation	203.A	14016	23.10.14
<b>REPORTS</b>			
Geotechnical Investigation Report prepared by Douglas Partners, Project 83957, dated October 2015			

- b) One full set of the most up to date approved plans and supporting documentation must be held on site and available for inspection for the duration of the construction phase.

**Reason**

The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.

**Timing**

During the operation and life of the development.

**2. Building Materials**

**Condition**

All buildings and structures associated with the use must be constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective quality which does not cause excessive glare.

**Reason**

Ensure protection of matters of public safety and amenity in accordance with relevant code/s and policy direction.

**Timing**

Prior to commencement of the use.

**3. Property Numbering**

**Condition**

Effective property numbers must be erected at the premises and must 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 read from the street.

**Reason**

To allow the general public, service and emergency service providers to effectively identify the property.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

**4. Storage of Materials and Machinery**

**Condition**

All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by Council.

**Reason**

To ensure the development does not have a detrimental effect on the visual amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

At all times during construction.

## 5. Street Fencing

### Condition

Should a fence be constructed along either Willmet Street or Herbert Street frontages a plan must be submitted to Council, for approval, outlining the details of the fence prior to any fencing works commencing onsite.

### Reason

To address amenity and Crime Prevention through Environmental Design principles.

### Timing

Prior to the commencement of the use.

## 6. Visual Screen

### Condition

Prior to the issue of a Development Permit for Building Works, details on the measures to prevent overlooking into habitable room windows located on adjoining properties from windows and/or balconies above ground level must be demonstrated. These details must be submitted to Council for approval showing the provision of the following:

- Fixed obscure glazing in any part of the window below 1.5 metres above floor level; or
- Fixed external screens; or
- Sill heights of 1.5 metres above floor level; or
- Alternative measures for Council's consideration.

### Reason

To ensure the privacy and amenity of adjoining residential allotments is maintained.

### Timing

To be provided with application for Compliance Assessment.

## 7. Screening of Plant and Utilities

### Conditions

- a) Unless otherwise approved by Council, the location and screening of the air conditioner condenser units must be located so they are not significantly visible from the street and reduces audible outputs to surrounding residential properties.
- b) All other plant and utilities must not be visible from the street.

### Reason

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

### Timing

Prior to the commencement of the use.

## 8. Refuse Facilities

### Condition

Refuse collection arrangements must be provided to achieve the requirements of the Multiple Dwelling 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 developer must provide a storage area that 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.

- b) A minimum overhead clearance of 4200mm must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.

**Reason**

Ensure protection of matters of public health and amenity in accordance with relevant code/s and policy direction.

**Timing**

Prior to commencement of the use and to be maintained for the life of the development.

**9. Drying Facilities**

**Conditions**

The developer must provide adequate clothes drying facilities. Where applicable clothes drying facilities must be screened from public view in accordance with the Residential zone codes of Part 6.2 Residential zones category.

**Reason**

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use and maintained for the life of the development.

**10. Car Parking**

**Condition**

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.4.6 Transport impact, access and parking code and designed in accordance with SC6.4.3.5 Development manual planning scheme policy and as detailed in the latest amendment of the Australia/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all time thereafter.
- b) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
- exposed aggregate concrete; or
  - interlocking pavers; or
  - other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- 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 of fourteen (14) car spaces on site of which a minimum of two (2) spaces are required to be dedicated for visitor parking and must be made available at all times.

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.

**Reason**

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

**Timing**

To be submitted to council as part of an application for Compliance Assessment and maintained for the life of the development.

**11. Vehicle Access****Condition**

The developer must provide a Traffic Management Plan to demonstrate how construction traffic is to be managed to enter and exit the development site utilising the one-way street back onto Armati Street, without impacting on the current access arrangements for the existing residents who access off the one-way Herbert Street.

**Reason**

To ensure development is appropriately managed during construction phase.

**Timing**

Prior to any construction commencing onsite.

**12. Roadworks and Traffic****Condition**

- a) A new access driveway and crossover must be constructed from the existing kerb and channel to the property boundary in Willmet Street at the developer's expense generally in accordance with Council's relevant Standard Drawings for Driveway Access and Driveway Crossovers.
- b) The developer must gravel pave and bitumen surface the indented drop off-pick up zone in Herbert Street generally in accordance with the accepted drawings and in accordance with Council's Standard Drawing for Concrete Kerbing.
- c) The kerb and channelling must be replaced as necessary to repair any irregularities or breaks for the full frontage of the site in Willmet Street in accordance with Council's Standard Drawing for Concrete Kerbing.
- d) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

**Reason**

To ensure that the premises is appropriately serviced by connection to Council road infrastructure. Construction must be in accordance with relevant code/s and policy direction.

**Timing**

To be submitted to council as part of an application for Compliance Assessment.

**13. Signage****Condition**

- a) A plan must be submitted to Council, for approval, for signage to be associated with the drop-off area on Herbert Street and upgrade/installation to signage on Willmet Street. The plan details must include the location of the signage, construction materials, size of the sign and graphic content.
- b) Approved signs for the drop-off area must outline a maximum of 20mins time limit and No Standing signs in front of 23-25 Willmet Street must be upgraded to have two arrows and to provide an additional No Standing sign to the eastern side of 21 Willmet Street.

- c) All signage must be maintained to the satisfaction of Council. To maintain amenity for adjoining properties, no illumination of the signage is to occur unless otherwise approved in writing by Council.

**Reason**

To ensure the public safety within the road reserve.

**Timing**

Details of signage must be submitted with an application for Compliance Assessment.

**14. Letterboxes**

**Condition**

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

Note: A body corporate letterbox will be required where units will be strata titled.

**Reason**

To address Crime Prevention through Environmental Design principles.

