



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 28 AUGUST 2012 AT 9.00 AM

Council Members >>

The Mayor, Councillor Jenny Hill
Councillor Suzanne Blom
Councillor Colleen Doyle
Councillor Gary Eddiehausen APM
Councillor Pat Ernst
Councillor Ray Gartrell
Councillor Jenny Lane
Councillor Anthony Parsons
Councillor Trevor Roberts
Councillor Vern Veitch
Councillor Les Walker

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Further information may be found on council's website at www.townsville.qld.gov.au.

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MINUTES	COUNCIL MEETING
DATE	Tuesday 28 August 2012 at 9.00 AM
PRESENT	The Mayor, Councillor Jenny Hill Councillor Vern Veitch Councillor Suzanne Blom Councillor Colleen Doyle Councillor Gary Eddiehausen APM Councillor Pat Ernst Councillor Ray Gartrell Councillor Jenny Lane Councillor Anthony Parsons Councillor Trevor Roberts Councillor Les Walker

Opening of Meeting and Announcement of Visitors

The Mayor, Councillor J Hill opened the meeting at 9.00 am.

Prayer

Reverend Anne Harley of the Uniting Church delivered the opening prayers.

Apologies and Leave of Absence

There were no apologies or leave of absences.

Confirmation of Minutes of Previous Meetings

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor P Ernst:

That the minutes of the following council meetings be confirmed:

1. Special Council Minutes 26 - 27 June 2012;
2. Special Council Minutes 29 June - 3 July 2012;
3. Special Council Minutes 9 - 17 July 2012;
4. Ordinary Council Minutes 24 July 2012; and
5. Special Council Minutes 10 August 2012.

CARRIED

Disclosure of Interests

1. Perceived conflict of interest – Item 2 – UDP Consulting Engineers donated to the local government election campaigns. The Chair acknowledged that all councillors excluding Councillor P Ernst had a perceived conflict of interest.
2. Perceived conflict of interest – Item 7 – Councillors S Blom, G Eddiehausen, R Gartrell, J Lane, A Parsons, T Roberts and V Veitch – Parkside Development Pty Ltd donated to the Townsville First election campaign.

3. Perceived conflict of interest – Item 10 – Councillors S Blom, G Eddiehausen, R Gartrell, J Lane, A Parsons, T Roberts and V Veitch – John Wilkinson donated to the Townsville First election campaign.
4. Perceived conflict of interest – Item 5 – The Mayor, Councillor J Hill and Councillors L Walker and P Ernst declared a conflict of interest in regards to item 5 on the agenda as these councillors own Shares in Telstra.

Correspondence

There was no correspondence

Petitions

(i) Parking Issues - 'Mcllwraith Place', 33-35 Mcllwraith Street, South Townsville

PETITION	
Presented by	Councillor V Veitch
Date	28 August 2012

Councillor V Veitch tabled a petition from the residents of 'Mcllwraith Place', 33-35 Mcllwraith Street, South Townsville. The petition requested that council replace the 2 hour parking zone at 33-35 Mcllwraith Street, South Townsville to angle parking or issue residents at this address with residential parking permits.

(ii) Road Infrastructure Issues - Hodel Street, Hermit Park

PETITION	
Presented by	Councillor C Doyle
Date	28 August 2012

Councillor C Doyle tabled a petition from the residents of Hodel Street, Hermit Park. The petition requests that council upgrade the road along Hodel Street, Hermit Park.

(iii) Pest Management - Budget Increase

PETITION	
Presented by	Councillor L Walker
Date	28 August 2012

Councillor L Walker tabled a petition from the Woodstock Landcare Group and Landholders in the Woodstock, Majors Creek and Calcium areas.

The petition requests that council:

1. increase their budget for the maintenance of council lands (including roads and stock routes); and
2. make landholders more accountable for the state of their lands.

(iv) Keep Kite-surfing in Pallarenda

PETITION	
Presented by	Councillor L Walker
Date	28 August 2012

Councillor L Walker tabled a petition from Pallarenda locals and kite-surfing enthusiasts, learners, teachers and club members in response to item 26 of the agenda which requests the limitation of kite-surfing activities in the Pallarenda area.

The petition requests that council does not reduce the limit on kite-surfing activities from the current level.

(v) Worinda Occasional Care - Additional Signatures for Petition

PETITION	
Presented by	Councillor R Gartrell
Date	28 August 2012

Councillor R Gartrell tabled further signatures to be added to the Worinda Occasional Care petition, originally tabled on 26 June 2012.

Deputations

There were no deputations.

The Chief Executive Officer requested the leave of council to withdraw item 58 ('Townsville City Council - Structure and Governance - RTB Solutions Report Dated August 2011') from the agenda.

It was MOVED by Councillor V Veitch, SECONDED by Councillor L Walker:

"That item 58 (Townsville City Council - Structure and Governance - RTB Solutions Report Dated August 2011) be withdrawn"

CARRIED

Councillor J Lane requested that her dissent to this motion be recorded.

Councillor L Walker called for a division:

FOR: J Hill, G Eddiehausen, T Roberts, S Blom, A Parsons, V Veitch, C Doyle, R Gartrell, P Ernst, L Walker

AGAINST: J Lane

Infrastructure Committee

It was MOVED by Councillor T Roberts, SECONDED by Councillor A Parsons:

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

CARRIED

1 Construction and Maintenance - Captains Creek Pedestrian Bridge

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Construction and Maintenance
Date 25 July 2012

Executive Summary

The Captains Creek Pedestrian Bridge will add significant recreational value to Townsville's residents linking the open space corridor between Garbutt to Rowes Bay and along the Pallarenda foreshore, also providing a connection to the proposed Jezzine Redevelopment.

This pathway will be constructed in five stages from Heatley's Parade, Rowes Bay to Dearness Street in Garbutt.

Tenders were invited by Townsville City Council for the Design and Construct of Captains Creek Pedestrian Bridge. The contract is a lump sum contract for supply and construction under Local Buy Contract Number BUS201-0810 Supply of Open Spaces, Parks, Gardens and All Ability Playgrounds (Goods, Services and Works).

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That Tender LGA6993 – Design and Construct of Captains Creek Pedestrian Bridge be awarded to Fleetwood Urban Pty Ltd for the lump sum value of \$184,453 (excluding GST).

Committee Recommendation

1. That the Officer's Recommendation be adopted.
2. That a report be provided to the Committee detailing who was invited in the tender process to tender for this project.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5734) where Council resolved that the Committee Recommendation be adopted.

It was MOVED by Councillor V Veitch, SECONDED by Councillor L Walker.

That council staff conduct community consultation around the construction of the Captains Creek Pedestrian Bridge.

CARRIED

In accordance with section 173 of the *Local Government Act 2009*, The Mayor, Councillor J Hill and Councillors V Veitch, S Blom, C Doyle, G Eddiehausen, R Gartrell, J Lane, A Parsons, T Roberts and L Walker declared a perceived conflict of interest in regards to item 2.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
The Mayor, Councillor J Hill and Councillors V Veitch, S Blom, C Doyle, G Eddiehausen, R Gartrell, J Lane, A Parsons, T Roberts and L Walker.
- (b) **the nature of the conflict of interest as described by the Councillors:**
UDP Consulting Engineers donated to both the local government election campaigns.
- (c) **how the Councillors dealt with the perceived conflict of interest:**
The councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of item 2, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the *Local Government Act 2009*, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) **if the Councillors voted on the issue – how the Councillor voted:**
The councillors voted as per the 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 recommendation.

2 Construction and Maintenance - Jezzine Barracks Redevelopment Delivery Consultants Construction Phase Services

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Infrastructure Services
Date 31 July 2012

Executive Summary

In April 2010 the Jezzine Barracks Community Trust (JBCT) commissioned consultants to investigate and design the works for the redevelopment of the Jezzine Barracks and Kissing Point site. The procurement process adopted by the JBCT was consistent with *Local Government (Finance, Plans and Reporting) Regulation 2010 (LG(FPR)R2010) Part 3 Default Contracting Procedures*.

The JBCT contract with the consultants allows for the transfer of the Principal's obligations under contract from the JBCT to the Townsville City Council (council) when construction work commences. Council engaged Abigroup Contractors in June 2012 to construct the work and construction work has commenced.

Council requires the services of the consultants due to their intensive involvement during design development. Council requires these services to assist in ensuring that the design intent is maintained and the quality of completed work is generally consistent with the consultants' documentation, thereby making the required services to be of a specialised nature.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.

2. That council, in accordance with section 184(b) of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, resolve that, because of the specialised nature of the services to be provided by the consultants, it is impractical and disadvantageous to invite quotes or tenders from other consultants within the industry.
3. That council resolve to enter into contracts with each of the following consultants for the provision of specialised services for the redevelopment of Jezzine Barracks as required to facilitate the delivery of the project:
 - Cox Architects
 - Place Design Group
 - UDP Consulting Engineers
 - Rider Levett Bucknall
 - Coffey Geotechnics
 - National Building Certifiers
 - Access Designs

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5734) where Council resolved that the Committee Recommendation be adopted.

Councillor T Roberts requested that item 3 be discussed separately and suggested holding this item to be discussed during confidential session at the end of the council meeting.

The council determined that the material to be discussed was not confidential in nature and resolved to deal with this matter in open session.

3 Construction and Maintenance - Home Services Funding Arrangements with State and Commonwealth Government

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Construction and Maintenance
Date 28 June 2012

Executive Summary

At the July 2012 Infrastructure Services Committee meeting it was requested further detail in relation to the state and commonwealth governments funding arrangements be provided.

The information and additional clarifications of the funding arrangements is required for further consideration of the Committee before entering into any future arrangements with the new Federal Home and Community Care, State Community Care Service Program funding arrangements.

Additionally the report highlights alternative organisations that potentially have the capability, or have expressed interest, in the service provision for these programs.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to advise both the federal and state governments that it does not wish to continue long term as the service provider of these contract arrangements with the new Federal Home and Community Care and State Community Care Service Programs.
3. That council continue as the service provider under the new contract arrangements for a transitional period of six months, or as negotiated, to enable new service providers to be appointed to these contract arrangements (with the new Federal Home and Community Care and State Community Care Service Programs) by both the federal and state governments.
4. That council commit to resources through this transitional period of six months, or as negotiated, ensuring service to the client base is seamless and continues to work with the federal and state governments to assist a new service provider transition.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

It was MOVED by Councillor T Roberts, SECONDED by Councillor G Eddiehausen:

That the committee recommendation be adopted and that council additionally resolve that in the event a suitable service provider is not found that council continue as the service provider.

CARRIED

Councillor C Doyle requested her dissent to this motion be recorded.

Planning and Development Committee

It was MOVED by Councillor A Parsons, SECONDED by Councillor V Veitch:

- "1. that the committee recommendations to items 4 to 6, 8 to 10 and 12 to 13 be received and contained therein be adopted;
2. that the committee recommendation to item 7 be adopted subject to the following amendment:

Condition 7(a) relating to External Road Connections to now read:

The developer must provide all road infrastructure required to connect the relevant stage of development with existing infrastructure, including roads and intersections and including trunk infrastructure where it is proposed to be delivered ahead of Council's timing and confirmed budget commitments, in accordance with the Trunk Infrastructure Acquisition Policy.

Note: Where planned trunk infrastructure is provided by the developer, an infrastructure agreement may be entered into, to facilitate the construction of the infrastructure and the refunding of costs.

3. that the order of business be changed and item 11 be considered after item 13"

CARRIED

4 Presentation Ian Hook, Chief Executive, Tropical Medical Training - The future of Tropical Medical Training

PRESENTATION

Authorised by Director Planning and Development
Committee Planning and Development
Date 15 August 2012

Executive Summary

Ian Hook, Chief Executive, Tropical Medical Training provided a presentation on the future of Tropical Medical Training.

Committee Recommendation

That the presentation on the future of Tropical Medical Training provided by Ian Hook, Chief Executive, Tropical Medical Training be received.

Council Decision

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted.

5 MI11/0036 - MCU - Major Telecommunications Facility 17 Farm Road, Black River

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Planning and Development - Development Assessment
Date 9 July 2012

Address Lot 3 RP 747462, 17 Farm Road Black River
Applicant/Owner Total Communications Infrastructure (TCI) Pty Ltd On Behalf of Telstra
Description MCU (Impact) - MI11/0036 - Major Telecommunications Facility

Executive Summary

A Development Application for Material Change of Use (Impact) - Major Telecommunications Facility on Lot 3 RP 747462, situated at 17 Farm Road, Black River has been received from Applicant: Total Communications Infrastructure (TCI) Pty Ltd on behalf of Telstra - MI11/0036 10313002 and has been recommended for approval.

This report is an addendum to the report presented to Planning and Development Committee on 15 June 2012 for the abovementioned Development Application. The Planning and Development Committee recommended the Development Application be held over subject to further advice from Telstra regarding alternative sites. The applicant has undertaken an investigation of the alternative sites and advises that the identified sites are not appropriate for the proposed Telecommunications Facility.

The committee also considered the verbal comments of Mr P Fry, Mr Niel van der Merwe and Mr Shannon Voyce.

Officer's Recommendation

That council approve application MI11/0036 for a Development Permit for Major Telecommunications Facility under Section 243 of the *Sustainable Planning Act 2009* on land described as Lot 3 RP 747462, more particularly 17 Farm Road, Black River, subject to the following conditions:

1. Site Layout

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

DRAWING NAME	DRAWING NO.	REVISION NO.	REV. DATE
Western Elevation	Q110084-01	1	17/05/2011
Eastern Elevation	Q110084-02	1	17/05/2011
Southern and Northern Elevation	Q110084-03	5	18/11/2011
Site Layout and Access	Q110084-04	4	02/11/2011
Antenna Configuration Table	Q110084-05	1	18/11/2011
Site Layout and Access	Q110084-S1	1	17/05/2011
Site Tenure Plan	Q110084-G1	1	22/08/2011
Equipment Layout ICS MK 3.1 Shelter Region A & B	Q110084-1	1	24/05/2010

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Amended Plans

Prior to the issue of a Development Permit for Building Works, the applicant must submit for approval amended site and elevation plans showing a slimline design of headframe on the pole.

3. Stormwater Drainage

- a) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- b) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

4. Soil Erosion Minimisation, Sediment Control and Dust Control

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 particular,

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

5. Relocation of Utilities

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

6. Protection of Operational Airspace

Any activity on the subject land must not emit anything that may interfere with current or proposed electronic air navigation or communications systems.

7. Waste

- a) The owner/occupier of the premises is required to provide an adequate number of waste containers to manage the waste generated by the development being undertaken onsite.
- b) The proprietor is to arrange for the removal of waste from the site by a suitably licensed waste transport contractor approved by the local government to transport waste under section 369A of the Environmental Protection Act.

8. Lighting

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

9. Building Materials

The proposed monopole (including antennas) above the general level of the tops of the surrounding trees must be painted "Skybridge." The section of the pole below the canopy of the trees and associated equipment shelter must be painted "Pale Eucalypt." All colours must be as per the Colourbond Colour Matrix.

10. Landscaping

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

The Landscape Plans must be prepared in accordance with the relevant sections of Thuringowa Planning Scheme - General Development Code 5.5.1 (Landscaping). As part of the landscaping plan the following items are to be included:

- * Details showing the area of the site located surrounding the proposed telecommunications facility being extensively landscaped and including a mixed height canopy using mature dense plantings to Council's satisfaction.
- b) The landscape plans must be prepared by a suitably Qualified person who:
 - * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer
- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within Thuringowa Planning Scheme - General Development Code 5.5 (Landscaping). Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

ADVICE

1. 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.

2. Environmental Considerations

DERM Requirements

Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted.

6 MI12/0009 MCU (Impact) Major Telecommunications Facility 34-36 Yule Street, Picnic Bay

REPORT TO COUNCIL

Authorised by	Director Planning and Development
Department	Planning and Development - Development Assessment
Date	24 July 2012
Address	34-36 Yule Street Picnic Bay
Applicant/Owner	Total Communications Infrastructure Pty Ltd
Description	Major Telecommunications Facility

Executive Summary

A Development Application for Material Change of Use (Impact) - Major Telecommunications Facility on Lot 190 SP 106871, situated at 34 - 36 Yule Street, Picnic Bay has been received from Applicant: Total Communications Infrastructure Pty Ltd - MI12/0009 3705052 and has been recommended for approval.

Officer's Recommendation

That council approve application MI12/0009 for a Development Permit for Major Telecommunications Facility under Section 243 of the *Sustainable Planning Act 2009* on land described as Lot 190 SP 106871, more particularly 34- 36 Yule Street, Picnic Bay, subject to the following conditions:

1. Site Layout

- a) The proposed development must generally comply with drawings 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.	REVISION NO.	STAMP DATE
Site Set Out Plan	4724-G2	B	07/02/2012
Site Elevation	4724-G3	B	07/02/2012
Site Tenure Plan	4724-G4	B	07/02/2012

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Building Materials

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.

3. Storage of Materials and Machinery

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

4. Protection of Operational Airspace

- a) Permanent or temporary physical obstructions must not adversely affect operational airspace such as activities associated with the proposed use or its construction, (including cranes) must not involve transient intrusions above 45 metres.
- b) Emissions must not significantly affect air turbulence, visibility or engine operation in operational airspace such as gaseous plume at a velocity exceeding 4.3 metres per second or smoke, dust, ash or steam.
- c) Any activity on the subject land must not emit anything that may interfere with current or proposed electronic air navigation or communications systems.

5. Lighting

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

6. Refuse Facilities

All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

7. Relocation of Utilities

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

8. Stormwater Drainage

- a) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- b) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- c) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

9. Soil Erosion Minimisation, Sediment Control and Dust Control

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 particular,

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

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 endorsed by Council prior to commencement of works. All rock breaking, drilling or piling works must be carried out in accordance with the approved management programme, with the provision that no activity is permitted on Sundays or Public Holidays.

11. Further Approvals Required

The applicant must submit certification from an appropriately qualified and experienced geotechnical engineer prior to commencement of the construction that the scope of the already submitted geotechnical report is still applicable for proposed construction and the risk level in relation to landslide remains "low".