**Timing**

Prior to the commencement of the use.

**15. Landscaping**

**Condition**

- a) Prior to the issue of a Development Permit for Building Works, a landscaping plan is required to be submitted and approved by Council as part of Compliance Assessment against the applicable Landscaping Code and/or relevant approval.

The landscape and irrigation design plans must be prepared in accordance with Part 9.4.3 Landscape code. As part of the landscaping plan the following items must be included:

- The footpath/road reserve along Willmet Street is to be turfed and provided with automated irrigation.
- Mature street trees of a species selected for this section of road (*Plumeria obtusa* or *Plumeria rubra* is suggested).
- Details showing the area of the site located along the eastern and western boundaries being extensively landscaped and where possible including a mixed height canopy using mature dense plantings.

- 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

**Reason**

All works must be completed in accordance with the approved landscaping plan and constructed to a standard in accordance with relevant code/s and policy direction.

**Timing**

To be submitted to council as part of an application for Compliance Assessment and maintained for the life of the development.

## 16. Relocation of Utilities

### Condition

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

### Reason

To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.

### Timing

Prior to the commencement of the use.

## 17. Stormwater Drainage

### Condition

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage has been achieved in accordance with Part 9.4.2 Healthy waters code.

### Reason

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.4.2 Healthy waters code.

### Timing

To be submitted to council as part of an application for Compliance Assessment and to be maintained for the life of the development.

## 18. Water reticulation

### Condition

- a) The developer is to provide a water network analysis to demonstrate compliance with council standards. This will be used to identify if any upgrades to the existing water network are required.
- b) Any upgrading or replacement determined by the network analysis will be carried out at the developer's expense prior to the commencement of building works.

### Reason

To ensure that the premises is appropriately serviced by reticulated water supply infrastructure in accordance with relevant code/s and policy direction.

### Timing

Details of the water reticulation works must be submitted and approved as part of Compliance Assessment for the development.

## 19. Conduit Assessment

### Condition

A visual inspection of the existing sewer traversing the site must be conducted in accordance with the following:

- a) An assessment is required on the condition of the sewer from existing manhole 10/1A1B for the full width of the site.
- b) The assessment must be undertaken by a certified CCTV operator to perform conduit condition assessment and the results are to be submitted to Council in an appropriate electronic format accompanied by a written report to be approved by Council.



- c) Any upgrading or replacement determined by Council will be carried out at the developer's expense prior to the commencement of building works.

**Reason**

To assess condition of the conduit in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of any building works associated with the approved development.

**20. Soil Erosion Minimisation, Sediment Control and Dust Control**

**Condition**

Erosion and sediment control management must be installed and maintained in accordance with Part 9.4.2 Healthy Waters Code.

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with *SC6.4.3.8.6 Development manual planning scheme policy*.

**Reason**

Development ensures that the receiving waters during construction are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.

**Timing**

At all times during the construction phase.

**21. Dilapidation Report**

**Condition**

A dilapidation survey and report must be provided to Council prior to the commencement of any works on the site. The report must be provided for the State Heritage listed Rock Wall located on the boundary of 18 Cleveland Terrace and for adjoining properties located at 19 and 23-25 Willmet Street.

The report is designed to document evidence of the existing condition of adjoining properties internally and externally prior to any rock breaking or construction work commencing. Hence the report should document and provide photographs that clearly depict any existing damage to neighbouring properties. The developer will be responsible for the restoration of all damage identified by the inspectors if this report is not lodged prior to work commencing.

**Reason**

To ensure the existing condition of the rock wall and adjoining premises are sufficiently documented to protect the developer in regards to future construction works

**Timing**

Prior to the commencement of any works associated with the approved development.

**22. Geotechnical Report**

**Condition**

The proposed development must comply with the recommendations contained within the Geotechnical Investigation Report prepared by Douglas Partners dated October 2015 and "Landslide Risk Management", Australian Geomechanics Journal, Vol. 42, No. 1 (March 2007).

**Reason**

To confirm the engineering design is in accordance with the approved geotechnical report.

**Timing**

Prior to the commencement of any works associated with the approved development.

## ADVICE

### 1. Infrastructure Charges

An Adopted Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.

### 2. Further Approvals Required

#### a) Compliance Assessment

A Compliance Assessment associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council:

Condition 6 – Visual Screen

Condition 12 – Vehicle Access

Condition 13 – Roadworks and Traffic

Condition 14 – Signage

Condition 17 – Landscaping

Condition 18 – Stormwater Drainage

Condition 19 – Water Reticulation

Condition 20 – Conduit assessment

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

#### b) Plumbing and Drainage Works

The developer must obtain a Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

#### c) Building Works

The developer must obtain a Development Permit for Building Works to carry out building works prior to works commencing on site.

### 3. Waste Collection

The owner/occupier of the premises is required to provide an adequate number of waste containers to manage the waste generated by the activities being undertaken onsite.

### 4. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council for connection to Council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

### 5. Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council when the new sewerage reticulation system is ready for connection to Council's sewer supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

### 6. Building Over/Adjacent to Services

The developer is advised that the proposed building structures are over/adjacent to an existing sewer. In accordance with Council's Policy 1201 (Building Over or Adjacent to Services) – the applicant is to make an application to Council for consent under Section 191 of the *Water Supply (Safety and Reliability) Act 2008* for building over or adjacent to services.

## 7. Asbestos

All asbestos must be removed, transported and disposed in accordance with the *Public Health Regulation 2005, Work Health and Safety Regulation 2011 Chapter 8 Asbestos & How to Safely Remove Asbestos Code of Practice 2011, Environmental Protection Act 2004* and Regulations.

## 8. Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

- a) Complete Roadworks approval application form;
- b) Prescribe fee; and
- c) Traffic Management Plan prepared by a suitably qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the *Manual of Uniform Traffic Control Devices Part 3 – Works on Roads*.

If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required. This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to Council for a letter of no objection prior to applying to the Queensland Police Service for the permit. The Traffic Management Plan will need to be included with the application to Council.

## 9. Noise

The hours of audible noise associated with construction and building work on site must be limited to between the hours of:

- 6.30 a.m. to 6.30 p.m. Monday to Saturday; with
- No work on Sundays or Public Holidays.

## 10. Rock Breaking, Drilling and Piling

- a) Rock breaking, drilling and piling is permitted on the site for three hours a day between 2 pm and 5 pm 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 approved 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.

## 11. Plant and Utilities

All refrigeration equipment, pumps, compressors, air conditioning units and mechanical ventilation systems must be located, designed and installed to achieve a maximum noise level of:

- a) 5dB(A) above background levels between the times of 7am to 10pm; and
- b) 3dB(A) above background levels between the times of 10pm to 7am.

### Committee Recommendation

That the officer's recommendation be adopted.

### Council Decision

**Refer to resolution preceding item 22 of the council minutes (page 8986) where council resolved that the committee recommendation be adopted.**

## 23 MI15/0029 - Material Change of Use (Impact) Multiple Dwelling- 10 X 3, 6 X 2 and 2 X 1 Bedroom Units - 3-7 Macrossan Street, South Townsville

### Executive Summary

This application seeks a Development Permit for a Material Change of Use for Multiple Dwelling (10 x 3, 6 x 2 and 2 x 1 bedroom units), situated at 3-7 Macrossan Street, South Townsville. The proposed works involve the conversion of an existing warehouse into 12 residential units and a new building to the rear with a further six units. The subject land is situated in the South Townsville precinct of the Character Reference Zone.

The application received five submissions during the public notification period. The concerns raised in these submissions have been thoroughly reviewed against the provisions of the Townsville City Plan during the course of the application. Concerns raised in the submissions related to: increased noise and traffic onsite; the location of refuse bins; consistency with the Character Residential Zone, consistency with the Coastal Protection Zone; risk of flooding to adjoining owners; decreased amenity and increased density. Relevant concerns have been addressed in this report and subsequently through conditions where reasonable.

Through appropriate control measures and conditions (particularly with regards to acceptable amenity to adjoining premises), the proposed development has demonstrated compliance with the relevant outcomes of the Townsville City Plan. The application is now recommended for approval subject to reasonable and relevant conditions.

### Officer's Recommendation

That council approve the application MI15/0029 for a Development Permit for a Material Change of Use – Multiple Dwelling (10 x 3, 6 x 2 and 2 x 1 bedroom units) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 5 SP 158859, more particularly 3-7 Macrossan Street, South Townsville, subject to the following conditions –

#### 1. Approved Plans and Supporting Documentation

##### Condition

- a) The development must generally comply with the plan(s) and supporting documentation referenced in the table below and attached as stamped "Approved Subject to Conditions" which forms part of this approval, unless otherwise specified by any condition of this approval.

Plan Name	Job No.	Revision No.	Plan Date
Site Plan	0627	B	14 December 2014
Site Ground Floor	0627	B	14 December 2014
Site Level 1	0627	B	14 December 2014
Streetscape + Rear Elevation	0627	B	14 December 2014
Site Sections A + B/Elevation	0627	B	14 December 2014
Site Cross Section C	0627	B	14 December 2014
Aerial View	0627	B	14 December 2014

- b) One full set of the most up to date approved plans and supporting documentation must be held on site and available for inspection for the duration of the construction phase.

#### Reason

The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit

#### Timing

During the operation and life of the development.

### 2. Property Numbering

#### Condition

Legible property numbers must be erected at the premises and must 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.

#### Reason

To allow the general public, service and emergency service providers to effectively identify the property.

#### Timing

Prior to the commencement of the use and maintained for the life of the development

### 3. Relocation of Services or facilities

#### Condition

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

#### Reason

To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.

#### Timing

Prior to the commencement of the use.

#### 4. Water Supply

##### Condition

The developer is to provide a water network analysis to demonstrate compliance with council standards. This will be used to identify if any upgrades to the existing water network are required.

Any upgrading or replacement determined by Council will be carried out at the developer's expense prior to the commencement of building works.

##### Reason

To ensure that the premises is appropriately serviced by reticulated water supply infrastructure in accordance with relevant code/s and policy direction.

##### Timing

Details of the water reticulation works must be submitted to and approved as part of Compliance Assessment for the development.

#### 5. Conduit Assessment

##### Condition

A visual inspection of the existing sewer traversing the site must be conducted in accordance with the following:

- a) An assessment is required on the condition of the existing sewer between manholes 1/2B4 to A2/2B4, 2/2BA to A2/2B4 and 1/2B4A to A2/2B4, or as otherwise agreed to by council.
- b) An assessment is required on the condition of the existing stormwater line within the easement on Lot 3 RP158859.
- c) This assessment must be undertaken by a certified CCTV operator to perform conduit condition assessment and the results are to be submitted to Council in CD or DVD format accompanied by a written report to be approved in writing by Council.
- d) Any upgrading or replacement determined by Council will be carried out at the developer's expense.

##### Reason

To assess condition of the conduit in accordance with relevant code/s and policy direction.

##### Timing

Prior to the commencement of any building works associated with the approved development.

#### 6. Electricity and Telecommunication

##### Condition

Electricity and telecommunications must be provided in accordance with Part 9.4.7 Works code.

##### Reason

To provide an appropriate level of electricity and telecommunication services for the development in accordance with relevant code/s and policy direction.

### **Timing**

Prior to commencement of the use.

## **7. Stormwater Drainage**

### **Condition**

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage has been achieved in accordance with Part 9.4.2 Healthy Waters Code and Part 9.4.7 Works Code.