Pursuant to Section 292 of the *Sustainable Planning Act 2009*, the Department of Environment and Resource Management advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, as attached.

ADVICE

1. 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.

2. Environmental Considerations

DERM Requirements

Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted.

In accordance with section 173 of the *Local Government Act 2009*, Councillors A Parsons, V Veitch, R Gartrell, J Lane, S Blom, T Roberts and G Eddiehausen declared a perceived conflict of interest on in regards to item 7.

- (a) **the name of the Councillors who have the real or perceived conflict of interest:**
Councillors A Parsons, V Veitch, R Gartrell, J Lane, S Blom, T Roberts and G Eddiehausen.
- (b) **the nature of the conflict of interest as described by the Councillors:**
Parkside Development Pty Ltd donated to the Townsville First election campaign.
- (c) **how the Councillors dealt with the perceived conflict of interest:**
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of item 4, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the *Local Government Act 2009*, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) **if the Councillors voted on the issue – how the Councillor voted:**
The Councillors voted as per the 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 recommendation.

7 MI10/0055 Material Change of Use - Preliminary Approval (Section 242 of SPA) to Override the Planning Scheme to allow development in accordance with the Cosgrove Plan of Development at 760-832 Woolcock Street, Cosgrove

REPORT TO COUNCIL	
Authorised by	Director Planning and Development
Department	Planning and Development - Development Assessment
Date	1 August 2012
Address	Lot 666 SP 227922 and Part of Lot 406 EP 805928, 760 - 832 Woolcock Street Cosgrove
Applicant/Owner	Parkside Development Pty Ltd C/- Brazier Motti / District Land Office
Description	Preliminary Approval for MCU (Section 242 of SPA) to Override the Planning Scheme to allow development in accordance with the Cosgrove Plan of Development

Executive Summary

A Development Application for Preliminary Approval for Material Change of Use (Impact Assessment) to affect the City Plan 2005 in accordance with Section 242 of the *Sustainable Planning Act 2009* to facilitate the Cosgrove Plan of Development comprised of residential, village, business and industry, open space precincts and open space reserve to be retained by Department of Environment and Resource Management (DERM) in accordance with The Cosgrove Plan of Development on Lot 666 on SP227922, Part of Lot 406 EP805928 and CT49014329, situated at 760 - 832 Woolcock Street, Cosgrove has been received from Applicant/Owner: Parkside Development Pty Ltd C/- Brazier Motti - MI10/0055, 1201026 and has been recommended for approval.

Councillor V Veitch requested that the streets be named after notable deceased military members.

Officer's Recommendation

That council approve the application for a Preliminary Approval for Material Change of Use (Impact Assessment) to affect the City Plan 2005 in accordance with Section 242 of the *Sustainable Planning Act 2009* to facilitate the Cosgrove Plan of Development comprised of residential, village, business and industry, open space precincts and open space reserve to be retained by Department of Environment and Resource Management (DERM) on Lot 666 on SP227922, Part of Lot 406 EP805928 and CT49014329, situated at 760 - 832 Woolcock Street, Cosgrove subject to the following conditions:

1. Site Layout

- a) The proposed development must generally comply with drawing(s) and Plan of Development as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

DRAWING NAME	DRAWING NO.	REVISION NO.	DATE
Cosgrove Structure Plan	27001/025	J(As amended from time to time)	22/05/2012
Cosgrove Plan of Development			19/07/2012

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.

- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Amended Plan of Development

Prior to the lodgement of the first stage of development associated with this site, the following amendments to the Plan of Development must be made:

- a) Section 8 - Residential Precinct, the inclusion of a statement that indicates the reconfiguration of land within this precinct is to be consistent with the Reconfiguration of a Lots Code, Table 1 - Neighbourhood Residential Precinct within City Plan;
- b) Section 9 - Village Precinct, the inclusion of a statement that indicates:
 - (i) the reconfiguration of land within this precinct is to be consistent with the Reconfiguration of a Lots Code, Table 1 - Neighbourhood Centre within City Plan; and
 - (ii) 9.2(a) be amended to "The Village Precinct accommodates a small scale shopping complex which provide for major weekly/fortnightly retail shopping trips and include small shops and catering shops serving the local area."
- c) Section 10 - Business and Industry Precinct, the inclusion of a statement that indicates the reconfiguration of land within this precinct is to be consistent with the Reconfiguration of a Lots Code, Table 1 - Business and Industry Precinct within City Plan;

3. Landscape and Open Space

A detailed Open Space Master Plan for the overall development must be submitted and approved by Council with the first stage of development. Each subsequent stage of development involving the reconfiguration of a lot and operational works applications over the subject land must provide open space and landscaping for approval in accordance with the approved master plan. The approved master plan shall provide, but not limited to the following:

- * The proposed parkland size, standard, function and embellishments in accordance with Council's Public Garden and Recreation planning scheme policy and industry standards;
- * A District Sporting Park of 2.5ha to 3ha in size allowing for the provision for a minimum of two (2) sporting fields;
- * Proposed open space pedestrian linkages as part of the passive and active open space designated areas; and
- * No stormwater treatment devices located within the riparian buffers.

4. Bushfire Management

A bushfire management plan must be submitted and approved by Council with the first stage of development.

5. Water and Sewer

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

- c) No lots will be serviced by reticulated water above RL 40 m unless a high-level water supply system is implemented by Council that includes the development site.
- d) Detailed sewerage reticulation design must be completed in accordance with the "Mount Louisa South & West Sewerage Planning Report (DPM Water 2008)", "Bohle Industrial Estate – Sewerage Planning Report (AECOM March 2009)" and future sewer planning by Council for the Mount Louisa and Bohle Industrial areas.
- e) Detailed water reticulation design must be completed in accordance with the Mount Louisa High Level Area Water Supply Planning Report (UDP TCC019/R01 Revision C, 23 July 2010) and the Water and Sewer Strategy prepared by DPM Water for this development.

6. Internal Road Network and Parking

- a) The internal road network will be subject to detailed design assessments in terms of the primary function of each type of road that influences driver behaviour, speeds, access, acoustic environment, traffic types, residential amenity and traffic volumes that are appropriate to that function as part of any subsequent development application over the subject land.
- b) The internal road network must provide carriageways that can satisfactorily permit the movement of all Public Transport vehicles and comply with a minimum of 95% of all lots being located within 400 m walking distance of Public Transport. Additionally, adequate bus set down areas and associated facilities must be provided along the public transport route in accordance with Council's policies and standards at the time of any subsequent development application.
- c) All proposed shopping centres, business areas, and any other designated retail and commercial areas must have a master planned on street carparking and off street carparking plan that must comply with the Council's carparking policies and standards at the time of any subsequent development application.
- d) Development along sub-arterial roads, particularly the extensions to Bayswater Road, Liberty Drive and Abattoir Road, must be designed to comply with:
 - i) Minimum intersection spacing of 300 – 500 m for full movement intersections
 - ii) No road below the order of Collector (Minor or Major) to have direct intersection
 - iii) No direct driveway access. All lots fronting sub-arterial roads must have rear access only, including visitor parking.

7. External Road Connections

- a) The developer must provide all road infrastructure required to connect the entire development with existing infrastructure, including roads and intersections except for any components that are the responsibility of Council under a Council Planning Scheme Policy or Priority Infrastructure Plan, in accordance with the Trunk Infrastructure Acquisition Policy.
- b) The developer must allow adequate width to allow for the future additional trunk road from Abattoir Road/Liberty Drive/Bayswater Road junction to across the Bohle River (as shown on the Structure Plan) planned through the development, to connect to the alignments and road reserves on adjacent properties. The developer is only responsible for the cost of providing the land and road standard required by the development.
- c) An updated Traffic Impact Assessment must be submitted prior to the approval of any subsequent reconfiguration or operational works application over the subject land. This updated assessment must identify, but not be limited to:

- i) Details on the proposed timing for construction of trunk roads including the extensions to Bayswater Road, Liberty Drive and Abattoir Road;
- ii) Analysis of the traffic volumes at the intersections of the Bayswater Road extension with Weston Street and Weston Street with Woolcock Street;
- iii) Identify thresholds for the upgrades required in the analysis in (ii) above.

8. Pedestrian and Bicycle Network

A pedestrian and bicycle network must be designed and constructed for the entire development (including external connections) for convenient and safe access for pedestrians and cyclists, which provides for an efficient network of footpaths and connectivity within the overall residential development. The overall pedestrian and bicycle network plan must be approved by Council prior to approval of any subsequent development application over the subject land.

9. Noise Mitigation

- a) For each subsequent development application for reconfiguring a lot, the developer is required to submit a detailed noise report, in accordance with SPP 5/10, to ensure the acoustic impacts associated with road traffic and surrounding approved land uses (both existing and proposed) are at acceptable noise levels for all noise sensitive places within the approved development. The Noise Report must consider the urban design solution and climatically responsive design principles in terms of prevailing breezes
- b) The developer must provide any necessary noise mitigation measures to ensure acceptable noise levels for noise sensitive places within the approved development. Any required noise mitigation measures must be approved by Council.
- c) Acoustic fences must be located completely within the private property boundary, and outside of road reserves. Double-sided paling fences are not permitted, but must be architecturally designed and submitted to Council for approval. The applicant must ensure that proposed noise attenuation measures are designed so that they are not intrusive to residential amenity, and that lots are created deep enough to ensure that noise amelioration works can be included within the lots where necessary.