### **Reason**

To convey stormwater legally and in an environmentally responsible manner development in accordance with Part 9.4.2 Healthy waters code and Part 9.4.7 Works Code.

### **Timing**

Details of the stormwater drainage works must be submitted to and approved as part of Compliance Assessment for the development.

## **8. Car Parking**

### **Condition**

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.4.6 Transport impact, access and parking code and designed in accordance with SC6.4.3.5 Development manual planning scheme policy and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) The developer must provide a minimum of 34 car spaces including disabled parking on site in accordance with SC6.10 Parking rates planning scheme policy.

### **Reason**

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

### **Timing**

Details of parking and access arrangements must be submitted to Council for approval as part of an application for Compliance assessment.

## **9. Roadworks and Traffic**

### **Condition**

- a) The developer must remove the existing vehicle access and construct a new access driveway and crossover (including any necessary stormwater upgrades) at the developer's expense to the satisfaction of council.
- b) During the construction phase, and damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

### **Reason**

To ensure that the premises is appropriately serviced by connection to Council road infrastructure. Construction must be in accordance with relevant code/s and policy direction.

### Timing

Details of road works must be submitted to Council for approval as part of an application for Compliance Assessment.

## 10. Building Materials

### Condition

All buildings and structures associated with the use must be constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective level which does not cause excessive glare.

### Reason

Ensure protection of matters of public safety and amenity in accordance with relevant code/s and policy direction.

### Timing

Prior to the commencement of the use.

## 11. Building Design

### Condition

Unless otherwise agreed to by Council, amended plans are required and must include the following details –

- One window opening to each storey of both units facing the street, being a minimum of four window openings in the front façade.
- Semi-transparent fencing of a lightweight appearance either side of the proposed driveway. The 1.8m high block wall is not approved.
- Roof of covered parking area along the south-west boundary to be setback in line with the 'entry structure'. *Note: If the bin hide is required to be covered, it is recommended that visitor spaces be uncovered and the bin hide relocated.*
- Roofline to the carport structure being hip or gable design to address the street.
- Roofline to the 'entry structure' being of similar design to the carport structure.
- Fixed balcony screens for the full length of all rear balconies of Block B to ensure privacy of adjoining premises.

### Reason

Ensure the character and amenity of the area is protected in accordance with relevant code/s and policy direction.

### Timing

Details of building design must be submitted to Council for approval as part of an application for Compliance Assessment.



## 12. Drying Facilities

### Condition

The developer must provide adequate clothes drying facilities. Where applicable, clothes drying facilities must be screened from public view in accordance with the Residential zone codes of Part 6.2 Residential zones category.

### Reason

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

### Timing

Prior to the commencement of the use.

## 13. Letterboxes

### Condition

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

*Note: A body corporate letterbox will be required where units will be strata titled.*

### Reason

To address Crime Prevention through Environmental Design principles.

### Timing

Prior to the commencement of the use.

## 14. Screen Fencing

### Condition

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 zone. Screen fencing must be to the constructed to the satisfaction of council.

### Reason

To address amenity and Crime Prevention through Environmental Design principles.

### Timing

Prior to the commencement of the use.

## 15. Screening of Plant and Utilities

### Condition

- a) Unless otherwise approved by Council, the location and screening of the air conditioner condenser units must be located in accordance with Drawing No. A02/B, so as they are not significantly visible from the street and reduces audible outputs to surrounding residential properties.

- b) All other plant and utilities must not be visible from the street.

**Reason**

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use.

**16. Landscaping**

**Condition**

A landscaping and irrigation Design plan is required to be submitted to and be approved by Council. The Landscape and Irrigation Design Plans must be prepared in accordance with Part 9.4.3 Landscape code and must include. The landscape plans must include:

- a) Trees and shrubs in the landscape area along the side and rear boundaries of the site (as indicated on the approved plans), to create a mixed height screen along these boundaries.
- b) Irrigated turf to the footpath, a 1.5m wide plain grey concrete footpath, and a safety rail along the kerb.
- c) The existing *Peltophorum pterocarpum* tree is permitted to be removed, subject to:
  - Two new advanced street trees to be provided in the roadway fronting the property, aligned with the existing trees in the roadway to the northeast of the property, and planted in a specially prepared tree pit incorporating structural soil to a design as agreed with council; and
  - Full details of the agreed design are to be provided as part of the landscape plans.

**Reason**

All works must be completed in accordance with the approved landscaping plan and constructed to a standard in accordance with relevant code/s and policy direction.

**Timing**

Details of the landscaping and irrigation works must be submitted to Council for approval as part of an application for Compliance Assessment.

**17. Minimum Floor Levels**

**Condition**

The developer must ensure that all habitable floor levels are a minimum height of 3.9m AHD being the defined storm tide event level.

The developer must submit documentation signed by an engineer (who must be an RPEQ) to a Building Certifier identifying the required minimum floor height of all habitable rooms to achieve storm tide immunity.

**Reason**

For matters of public safety and amenity in accordance with relevant code/s and policy direction.

### Timing

Details of the minimum floor levels must be submitted to Council for approval as part of an application for Compliance Assessment.

## 18. Soil Erosion Minimisation, Sediment Control

### Condition

During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management in accordance with Part 9.4.2 Healthy Waters Code

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with *SC6.4.3.8.6 Development manual planning scheme policy*.

### Reason

Development ensures that the receiving waters during construction are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.

### Timing

During the construction phase.

## 19. Refuse Facilities

### Condition

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Works Code and in particular:

- a) Bulk refuse facilities are applicable to this development due to the number of units associated with the development and lack of on-street access for collection of mobile garbage (wheelie) bins.
- b) A suitable enclosure with concrete slab floor, with dimension which exceed the size of the nominated bin size by at least 300mm at the rear and both sides and 600mm at the front subject to being:
  - Within the curtilage of the premises in an accessible location to receive the service;
  - Graded and drained through an approved sediment/silt trap to legal sewer connection;
  - Provided with a hose cock and hose in close proximity to the enclosure; and
  - Having an enclosure screened and not visible from any street frontage or adjoining premises.
- 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 overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- d) Access roads and driveways must be designed and constructed to accept vehicle loadings of not less than G.V.M 33 tonnes.

## **Reason**

Ensure protection of matters of public health and amenity in accordance with relevant code/s and policy direction.

## **Timing**

Prior to commencement of the use and to be maintained for the life of the development.

## **ADVICE**

### **1. Infrastructure Charges**

#### **Condition**

An infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.

### **2. Further Approvals Required**

#### **Condition**

#### **a) Compliance Assessment**

A Compliance Assessment application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

Condition 4 – Water Supply

Condition 7 – Stormwater Drainage

Condition 8 – Car Parking

Condition 9 – Roadworks and Traffic

Condition 11 – Building Design

Condition 16 – Landscaping

Condition 17 – Minimum Floor Levels

All engineering, soil erosion and sediment control and landscaping designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experience person.

#### **b) Plumbing and Drainage Works**

The developer must obtain a Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

#### **c) Building Works**

The developer must obtain a Development Permit for Building Works to carry out building works prior to works commencing on site.

### **3. Storm Tide Evacuation**

#### **Condition**

The developer should install Red Evacuation Zone Stickers on the premises informing residents the property is at risk of inundation from storm tide events. Zone stickers must be placed in meter boxes and under the kitchen sink as a reminder to residents of what zone they are in and to ensure preparation of evacuation routes and procedures.

#### **Reason**

To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.

### **Timing**

Prior to the commencement of the use.

#### **4. Connection to Council Water Supply**

##### **Condition**

A copy of this permit and the approved water reticulation design must be submitted to Council with the appropriate application form for connection to Council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

#### **5. Connection to Council Sewer**

##### **Condition**

A copy of this permit and the approved sewer reticulation design must be submitted to Council with the appropriate application form for connection to Council's sewer supply. Council will respond to the application with a quotation for the work upon payment will schedule the works for connection.

#### **6. Storage of Materials and Machinery**

##### **Condition**

All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by Council.

#### **7. Building Work Noise**

##### **Condition**

The hours of audible noise associated with construction and building work on site must be limited to between the hours of:

- 6.30 a.m. to 6.30 p.m. Monday to Saturday; with
- No work on Sundays or Public Holidays.

#### **8. Specifications and Drawings**

##### **Condition**

Details of Council's specifications and standard drawings can be viewed on Council's website.

#### **9. Environmental Considerations**

##### **Condition**

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

## 10. Dilapidation Report

### Condition

- a) It is advisable that the developer undertake a dilapidation report, prior to the commencement of any works on the site to mitigate against any possible future legal action. The report is designed to document evidence of the existing condition of adjoining properties internally and externally prior to any rock breaking or construction work commencing. Hence the report should document and provide photographs that clearly depict any existing damage to neighbouring properties.
- b) The developer should provide a dilapidation report with photographs of the footpath, kerb and channel in the vicinity of the access(es) to the site, to Council, prior to commencement of the works, and any damage identified by Council inspectors rectified on completion of works. The developer will be responsible for the restoration of all damage identified by the inspectors if this report is not lodged prior to work commencing.

## 11. Building Over/Adjacent to Services

### Condition

The developer is advised that the proposed building structures are over/adjacent to an existing sewer. In accordance with QDC MP1.4, the applicant may be required to make an application to Council for consent under Section 191 of the *Water Supply (Safety and Reliability) Act 2008* for building over or adjacent to services.

## 12. Asbestos

### Condition

All asbestos being removed from the site must be transported and disposed in accordance with relevant legislation.

## 13. Roadworks Approval

### Condition

The developer is responsible for obtaining a Roadworks permit in accordance with Subordinate Local Law No. 1.15 (Carry out Works or Interfering with a Road or its Operation) 2011 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

- a) Completed Roadworks permit application form;
- b) Prescribed fee;
- c) Traffic Management Plan prepared by a suitable qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices (Queensland) Part 3 – Works on Roads.

If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required. This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to Council for a letter of 'no objection' prior to applying to the Queensland Police Service for the permit.

### **Committee Recommendation**

That the officer's recommendation be adopted subject to further plans being provided to the Committee for consideration.

### **Council Decision**

**Refer to resolution preceding item 22 of the council minutes (page 8986) where council resolved that the committee recommendation be adopted.**

### **24 MC15/0114 Report - Saint Eagles Souths Football Club - Request to waive infrastructure charges - 2 Petunia Street, Aitkenvale**

#### **Executive Summary**

On 24 February 2016 council approved a Development Permit for a Material Change of Use (MC15/0114) for a Clubhouse, located at 2 Petunia Street, Aitkenvale described as Lot 4 RP896268. The development proposal included the construction of a new clubhouse facility for the Saints Eagles Souths Football Club, alongside the existing playing fields located on council owned parkland, which was approved by council under Development Permit (MC15/0114).

Following this approval, council received a formal letter dated 18 April 2016, on behalf of Saints Eagles Souths Football Club Inc, seeking council's consideration to waive or reduce headworks charges (infrastructure contributions) associated with the approved use. The infrastructure charges levied against the development, in accordance with council's Infrastructure Charges Policy, are calculated as \$15,750.