10. Stormwater Drainage

- a) Designs for stormwater drainage associated with the approved development must be in accordance with Council's adopted policies and standards at the time of any subsequent development application.
- b) All external catchments discharging on to the subject land must be accepted and accommodated within the development's stormwater drainage system. Future development of the external catchments (including urbanisation) must not be prejudiced by the advent of this development.
- c) The development and use/s must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining lands or roads owned by others.
- d) The developer must construct such work as is necessary to ensure that there is no concentration of, or increase in levels or increase in velocities or volumes of stormwater upstream of, adjacent to and downstream of the subject land. These works must include energy dissipaters and stilling basins where required to prevent excessive erosion or deposition within the drainage system, and be constructed in any stage with such impacts.

- e) The developer must complete an assessment of the impact of site encroachment on the Bohle floodplain, using 2D flood modelling to confirm the impact of the development prior to the lodgement of any subsequent development applications.
- f) All flood mitigation works identified as required as a result of the assessment in (e) above must be carried out at each stage of development.
- g) The developer must construct all of the development's stormwater drainage system traversing the subject land such that all catchments, including external upstream catchments, are analysed as if they were in a fully developed state.
- h) The flood study must be amended to address the following concerns in sub-catchments C and D:
 - i) Confirm the sub-catchment divide in the upper reaches to ensure flows are appropriately directed in the design case
 - ii) Confirm the fraction impervious values to ensure appropriate sizing of any detention basins for the developed case.
- i) The developer must demonstrate compliance with the Stormwater Management Plan, submitted as supporting documentation to the application, with each subsequent development application, or provide an updated version where compliance cannot be achieved.

11. Stormwater Quality

- a) The developer must provide a Stormwater Quality Management Plan (SQMP) prepared in conjunction with stormwater quantity modelling for the site to remove conflicts with proposed works and analysis, and in accordance with Water Sensitive Urban Design for the Coastal Dry Tropics (Townsville) Technical Design Guidelines for Stormwater Management (WSUD Technical Guidelines). The quality of stormwater flows discharging from the site must meet the criteria of Council's policies and standards at the time of the application. The Plan and any proposed treatment systems and devices must allow for the whole catchment and not just the development area unless the development is the whole catchment.
- b) Asset handover periods and maintenance frequencies must be in accordance with the WSUD Technical Guidelines, and not the Conceptual Stormwater Quality Management Plan submitted with the application.

12. Steep Slope Stability

A geotechnical assessment and certification, prepared by an appropriately qualified and experienced Registered Professional Engineer Queensland (RPEQ), must be provided with every subsequent application to determine the suitability of the land for residential use where part of a lot, either existing or proposed, has or proposed to have slope in excess of 15°. In particular, the report must:

- a) Classify the risk level in relation to landslide and instability in accordance with "Landslide Risk Management", Australian Geomechanics Journal, Vol. 42, No. 1 (March 2007). It should involve the visual inspection, geological mapping, geotechnical investigation and monitoring to identify the potential landslip zones, both on the site and neighbouring areas.
- b) Certify the risk level associated with landslide hazard at the site in its pre-development condition, during development and after completion of the development. Council requires the risk level in relation to landslide to be certified as "low" in accordance with "Landslide Risk Management", Australian Geomechanics Journal, Vol. 42, No. 1 (March 2007) at each level of development.

- c) Investigate the presence and characteristics of groundwater.

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

13. Minimum Lot Levels

- a) The finished level on all new allotments created within the development site must be above the major flood event inundation level in accordance with council's requirements current at the time. The developer must submit a hydraulic report that determines these levels prior to issue of a Development Permit to carry out Operational Work.
- b) The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a major flood event and must be evenly graded (to the road frontage or an approved inter-lot drainage system) at not less than 0.5% (for residential lots) and 0.25% (for commercial and industrial lots) to ensure that the land is free draining.
- c) In residential, commercial and industrial areas that are impacted by storm surge/tide, proposed lots must be filled to the higher of the major flood event level OR the 1 in 100 year ARI storm tide level established by the latest Townsville Storm Tide Study.

14. Vegetation Disposal

All felled trees and waste vegetation on the site must be removed from site, unless an alternative method of disposal, such as wood chipping, is approved by Council. This material must be transported to the nearest approved waste disposal facility. Burning or burying of waste vegetation on site is not permitted.

Concurrence Agency Conditions - Department of Transport and Main Roads

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of Transport and Main Roads advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the Department of Transport and Main Roads conditions as outlined in the Department's correspondence dated 31 July 2012.

Concurrence Agency Conditions - Department of Natural Resources and Mines

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of Natural Resources and Mines advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the Department of Natural Resources and Mines conditions as outlined in the Department's correspondence dated 31 July 2012.

ADVICE

1. Infrastructure Charges

Subsequent development pursuant to this preliminary approval will be subject to infrastructure charging in accordance with the planning instruments and regulation applicable to the subsequent development applications.

Where planned trunk infrastructure is provided by the developer, and as anticipated by the relevant Council policy, an infrastructure agreement may be entered into to facilitate an offset against infrastructure charges.

An Adopted Infrastructure Charges Notice outlining the estimated infrastructure contributions payable will be issued with the Development Permit for each stage of the development or this any subsequent Material Change of Use applications.

2. Haulage of Materials

- a) Where the development of the subject site requires materials to be imported or exported in excess of 2,500 m³, the developer must obtain a separate Council approval for the transport route. Specific conditions may apply, including contributions towards the cost of accelerated pavement degradation along haulage routes and/or repairs to haulage routes.
- b) The approval for the route of transport must show the period and time of transport during the construction phase of the development.

3. Environmental Considerations

DERM Requirements

Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted subject to the following amendment:

Condition 7(a) relating to External Road Connections to now read:

The developer must provide all road infrastructure required to connect the relevant stage of development with existing infrastructure, including roads and intersections and including trunk infrastructure where it is proposed to be delivered ahead of Council's timing and confirmed budget commitments, in accordance with the Trunk Infrastructure Acquisition Policy.

Note: Where planned trunk infrastructure is provided by the developer, an infrastructure agreement may be entered into, to facilitate the construction of the infrastructure and the refunding of costs.

8 MI07/0048 Material Change of Use Request for partial refund of Works Inspection Fees - Mater Misericordiae Hospital

REPORT TO COUNCIL

Authorised by	Director Planning and Development
Department	Planning and Development - Development Assessment
Date	29 June 2012
Address	Lot 3 RP 885985, 9-13 Bayswater Road, Hyde Park
Applicant/Owner	Mater Misericordiae Hospital Townsville, C/- Wolter Rowlands
Description	Request for partial refund of Works Inspection Fees for Hospital Carpark

Executive Summary

A request for a partial refund of Works Inspection Fees for the Hospital Carpark on Lot 3 RP 885985 situated at 9-13 Bayswater Road, Hyde Park has been received from Applicant: Mater Misericordiae Hospital Townsville, C/- Wolter Rowlands MI07/0048 and has been recommended for approval.

Officer's Recommendation

That council approve a refund of \$2,500.67 being a partial refund of the Work Inspection Fees remitted to council associated with the Development Approval MI07/0048 and AN07/0750 for a carpark at the Mater Hospital on land at Lot 3 RP 885985 situated at 9-13 Bayswater Road, Hyde Park.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 on the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted.

9 New Appeal No. 2145 of 2012, Terence John Daly v TCC, AP12/0012, 59 Mutarnee School Road, Mutarnee

REPORT TO COUNCIL

Authorised by	Director Planning and Development
Department	Planning and Development
Date	6 July 2012
Application	AP12/0012, 13000003, 59 Mutarnee School Road (RC11/0082) Terence John Daly v TCC

Executive Summary

On 29 May 2012 an appeal was filed in the Planning and Environment Court by Terence John Daly (applicant) against council's decision to refuse an application for development permit for reconfiguring a lot.

Officer's Recommendation

That council resolve to:

1. defend the Planning and Environment Court No. 2145 of 2012; and
2. delegate authority to the Chief Executive Officer to settle the Planning and Environment Court Appeal, out of court, in the event that a mutually acceptable settlement emerges relating to the above matter.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 on the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted.

In accordance with section 173 of the *Local Government Act 2009*, Councillors A Parsons, V Veitch, R Gartrell, J Lane, S Blom, T Roberts and G Eddiehausen declared a perceived conflict of interest in regards to item 10.