The request to have infrastructure charges waived from the project is not consistent with council's charging policy and is therefore recommended for refusal. Notwithstanding, a revised charge may be considered by council calculated on a "first principle" basis. This revised charge seeks to remove the roads and pathways contribution streams, reducing the applicable charge amount to \$6,615, at the time of preparing this report (subject to inflationary change at the beginning of the new financial year).

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

That council refuse the request to waive the entire value of infrastructure charges associated with Development Permit MC15/0114, on land at 2 Petunia Street, Aitkenvale and recommend approval of a revised infrastructure charges calculation of \$6,615, current at the time of preparing this report.

Charges are subject to inflationary change and must be paid at the rate applicable at the time of payment.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 22 of the council minutes (page 8986) where council resolved that the committee recommendation be adopted.**

**25 Outcome of Appeal No 324 of 2015, Lukacs v Townsville City Council & Architects North Pty Ltd, 3 Whyte Street, Hermit Park**

**Executive Summary**

A submitter Notice of Appeal was filed in the Planning and Environment Court in Townsville by Mr George Lukacs on 2 October 2015. The appeal was against a decision made by council officers, under delegation of authority, to approve a development application for a Development Permit for Material Change of Use (Impact) (MI14/0035) for Multiple Dwelling (9 x 2 Bedroom Units) (Riverpark Terraces) at 3 Whyte Street, Hermit Park.

The matter proceeded to a court ordered mediation on 8 April 2016, where council officers (under delegation of authority) agreed to consent to the development subject to a reduction of proposed units to a maximum of eight (instead of nine) and the imposition of reasonable and relevant conditions.

**Officer's Recommendation**

That council receive this report and note the outcome of Appeal No 324 of 2015.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 22 of the council minutes (page 8986) where council resolved that the committee recommendation be adopted.**

**26 Strategic Planning - City Planning - North Queensland Planning Forum - 27 and 28 July 2016, Townsville**

**Executive Summary**

The Department of Infrastructure, Local Government and Planning (DILGP) are facilitating the North Queensland Region Planning Forum. The forum is to be held on 27 and 28 July 2016 at Townsville RSL Club.

The forum has been structured to assist local government transition to and be prepared for, the commencement of the new Planning Act which will replace the current *Sustainable Planning Act 2009* (and its associated framework). The forum will provide council with an overview of the new system, training and delivery, transitional arrangements as well as planning scheme and development assessment transition and changes.

Officers from the Planning and Development Division will be attending the workshops. It would be highly desirable and beneficial for a number of Councillors to also attend.

**Officer's Recommendation**

That council approve the attendance of three nominated Councillors to attend the North Queensland Region Planning Forum on 27 and 28 July 2016 in Townsville.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 22 of the council minutes (page 8986) where council resolved that the committee recommendation be adopted.**



## **27 Economic Development and Strategic Projects - Formation of Townsville City Council Innovation and Business Advisory Group**

### **Executive Summary**

A Townsville City Council Innovation and Business Advisory Group is proposed to be established to help support and secure employment and economic opportunities for Townsville, particularly through innovation and support of local businesses in Townsville.

The draft terms of reference proposes a partnership approach with the community, local businesses and business groups for local place-based economic development allowing the City to achieve its role as a regional capital for North Queensland and to achieve its vision as the Capital of Northern Australia.

### **Officer's Recommendation**

That council endorse the terms of reference, attached to the Report to Council, for the formation of the Townsville City Council Innovation and Business Advisory Group, to be Chaired by Councillor M Soars.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 22 of the council minutes (page 8986) where council resolved that the committee recommendation be adopted.**

## **28 Economic Development and Strategic Projects - Invitation to Iwaki City**

### **Executive Summary**

During the visit by Mayor Toshio Shimizu Iwaki City (Townsville Sister City) to the T150 Sister Cities Mayoral Forum, the Mayor Councillor J Hill received an invitation to attend the Iwaki City 50 year celebrations on 1 October 2016.

Given the strong interests in our City by both Japanese Sister Cities of Iwaki and Shunan, and that a Townsville delegation to Japan has not occurred for some time, a delegation is proposed.

### **Officer's Recommendation**

1. That the attendance of the Mayor, Councillor J Hill and Councillor A Greaney at the Iwaki City 50 year celebrations on 1 October 2016 as well as to visit Shunan City, the Townsville Japanese Sister City, be approved.
2. In accordance with section 162(1) (e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Councillor J Hill and Councillor A Greaney to travel during the period 28 September 2016 to 4 October to attend the Iwaki City 50 year celebrations and to visit Shunan City, the Townsville Japanese Sister City.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 22 of the council minutes (page 8986) where council resolved that the committee recommendation be adopted.**

## **29 Economic Development and Strategic Projects - Townsville Sister Cities new Community Forum**

### **Executive Summary**

The Terms of Reference for the Townsville Sister City Community Forum allows for the appointment of members to the Forum to be approved by the Director Planning and Development. Councillor A Greaney (Chair of the Townsville Sister Cities Community Forum) and the Mayor, Councillor J Hill provided nominations for the names outlined in this report that Graeme Bolton the Director Planning and Development has endorsed.

### **Officer's Recommendation**

That council note the Townsville Sister City Community Forum members listed in this report for the period of this council.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 22 of the council minutes (page 8986) where council resolved that the committee recommendation be adopted.**

## Officers Reports

### Corporate Services

#### 30 Right to Information - Fees

##### Executive Summary

The Office of the Information Commissioner has advised that as of 1 July 2016 the application fee and processing charges made under the *Right to Information Act 2009* have changed.

##### Officer's Recommendation

That council note the increase in statutory fees for Right to Information application fee to \$46.40 and the processing charges are increasing to \$7.20 and amend its fees and charges schedule accordingly.

##### Council Decision

**It was MOVED by Councillor A Greaney, SECONDED by Councillor M Molachino:**

"that the officer's recommendation be adopted."