- (a) ***the name of the Councillors who have the real or perceived conflict of interest:***
Councillors A Parsons, V Veitch, R Gartrell, J Lane, S Blom, T Roberts and G Eddiehausen.
- (b) ***the nature of the conflict of interest as described by the Councillors:***
John Wilkinson donated to the Townsville First election campaign.
- (c) ***how the Councillors dealt with the perceived conflict of interest:***
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of item 7, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the *Local Government Act 2009*, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) ***if the Councillors voted on the issue – how the Councillor voted:***
The Councillors voted as per the 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 recommendation

10 Outcome of Building and Development Dispute Resolution Appeal No. 29-11, Wilkinson Homes Pty Ltd, AP11/0008, 0702007, 13 Bay Street, Pallarenda

REPORT TO COUNCIL

Authorised by	Director Planning and Development
Department	Planning and Development
Date	5 July 2012
Application	AP11/0008, 13109276, 13 Bay Street, Pallarenda (CA10/0341) Building and Development Dispute Resolution Appeal by Wilkinson Home Pty Ltd

Executive Summary

An application for appeal by Wilkinson Homes Pty Ltd was lodged with the Registrar of Building and Development Dispute Resolution Committee on 4 April 2011. This appeal was lodged against a Decision Notice issued by Incert Innovative Certifiers as the assessment manager to refuse a building development application for a shade structure. The refusal was based on advice from Townsville City Council as the concurrence agency (CA10/0341).

The matter was heard by the Committee which set aside the decision appealed against and directed the assessment manager to approve the application subject to conditions.

This matter is now at an end.

Officer's Recommendation

That council receive this report.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted.

11 Strategic Planning - City Planning - Memorandum of Understanding - James Cook University

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the order of business be changed and item 11 be considered after item 13.

Refer page 5756 of the Council Minutes for item 11 - Strategic Planning - City Planning - Memorandum of Understanding - James Cook University

12 Strategic Planning - City Planning Unit - Standing Discretion, Animal Husbandry

REPORT TO COUNCIL

Authorised by Director Planning and Development

Department City Planning Unit

Date 25 July, 2012

Executive Summary

The definition of *Animal Husbandry – Type 3* use under the 2003 Thuringowa Planning Scheme inadvertently creates an obligation for a Material Change of Use (MCU) application to be made by any person wanting to keep a single dog or cat on premises within the former Thuringowa area.

Council is asked to formally endorse the approach of not requiring the making of the MCU application, and instead simply having regard to the Local Law requirements concerning the keeping of animals when no more than 4 dogs or 6 cats are to be kept on the premises.

Officer's Recommendation

That council resolve to authorise the Chief Executive officer (or delegate) to use discretion to not require the lodgement of a Material Change of Use application under the 2003 Thuringowa Planning Scheme for the keeping of 1 to 4 dogs or 1 to 6 cats on an allotment in the former Thuringowa Area, and note that the council's *Local Law No.2 Animal Management 2011* will apply to the keeping of those animals.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted.

13 Strategic Planning - Economic Development and Strategic Projects - CBD Development Incentives Program

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 24 July 2012

Executive Summary

In April 2011, council implemented the CBD Development Incentives Program to provide an immediate stimulus to build confidence, activity and momentum and to ensure the objective of CBD revitalisation is realised.

This report contains a summary of the operational and financial aspects of the implementation of the CBD Incentives Program, and is presented for the information of council.

Several amendments to the CBD Incentives Program are also proposed.

Officer's Recommendation

1. That council note the progress of the implementation of the CBD Incentives Program with respect to the current position of both operational and financial outcomes.
2. That council adopt an amendment to the CBD Incentives Program section 2.4, subsection 4. to expand the Sundry fee and Application Charge Waiver to include 'charges associated with the use of road reserve for related activities during the period of construction'.
3. That council adopt an amendment to the CBD Incentives Program section 2.7 to expand the list of applicable development types to include 'Restaurant and/or Café'.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the Committee Recommendation be adopted.

11 Strategic Planning - City Planning - Memorandum of Understanding - James Cook University

Refer to resolution preceding item 4 of the Council Minutes (page 5737) where Council resolved that the order of business be changed and item 11 be considered after item 13.

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 30 July 2012

Executive Summary

Officers from Townsville City Council and James Cook University have negotiated a Memorandum of Understanding (MOU) that establishes a shared framework to guide future cooperation between the two organisations on various opportunities and planning initiatives.

A copy of the proposed MOU is presented for council's consideration.

Officer's Recommendation

1. That council endorse the Memorandum of Understanding between James Cook University and Townsville City Council attached to the report.
2. That the Mayor of Townsville, Councillor J Hill and the Chief Executive Officer ratify the Memorandum of Understanding, attached to the report, on behalf of council.

Committee Recommendation

That this item be held over for referral to Legal Services for advice and subsequently the matter be forwarded to Ordinary Council.

Council Decision

It was MOVED by Councillor V Veitch, SECONDED by Councillor L Walker:

"that item 11 be held over."

CARRIED

Community and Cultural Committee

It was MOVED by Councillor S Blom, SECONDED by Councillor T Roberts:

"that the committee recommendations to items 14 to 22 be adopted."

CARRIED

14 Presentation - Visual Arts Strategic Review

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services

Department Visual Arts

Date 8 August 2012

Executive Summary

The purpose of this presentation is to update Councillors on the outcomes of the recently completed Visual Arts Review.

Officer's Recommendation

That council receive the presentation about the Visual Arts Review.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

15 Presentation regarding 2011-12 Strategic Action Plans Outcomes

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services

Department Community Services

Date 31 July 2012

Executive Summary

The purpose of this presentation is to inform Councillors on the outcomes achieved during 2011-12 from the Strategic Action Plans.

The Strategic Action Plans are aligned to the Council's Community Plan (2011-2021), and provide a frame of reference for Council to implement programs and activities in the following 10 key areas:

- » Community Sport and Recreation
- » Community Safety
- » Aboriginal and Torres Strait Islander
- » Arts and Culture
- » Multicultural
- » Seniors
- » Disability Inclusion
- » Youth
- » Women's
- » Families

These Strategic Action Plans are the result of extensive community consultation and engagement. They reflect the opportunity for Council to develop partnerships with community stakeholders to build capacity, support and respond to the future needs of the Townsville community.

Officer's Recommendation

That council receive the presentation on the Strategic Action Plans outcomes for 2011- 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

16 Community Representation for Art Gallery Acquisition Working Group

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services

Department Gallery Services

Date 7 August 2012

Executive Summary

Expressions of Interest were sought from members of the public interested in being appointed to Townsville City Council's Art Acquisition Advisory Working Group. The responses to this call for Expressions of Interest were reviewed by a panel comprising Cr Suzanne Blom, Chair of Art Acquisition Advisory Working Group, Cr Tony Parsons and Amber Church, Audience Development Officer (acting Gallery Services Manager). The recommendation to appoint four applicants has been reached.

Officer's Recommendation

That council appoint the following individuals who expressed interest to be public members of the Art Acquisition Advisory Working Group: Adam Brown, Gail Mabo, Margo McOmish and Casper Schougaard.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 on the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

17 Partnerships & Sponsorships Program

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 8 August 2012

Executive Summary

Council has received a number of applications for financial support through the Partnerships and Sponsorships Program. This program is part of the Community Grants and Sponsorships Scheme which sits under the Community Development Section of the Community Services Department. The following recommendations are made in accordance with the Financial Assistance Policy adopted by council in April 2010.

The Partnerships and Sponsorships Program aims to assist Townsville organisations to provide community services, cultural development, and sport and recreation development activities in Townsville by contributing funds for capital costs, events, programs and operational expenses.

The following report outlines recommendations from the Financial Assistance & Events Group meeting held 7 August 2012. There were three grant applications submitted through this program during July 2012 and it is recommended council fund two of those applications.

This report also seeks approval to pay the NQ Sports Foundation Levy for the 2012/2013 financial year, totalling \$36,895.58 (ex GST).

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance and Events Group (FAEG) through the Partnerships and Sponsorships Program as detailed in the following table.

Organisation	Activity/Project	Recommendation (Ex GST)
Townsville McDonald's Crocodiles	Operational support for the club towards a) 2012/13 Basketball Mega Clinic (\$20,000); and b) 2012/13 Croc's Neighbourhood Program (\$25,000); and c) additional hire costs required for the home game to be held Sunday 14 th October to accommodate the Rugby League Test Match on Saturday 13 th October (\$5,000)	2012/2013 - \$50,000
Townsville Multicultural Support Group Inc. (TMSG)	Towards the cost of delivering the 2012/13 Cultural Outreach to Schools Program (15 presentations per week).	2012/2013 - \$10,000
North Queensland Sports Foundation Ltd	Townsville City Council contribution towards the 2012/2013 Local Authority Contribution (based on 21.07c per capita).	2012/2013 - \$36,895.58

The following applications are **not recommended** by the Financial Assistance and Events Group (FAEG).

Organisation	Activity/Project	Rationale Declining
Wulgurukaba Aboriginal Corporation	Funding towards the 'Master-weavers & Craftswomen' project - interweaving cultures and stories for Indigenous women on Yunbenun (Magnetic Island) Request: \$5,000	<i>Overall positive request giving opportunity for indigenous women, however organisation has not detailed total cost, only venue and accommodation. Council has given the organisation time to resubmit an up-to-date budget outlining all anticipated income and expenditure associated with the project. Given that this information has not been received, the recommendation is for council not to support this project at this point in time.</i>

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

18 Grants for Excellence in Cultural Development and Community Micro Grants Program Report 1 January to 30 June 2012

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 7 August 2012

Executive Summary

The bi-annual reports detailing grants processed through the Grants for Excellence in Cultural Development and the Community Micro Grants Program from 1 January to 30 June 2012: are presented.