**CARRIED**

#### 31 Terms of Reference City Image Advisory Committee

##### Executive Summary

Council resolved to establish a City Image Advisory Committee at its post-election meeting on 8 April 2016. The terms of reference have now been completed and are submitted to council for approval.

##### Officer's Recommendation

That the Terms of Reference for the City Image Advisory Committee be adopted.

##### Council Decision

**It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor R Cook:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

#### 32 2nd Battalion Royal Australian Regiment - Freedom of Entry

##### Executive Summary

The 2<sup>nd</sup> Battalion, the Royal Australian Regiment (2 RAR) have written to the Mayor requesting approval to exercise its Freedom of Entry to the City of Townsville at the Strand and Jezzine Barracks from 5.00pm to 7.30pm on Friday 2 September 2016.

On 18 October 1971 2 RAR was granted Freedom of Entry to the City of Townsville and this year marks the 45<sup>th</sup> anniversary.

##### Officer's Recommendation

That Freedom of Entry to the City of Townsville be granted to the 2<sup>nd</sup> Battalion Royal Australian Regiment (2 RAR) on Friday 2 September 2016.

## **Council Decision**

**It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor M Soars:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

### **33 Local Government Association Queensland Annual Conference 2016 - Gold Coast**

#### **Executive Summary**

The Local Government Association of Queensland's (LGAQ) 2016 Annual Conference, is to be held from 18-20 October 2016 at Gold Coast.

Council is entitled to two voting delegates (as part of its membership) and any additional councillors would be registered as observers. Council is entitled to eight votes which may be distributed between the two delegates as council sees fit.

Council may submit a motion for consideration at the Annual Conference on any topic relevant to local government. To enable a copy of the Preliminary Agenda to be forwarded to member councils prior to the Annual Conference, agenda items must be received by the LGAQ no later than 26 August 2016.

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

1. That council consider nominating two Councillors, as delegates to attend the 2016 Local Government Association of Queensland's 119<sup>th</sup> Annual Conference being held in Gold Coast.
2. That council nominate the number of votes per delegate, out of an entitlement of 8 votes.
3. That council consider nominating a Councillor/s as observer/s to attend the 2016 Local Government Association of Queensland's 119<sup>th</sup> Annual Conference being held in Gold Coast.
4. That in accordance with section 162(1)(e) of the Local Government Act 2009 council grant leave of absence to nominated delegates/observers for 18-20 October 2016.
5. That council determine any motions for submission to the Annual Conference of relevance to Townsville, the region or local government industry.

## **Council Decision**

**It was MOVED by Councillor L Walker, SECONDED by Councillor A Greaney:**

- "1. that council nominate the Mayor, Councillor J Hill and Councillor K Rehbein as delegates to attend the 2016 Local Government Association of Queensland's 119<sup>th</sup> Annual Conference being held in Gold Coast;
2. that officer's recommendations 2 and 5 be adopted;
3. that council nominate Councillors V Coombe, M Molachino and R Cook as observers to attend the 2016 Local Government Association of Queensland's 119<sup>th</sup> Annual Conference being held in Gold Coast; and
4. that in accordance with section 162(1)(e) of the Local Government Act 2009 council grant leave of absence to the Mayor, Councillor J Hill, Councillors K Rehbein, V Coombe, M Molachino and R Cook as delegates/observers for 18-20 October 2016."

**CARRIED UNANIMOUSLY**

**34 North Queensland Conference - Institute of Public Works Engineering Australasia Queensland - 17-19 August 2016**

**Executive Summary**

The North Queensland Conference of the Institute of Public Works Engineering Australasia Queensland (IPWEAQ) is being held in Lucinda from 17 to 19 August 2016 at Hinchinbrook Marine Cove Resort. This year's conference theme is 'Tropical Engineering - we do things differently up north!'. Hosted by Hinchinbrook Shire Council, discussions at the Conference will focus on local projects and best practice for delivering infrastructure and services to North Queensland communities.

**Officer's Recommendation**

1. That council approve the attendance of the Mayor and/or interested councillor/s to attend the North Queensland Conference of the Institute of Public Works Engineering Australasia Queensland (IPWEAQ) is being held in Lucinda from 17 to 19 August 2016 at Hinchinbrook Marine Cove Resort.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested councillor/s from council to allow attendance at the North Queensland Conference of the Institute of Public Works Engineering Australasia being held in Lucinda from 17 to 19 August 2016.

**Council Decision**

**It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor M Ryder:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**35 North Queensland Local Government Association Annual Conference - Cloncurry 27-29 July 2016**

**Executive Summary**

The North Queensland Local Government Association Queensland Annual Conference will be held in Cloncurry 27 – 29 July 2016. The theme is Seasons of the Outback and has a range of speakers from State, Federal and Industry groups to discuss regional issues.

**Officer's Recommendation**

1. That council approve the attendance of interested councillor/s to attend the North Queensland Local Government Association Conference to be held in Cloncurry 27-29 July 2016.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested councillor/s to allow attendance at the North Queensland Local Government Association Conference held in Cloncurry 27-29 July 2016.

**Council Decision**

**It was MOVED by Councillor A Greaney, SECONDED by Councillor M Soars:**

- "1. that council approve the attendance of Councillor M Ryder to attend the North Queensland Local Government Association Conference to be held in Cloncurry 27-29 July 2016; and
2. that in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor M Ryder to allow her attendance at the North Queensland Local Government Association Conference held in Cloncurry 27-29 July 2016."

**CARRIED UNANIMOUSLY**

## Confidential Items

**It was MOVED by Councillor M Molachino, SECONDED by Councillor M Soars:**

"that council RESOLVE to close the meeting in accordance with Section 275 (e) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public for business relating to the following:

Section 275(1) (e) contracts proposed to be made by it (Items 36, 20 and 21)."