It is a requirement that all funding approved through these programs are presented for the information of council every six months.

Officer's Recommendation

That council receive these bi-annual reports.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 on the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

19 Applications for financial support - Festivals & Events Grant Program

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 7 August 2012

Executive Summary

Council has received a number of applications for financial support through the Festivals & Events Grant Program. This program is part of the Community Grants and Sponsorships Scheme which sits under the Community Development Section of the Community Services Department.

The aim of council's Festivals and Events Grant Program is to support festivals, community events and celebrations which showcase Townsville's talent and enhance community identity and pride; and bring economic and tourism opportunities to the region.

The objectives of the Festivals & Events Grant Program are to:

- » Encourage opportunities for participation in community life by the diverse range of groups which comprise Townsville's community.
- » Support the development and sustainability of local events and festivals.
- » Encourage accessibility and community participation from all sectors of the community.
- » Positively contribute to the quality of life for the Townsville community.
- » To provide a contribution to the economic growth of Townsville (for corporate and feature events only).

Applications submitted through this program will be considered under the following five categories:

- » Corporate Events – Funding between \$1,000 and \$250,000
- » Feature Events – Funding between \$1,000 and \$100,000
- » Developing Events – Funding between \$1,000 and \$15,000
- » Community Events – Funding between \$1,000 and \$15,000
- » One –Off Events – Funding between \$1,000 and \$25,000

The following report outlines recommendations from the Financial Assistance & Events Group meeting held 7 August 2012. There were 2 grant applications submitted through this program during July 2012 and it is recommended council fund both of those applications totalling \$7,900 (ex GST).

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance and Events Group (FAEG) through the Festivals & Events Grant Program as detailed in the following table:

Organisation	Activity/Project	Recommendation (Ex GST)
Event Category: Corporate Events		
ABRCA (Australian Bushmen's Campdraft & Rodeo Association Ltd)	Towards equipment hire (chairs, tables and porta-loos) for the 2012 North Queensland Zone Rodeo finals to be held in Townsville at Bartlett Park from 20 to 21 October.	2012/2013 - \$3,900
Event Category: Developing Events		
Ephemera in the Mist (auspiced by Tilley Financial Pty Ltd)	Towards the delivery of the 2012 'Ephemera in the Mist' event to be held 25 August to 10 September at the Paluma Rainforest. To cover the cost of insurance, hall hire, installation consumables, lift hire, catalogue design, printing, banners, table/chair hire and a percentage of workshop costs.	2012/2013 - \$4,000

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 on the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

20 Lifelong Learning Strategic Action Plan

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Library Services
Date 23 July 2012

Executive Summary

Following on from the development of the Community Plan in 2010-11, a number of strategic action plans have been developed. The Lifelong Learning Strategic Action Plan is the eleventh in this series. The Plan has been developed from a variety of engagement activities and discussions with key community representatives, organisations and community members. A Learning Audit was undertaken in 2011 to investigate the extent of learning facilities, services and providers in the city and identified opportunities to develop access and the provision of learning so that the community will benefit fully from learning opportunities available. The plan identifies four priority areas: programs and participation, access and equity, partnerships and networks, and advocacy.

Officer's Recommendation

That council receive the Lifelong Learning strategic action plan 2012-2014.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 on the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

21 JC Butler Building Lease Surrender and Lease Approval

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Development
Date 7 August 2012

Executive Summary

Twin Cities Aboriginal and Torres Strait Islander Corporation

The Twin Cities Aboriginal and Torres Strait Islanders Corporation wish to relinquish their lease (Lease A) at the JC Butler Building – a portion of Lot 308 & 309 on T118101. A letter acknowledging the surrender of the lease was received on 5 July 2012.

Vietnam Veterans Federation Townsville Inc

The Vietnam Veterans Federation Townsville Inc requests to enter into a new lease at the JC Butler Building (Lease A) – a portion of Lot 308 & 309 on T118101. The Vietnam Veterans Federation Townsville Inc intends to use the space to establish a Men's Shed program.

The Vietnam Veterans Federation Townsville Inc wish to relinquish their existing lease on vacant land at Gill Park – Lot 120 on RP703503. This is subject to the approval of a new lease at the JC Butler Building.

Officer's Recommendation

1. That council approve the surrender of Lease A at the JC Butler Building – Lot 308 & 309 on T118101 for the Twin Cities Aboriginal and Torres Strait Islander Corporation.
2. That council approve entering into a lease with the Vietnam Veterans Federation Townsville Inc at the JC Butler Building – a portion of Lot 308 & 309 on T118101 for a period of up to 10 years, for the rental amount of \$1 per year if requested by council.
3. That council approve the surrender of the lease at Gill Park – Lot 120 on RP703503 for the Vietnam Veterans Federation Townsville Inc pending the approval of the Vietnam Veterans Federation Townsville Inc entering into a new lease at the JC Butler Building.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 on the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

22 Northern Beaches Festival 2012

GENERAL BUSINESS ITEM

Raised by	Councillor Blom
Committee	Community and Cultural
Date	16 August 2012

Councillor Blom advised the committee that the Northern Beach Festival has been a roaring success and that it evoked pride in the Northern Beaches community spirit.

Committee Recommendation

That council note this item.

Council Decision

Refer to resolution preceding item 14 of the Council Minutes (page 5756) where Council resolved that the Committee Recommendation be adopted.

Smart City Sustainable Future Committee

*It was **MOVED** by Councillor V Veitch, **SECONDED** by Councillor C Doyle:*

"that the committee recommendations to items 23 and 24 be adopted."

CARRIED

23 AURIN Demonstrator Project - Townsville Energy, Water and Land Management Open Data Hub

PRESENTATION

Given by	Professor Ian Atkinson of the Queensland Cyber Infrastructure Foundation
Committee	Community and Cultural
Date	16 August 2012

Executive Summary

One of the key outcomes of the IBM Smarter City Challenge was development of an open source data agenda (IBM Smarter Cities Challenge Report - Townsville) for water & energy management and efficiency in Townsville. This includes green building, sensing/metering and smarter building technology.

Since the challenge TCC has been working with stakeholders across Townsville to investigate opportunities and synergies in this area and developing a collaborative agenda to implement a pilot in Townsville. Council has been working with James Cook University, Ergon Energy and IBM Smarter

Cities Team (Melbourne) around the vision and more recently involved the Queensland Cyber Infrastructure Foundation (QCIF). A number of workshops have been held around sharing of data which is generated from multiple sources - e.g. GIS layers, cadastra, information indices) and protocol around the revealability of the data. This includes considerations of privacy and processes that effectively anomalise data without loosing effectiveness.

The potential integration of data sets shared between stakeholders and organisations has been identified as having great potential in disaster management, water infrastructure planning, land-use planning such as walkability and including "what if" scenarios. Some of these data sets are key to developing innovation and new knowledge and the impact of integration is very large and commensurate with the TCC Draft Digital Economy Strategy.

Recently an opportunity as arisen through the Australian Urban Research Infrastructure Network (AURIN) to participate in a project which reveals "big data" from various stakeholders for use by everyone involved for different purposes and generation of new knowledge (i.e. from the integration of the data and usage of advanced analytics). An Energy and Water expert group appointed by AURIN has agreed that a Townsville Demonstrator should be supported based on the level of collaboration and partnership demonstrated in Townsville between stakeholders. Workshops have been held with stakeholders. A proposal is together and we have about four weeks.

Participation by the stakeholders would foster and accelerate appropriate sharing of data through development of real world examples relevant to Townsville City and sustainability.

AURIN is a partnership of University of Melbourne and Commonwealth Dept of Innovation, Industry, Science and Research.

<http://www.sustainable.unimelb.edu.au/content/australian-urban-research-infrastructure-network-aurin>

Sources of co-investment and expectations around the project are currently being worked on by each stakeholder.

The next step is to develop the project plan and identify the areas for in-kind funding. TCC contribution is in the form of provision of datasets (under agreement and privacy considerations) and synergy of existing or funded programs in TCC. For example:

1. TCC could utilise a tropical walkability tool then we will need to identify and curate the data in a suitable place and then fund the Uni Melb team that built the tool to adapt it for the tropics.

2. Townsville Solar City (TCC Citysolar) project we have underway between JCU, Ergon Energy and a CBD commercial building - which has trial sensors now installed streaming 30 sec on internal temperature range from ceiling to first floor (18-20 metres !). We have the dream of a smarter building trial in Townsville.
3. TCC GIS White roof analysis.
4. Townsville Water metering trial and data utilisation.
5. Smarter technology/energy management buildings and homes in partnership with Townsville Solar City/Energy Sense Community (Ergon Energy).

Knowledge Management in TCC has been involved in the workshops and subsequent meetings and would manage the technical and privacy considerations to ensure Council data or data arising from residential information is protected.