**CARRIED UNANIMOUSLY**

The council discussed the items.

**It was MOVED by Councillor M Molachino, SECONDED by Councillor M Soars:**

"that council RESOLVE to open the meeting."

**CARRIED**

## **36 Arrangement for Electricity Supplier - 143 Walker Street**

### **Executive Summary**

Townsville City Council currently has an arrangement with Origin Electricity for the provision of electricity for the building located 143 Walker Street.

All other electricity accounts are with ERGON, however with the purchase of the site at 143 Walker Street, Council has effectively entered into the contestable electricity market and we must source electricity for this site via the contestable market. Under current legislation council cannot revert to ERGON as a supplier of electricity for this site.

The current arrangement ends on the 31 August 2016, consequently a number of providers were asked to provide submissions for the next twelve months. Due to the complexity of this particular category a decision was made to utilise the current LocalBuy arrangement to source submissions.

However through the process of receiving and evaluating those submissions, outlined in detail in the report information, the current supplier, who is not on the current LocalBuy arrangement, was asked to provide a submission.

Analysis of the submissions received indicates that continuing with our current supplier is in the best interests of council.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to enter into a contract for the supply of electricity for 143 Walker Street with Origin Energy Electricity Limited (ABN 33 071 052 287) for a twelve month period 1/9/2016 to 31/08/2017 inclusive for an estimated cost of \$494,000.00 excluding GST.

### **Council Decision**

**It was MOVED by Councillor M Molachino, SECONDED by Councillor M Soars:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**Council resolved (refer to page 8980) to change the order of business to consider items 20 and 21 in the closed session.**

## **20 Programs and Technical Support - Tender Assessment - TCW00172 Morey Street Water Main Replacement**

### **Executive Summary**

Two existing water mains constructed between 1910 and 1983 running along Morey Street in the suburb of South Townsville have been identified to be replaced due to ongoing repairs and fire flow capacity issues. The detail design was completed in early April 2016 and was released for construction tender in late April 2016. The design solution is to construct one DN300 PVC water main, which is an equivalent size to replace the existing two water mains.

It is recommended to construct this water main as part of the 2016/17 Water Main Replacement Program to:

- reduce operational costs of ongoing repairs and maintenance;
- address fire flow capacity issues near Port of Townsville Limited and parts of South Townsville; and
- ensure council meet customer service standards and legislative requirements.

Tenders were called for the contract, which is a lump sum contract for supply and construction under the *General Conditions of Contract AS4000 - 1997*. The tender closed at 10am on 25 May 2016. Nine tender submissions were received.

The report provides an analysis and evaluation of the tenders received for the project.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award tender TCW00172 for the Supply and Construction of Morey Street Water Main Replacement to RMS Engineering and Construction Pty Ltd for the lump sum price of \$1,686,018.92 (excluding GST).
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**It was MOVED by Councillor A Greaney, SECONDED by Councillor V Coombe:**

- "1. that officer's recommendation 1 and 2 be adopted; and
2. that council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved project budget inclusive of a 5% contingency provided the variations are for the completion of the work under the contract."

**CARRIED UNANIMOUSLY**

## **21 Programs and Technical Support - Tender Assessment - TCW00176 Armstrong Street and Queens Road Water Main Replacement**

### **Executive Summary**

Council is proceeding with the supply and construction of new water mains (pipelines) and associated connections required to replace an existing DN225 Cast Iron (CI) water main that is located on Armstrong Street and Queens Road in the suburbs of Hermit Park and Railway Estate. The detailed design was completed in August 2015 and the construction tender was released in late April 2016.

The work includes supply and construction of DN150 to DN250PVC water mains, DN63 Poly rider main, connections and envelopers for crossing roads using open trench construction techniques.

Tenders were called for the contract, which is a lump sum contract for supply and construction under the *General Conditions of Contract AS4000 - 1997*. The tender closed at 10am on 18 May 2016. Eight tenders were received.

The report provides an analysis and evaluation of the tenders received for the project.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award tender TCW00176 for the Supply and Construction of the Armstrong Street and Queens Road Water Main Replacement to Mendi Constructions Pty Ltd for a lump sum price of \$747,076.50 (excluding GST).
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**It was MOVED by Councillor M Molachino, SECONDED by Councillor R Cook:**

- "1. that officer's recommendation 1 be adopted; and
2. that council do not award tender TCW00176 for the Supply and Construction of the Armstrong Street and Queens Road Water Main Replacement because the preferred tenderer has withdrawn their offer due to confirmation of increased commitments for work under contract that would impact their ability to complete the works for this tender."

**CARRIED UNANIMOUSLY**

**The order of business was resumed.**



## **General Business**

### **(i) Request for Leave of Absence - The Mayor, Councillor J Hill**

#### **Overview**

The Mayor, Councillor J Hill requested leave of absence for the period of 17 to 19 August 2016 to chair the Future Cities Summit in Brisbane. (Cost of conference will be covered by Local Government Association of Queensland)

#### **Council Decision**

**It was MOVED by Councillor L Walker, SECONDED by Councillor M Molachino:**

"that in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Councillor J Hill to chair the Future Cities Summit in Brisbane from 17 to 19 August 2016."

**CARRIED UNANIMOUSLY**

### **(ii) Expression of Appreciation to Neil Allen, Acting Chief Executive Officer**

The Mayor and Councillors thanked Neil Allen for his service as Acting Chief Executive Officer.

#### **Close of Meeting**

The Chair, Mayor Councillor J Hill, declared the meeting closed at 2.24pm.

**CONFIRMED this TWENTY-THIRD day of AUGUST 2016**

**MAYOR**

**CHIEF EXECUTIVE OFFICER**