The project offers huge potential to directly address a key recommendation of the IBM Smarter City Roadmap and activate key draft recommendations from the Townsville Digital Economy Strategy around smarter cities, smart technology, natural resources management (water, energy and nature), and smart energy efficient tropically relevant buildings etc.

QCIF is putting the application together with JCU, QCIF, Ergon Energy (energy) and TCC (water data sharing and smart energy sensed buildings) and potential projects.

Committee Recommendation

That council note this presentation.

Council Decision

Refer to resolution preceding item 23 on the Council Minutes (page 5763) where Council resolved that the Committee Recommendation be adopted.

24 Energy Issues

PRESENTATION	
Given by	The Consumer Advocacy Panel
Committee	Community and Cultural
Date	16 August 2012

Executive Summary

The Consumer Advocacy Panel provides grants to organisations and individuals representing energy consumer interests in policy and regulatory decisions. Energy advocacy is any activity designed to persuade a third party to make a decision or change that ameliorates or improves the situation of electricity and gas consumers.

Through its grants program, the Panel helps ensure that decision-makers are well-informed about consumer interests, and that the capability of consumer advocacy groups is developed to a highly competent and sustainable level. More information can be found about the Panel on their website www.advocacypanel.com.au (please note this site is in the process of being upgraded).

They provide grants to local government, businesses, community organisations and individuals to engage expert consultants, conduct research, and facilitate participation in regulatory decisions.

The Panel is particularly keen to encourage a diversity of consumer voices, and a key strategic priority is to outreach to rural and regional consumers and small business representatives, as those are voices that have in the past not been well heard in decisions. Part of this outreach program is to convene Panel meetings in regional communities, and take the opportunity to meet with local community representatives to outline their grants program and discuss consumer energy issues in the community.

Committee Recommendation

That council note this presentation.

Council Decision

Refer to resolution preceding item 23 on the Council Minutes (page 5763) where Council resolved that the Committee Recommendation be adopted.

Sports Parks and Recreation Committee

Councillor L Walker requested that item 26 be dealt with separately.

*It was **MOVED** by Councillor P Ernst, **SECONDED** by Councillor R Gartrell:*

- "1. that the committee recommendations to items 25 and 27 to 29 be adopted; and*
- 2. that the order of business be changed and item 26 be considered after item 29"*

CARRIED

25 Presentation 2011-12 Strategic Action Plan Outcomes

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 31 July 2012

Executive Summary

The purpose of this presentation is to inform Councillors on the outcomes achieved during 2011-12 from the Community Sport and Recreation Strategic Action Plan.

The Strategic Action plans are aligned to the council's Community Plan (2011-2021), and provide a frame of reference for council to implement programs and activities in the following 10 key areas:

- » Community Sport and Recreation;
- » Community Safety;
- » Aboriginal and Torres Strait Islander;
- » Arts and Culture;
- » Multicultural;
- » Seniors;
- » Disability Inclusion;
- » Youth;
- » Women's; and
- » Families.

These Strategic Action Plans are the result of extensive community consultation and engagement. They reflect the opportunity for Council to develop partnerships with community stakeholders to build capacity, support and respond to the future needs of the Townsville community.

Officer's Recommendation

That council receive the presentation on the Community Sport and Recreation Strategic Action Plan Outcomes for 2011-2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the Council Minutes (page 5766) where Council resolved that the Committee Recommendation be adopted.

26 Petition requesting Kite-Boarding activities be limited to the area of beach south of Three Mile Creek

Refer to resolution preceding item 25 of the Council Minutes (page 5766) where Council resolved that the order of business be changed and item 26 be considered after item 29.

Refer page 5770 of the Council Minutes for item 26 - Petition requesting Kite-Boarding activities be limited to the area of beach south of Three Mile Creek

27 Approval of lease for development of Outrigger Canoe facility

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 06 August 2012

Executive Summary

The Townsville Outrigger and Canoe Club Inc (TOCC) have requested the establishment of a lease over a portion of land at the northern most end of Pallarenda - Lot 109 SP152449.

The Coral Sea Outrigger Canoe Club has made a similar request for land in the same approximate location.

Both clubs intentions are to develop a facility that primarily provides secure storage for the outrigger canoes as well as additional spaces for functions and events, meetings, a refreshment service area, toilets, showers and change rooms as necessary.

The land proposed to be approved for lease to enable development is currently undeveloped and is on the western side of the Esplanade. The site has the potential to be developed as a location for a shared clubhouse as well as secure storage of outrigger canoes which currently are stored on the foreshore of the Strand.

A shared clubhouse facility at this site also has the potential to support and be used by a number of complementary community groups that are based or make use of the Pallarenda area including Dragons Abreast, Rockwheelers Mountain Bike Club, Boy Scouts and Girl Guides, fishing clubs, Townsville Kiteboarding, fitness groups and canine obedience clubs.

Officer's Recommendation

That council approve the issuing of a lease over a portion of Lot 109 SP152449 for a period of up to 10 years at a rent of \$1 per year if requested for the purpose of the development of a shared clubhouse and storage facility that meets the needs of the outrigger canoe clubs and other community aquatic and recreational organisations, and is subject to Planning Department approval.

Committee Recommendation

1. That council approve the allocation of a portion of Lot 109 SP152449 for lease, to an appropriate not for profit organisation, for the purpose of developing a shared clubhouse and storage facility that meets the needs of outrigger canoe clubs and other community aquatic and recreational organisations;
2. That council commence negotiations with the relevant clubs; and
3. That council consent to a development application being lodged, as owner of the land.

Council Decision

Refer to resolution preceding item 25 on the Council Minutes (page 5766) where Council resolved that the Committee Recommendation be adopted.

28 Grants for Excellence in Sport - Bi-annual Report - 1 January - 30 June 2012

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 7 August 2012

Executive Summary

The bi-annual report detailing grants processed through the Grants for Excellence in Sport Program from 1 January to 30 June 2012 is presented.

It is a requirement that all funding approved through these programs is presented for the information of council every 6 months.

Officer's Recommendation

That council receive this bi-annual report.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 on the Council Minutes (page 5766) where Council resolved that the Committee Recommendation be adopted.

29 Castle Hill PCYC Redevelopment - Schedule of payment

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 8 August 2012

Executive Summary

In 2009 the Queensland Police Citizens Youth Welfare Association was successful in obtaining \$1.7 million in grant funding under the Commonwealth Jobs Fund to enable Stage One of a planned multi-stage development of the facilities at the Castle Hill PCYC facility to proceed.

In early 2010 the organisation presented the overall plan for the facility's development and a request for council support for Stage 2 of the development. The construction of stage two, at the time, was valued at \$3 million and council was requested to contribute 50% of this funding.

At the Ordinary Council meeting in August 2010, council approved an amount of \$1.5 million towards stage 2 of the project which was to be paid in three instalments of \$500,000 beginning in 2011/12.

Since this approval, the Castle Hill PCYC has been unsuccessful in securing the required \$1.5 million to match council's contribution. Unsuccessful applications were lodged through the state government's Regional Development Australia Fund, Round 1 in 2011 and Round 2 in January 2012.

At the Ordinary Council meeting in February 2012, council approved to change the schedule of payment for stage 2 of the project to begin in 2012/2013, instead of 2011/2012.

As a result of the Castle Hill PCYC being unable to successfully seek funding to match council's contribution dollar for dollar, the following change in payment schedule is recommended.

Officer's Recommendation

1. That council re-negotiate the current funding agreement with the Castle Hill PCYC towards stage two of the redevelopment, based on the following timelines:
2013/2014 - \$500,000 (ex GST)
2014/2015 - \$500,000 (ex GST)
2015/2016 - \$500,000 (ex GST)
2. That council only provide the first instalment of \$500,000 after the Castle Hill PCYC has provided to council proof of being able to match council's contribution dollar for dollar, and only after 1 July 2013.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the Council Minutes (page 5766) where Council resolved that the Committee Recommendation be adopted.

26 Petition requesting Kite-Boarding activities be limited to the area of beach south of Three Mile Creek

Refer to resolution preceding item 25 of the Council Minutes (page 5766) where Council resolved that the order of business be changed and item 26 be considered after item 29.

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 20 July 2012

Executive Summary

In April 2012 in response to kite-boarding activities making use of the beach at Pallarenda, Council received a petition from the community requesting that kite-boarding activities be limited to the area of beach south of Three Mile Creek.

In response to the petition, an investigation into the impact of kite-boarding by both the general public, and by the permitted commercial operator, and the appropriateness and feasibility of restricting such activity to occur in a defined area of the Pallarenda beachfront was performed.

The conclusions of the investigation are that kite-boarding activity is appropriate for the Pallarenda beachfront location, however, in the interests of public safety and amenity, restricting the area where both the public, and permitted commercial operators, are allowed to participate in the activity is desirable.

Officer's Recommendation

1. That council restrict commercial permits issued for the use of Pallarenda Beach for the purpose of kite-boarding to the area immediately to the south of Three Mile Creek (the area serviced by Access Points 13, and 14).
2. That council encourage public use of Pallarenda Beach for the purpose of kite-boarding to occur in the area south of Three Mile Creek, and erect warning and informational signage regarding this at Access Points 15 to 19.

Councillor Veitch tabled the Australian Kite-Surfing Association's Risk Management Plan.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

It was MOVED by Councillor L Walker, SECONDED by Councillor J Lane:

"That the report be held over to the next Sports, Parks and Recreation Committee meeting pending further investigation and consultation with the proposed operator."

CARRIED

Healthy and Safe City Committee

*It was **MOVED** by Councillor G Eddiehausen, **SECONDED** by Councillor C Doyle:*

"that the committee recommendations to items 30 to 34 be adopted."

CARRIED

30 Youth Justice Service Graffiti Program

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 7 August 2012

Executive Summary

The Townsville Youth Justice Service, Department of Justice and Attorney-General would like to provide assistance to council in the prevention and removal of graffiti in the community as part of the state government initiatives to manage graffiti proactively.

Previously the Youth Justice Service was involved in a similar initiative with council by providing a group of supervised young people to identify and clean-up local hotspot areas. As part of community service activities the young people would remove graffiti from state and local government assets, community assets and private property.

The aim of this project is to assist council and communities to improve the visual amenity of their neighbourhoods through the prevention and removal of graffiti. The project also aims to increase local youths' social and personal connections with their community and increase their understanding that graffiti vandalism negatively impacts the whole community.

Council supports the promotion of graffiti preventative strategies including providing a constructive response based on engagement with the target group (young people).

Officer's Recommendation

That council receive the presentation from the Townsville Youth Justice Service outlining the program proposal.

Committee Recommendation

That council work in partnership with the Townsville Youth Justice Service to enhance the existing program to remove graffiti in the city.

Council Decision

Refer to resolution preceding item 30 of the Council Minutes (page 5771) where Council resolved that the Committee Recommendation be adopted.

31 Presentation regarding 2011-12 Community Safety Strategic Action Plan

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 31 July 2012

Executive Summary

The purpose of this presentation is to inform Councillors on the outcomes achieved during 2011-12 from the Community Safety Strategic Action Plan.

The Strategic Action plans are aligned to the council's Community Plan (2011-2021), and provide a frame of reference for council to implement programs and activities in the following 10 key areas:

- » Community Sport and Recreation
- » Community Safety
- » Aboriginal and Torres Strait Islander
- » Arts and Culture
- » Multicultural
- » Seniors
- » Disability Inclusion
- » Youth
- » Women's
- » Families

These Strategic Action Plans are the result of extensive community consultation and engagement. They reflect the opportunity for council to develop partnerships with community stakeholders to build capacity, support and respond to the future needs of the Townsville community.

Officer's Recommendation

That council receive the presentation on the Community Safety Strategic Action Plan outcomes for 2011-2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 30 of the Council Minutes (page 5771) where Council resolved that the Committee Recommendation be adopted.

32 Infrastructure Services - Support for Community Disaster Resilience Project

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Infrastructure Services
Date 31 July 2012

Executive Summary

The Townsville Local Disaster Management Group (TLDMG) at its meeting on 9 July 2012 resolved to support the James Cook University (JCU) application for an Australian Research Council grant for a Community Disaster Resilience Project.

Officer's Recommendation

That council ratify the decision of the Townsville Local Disaster Management Group at its meeting on 9 July 2012 to:

- contribute \$2,000 per year (for three years) to the Community Disaster Resilience Project; and
- that the Manager Emergency Management be a member of the project team.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 30 on the Council Minutes (page 5771) where Council resolved that the Committee Recommendation be adopted.

33 Infrastructure Services - Townsville Local Disaster Management Group - Minutes of Full Committee Meeting 9 July 2012

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Infrastructure Services
Date 31 July 2012

Executive Summary

The Townsville Local Disaster Management Group (TLDMG) Full Committee meets twice a year with staff of the Townsville City Council, Area Director Emergency Management Queensland, State Emergency Service Local Controller and other agencies.

Attached to the report are the minutes of the meeting held on 9 July 2012.

At this meeting the TLDMG:

- resolved to accept the State Emergency Service (SES) 2011/2012 Annual Report;
- ratified the Evacuation Sub Plan;
- accepted the Memorandum of Understanding with Youth With a Mission (YWAM); and
- accepted the Memorandum of Understanding with Townsville Enterprise Ltd (TEL).

Officer's Recommendation

That council endorse the minutes of the Townsville Local Disaster Management Core Group meeting held on 9 July 2012 and that council ratify the decision of the TLDMG regarding:

- resolution to accept the State Emergency Service (SES) 2011/2012 Annual Report;
- ratifying the Evacuation Sub Plan;
- acceptance of the Memorandum of Understanding with Youth With a Mission (YWAM); and
- acceptance of the Memorandum of Understanding with Townsville Enterprise Ltd (TEL).

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 30 on the Council Minutes (page 5771) where Council resolved that the Committee Recommendation be adopted.

34 Awarding of Contract - PSA6545 Aerial Mosquito Control Services.doc

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Environmental Health
Date 26 July 2012

Executive Summary

PSA6545 Aerial Mosquito Control Services was advertised in both the Courier Mail and Townsville Bulletin on the 24 March 2012 with the tender closing on the 2 May 2012 at 10:00am. Only one (1) tender submission was received from Tude's Choppers Pty Ltd trading as Dwyer Aviation Services; being council's previous contractor.

The tendering process has conformed to council's contract management framework with the tender evaluation team formed to evaluate the tender. With the sole tenderer meeting all the tender criteria, the evaluation team has determined that Tude's Choppers Pty Ltd trading as Dwyer Aviation Services be awarded as the successful 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 (9) of the Local Government Act 2009 and that the document remain confidential unless council decides otherwise by resolution.
2. That Tude's Choppers Pty Ltd trading as Dwyer Aviation Services be awarded PSA6545 Aerial Mosquito Control Services with a management fee of \$40,600 per year (plus GST) and hourly helicopter rate of \$1,450 per hour (plus GST).
3. That the initial period of the contract be from the Contract Commencement Date (Letter of Acceptance) to the 30 June 2017 (Contract Expiry Date).
4. That an option to extend the Term by the Extension Period (1 July 2017 to 30 June 2022 inclusive) be available as per Clauses 3.3 and 3.4 of the General Conditions of Contract.

5. That Tude's Choppers Pty Ltd trading as Dwyer Aviation Services be requested to provide updated insurance policies (Aircraft Liability Insurance and Hanger Keepers Liability Insurance) within one (1) month from the Letter of Acceptance.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 30 on the Council Minutes (page 5771) where Council resolved that the Committee Recommendation be adopted.

Governance and Finance Committee

*It was **MOVED** by Councillor J Lane, **SECONDED** by Councillor P Ernst:*

"that the committee recommendations to items 35 to 46 be adopted."

CARRIED

35 Corporate Performance Reporting Project

PRESENTATION

Authorised by Director Corporate Services
Department Corporate Governance
Date 21 August 2012

Executive Summary

The *Local Government Act 2009* and regulations require council to develop and maintain a variety of planning and accountability documents.

Council's reporting of performance in delivering on these plans has matured significantly in recent years to a point where the council can now report on outcomes to the community.

The following presentation will provide an overview of the council's corporate performance management program.

Committee Recommendation

That council note this presentation.

Council Decision

Refer to resolution preceding item 35 on the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

36 Townsville City Council's Corporate Governance Framework

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 4 July 2012

Executive Summary

Townsville City Council has developed a Corporate Governance Framework to ensure compliance with legislation and best practice democratic local government. The Framework is not a policy or statement of intent, but rather a document which outlines council's governance policies and practices. It provides readers with an overview of the governance program that has been put in place in order to assist elected members, management and employees in meeting their governance responsibilities. Council is committed to high standards of corporate governance and accountability and seeks continuous improvement in this regard.

The Corporate Governance Framework delivers the following outcomes to its key stakeholders:

- Council – a high level of assurance that desired strategic priority outcomes are being achieved efficiently and effectively within an acceptable level of risk
- Audit Committee – a high level of assurance that the appropriate control mechanisms are in place to ensure effective delivery of services within an acceptable level of risk
- Chief Executive Officer – a high level of assurance that the organisation is consistently delivering community value and council's strategic priority outcomes
- Organisation/staff – a broad-based understanding of corporate governance and its link to ensuring community value

Officer's Recommendation

1. That council adopt the Townsville City Council Governance Framework.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

37 2011/12 Quarter 4 Performance Report

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 06 August 2012

Executive Summary

The Chief Executive Officer is required to provide a written assessment of council's Corporate and Operational Plans on a quarterly basis. The Corporate Performance Report, under separate cover, provides an assessment of council's progress towards implementing council's Corporate and Operational Plans.

Officer's Recommendation

That in accordance with section 122 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, council adopt the Corporate Performance Report for the fourth and final quarter, being the cumulative period from 1 July 2011 to 30 June 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 on the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

38 Townsville City Council 2012 Christmas Shut Down Period

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Human Resources People Performance
Date 3 August 2012

Executive Summary

Annually, council reviews operational needs over the Christmas period and determines appropriate staffing levels to meet these needs. Council then approves to that extent a closedown/stand down of areas or a reduction in staffing to enable and encourage staff to maintain a healthy work/life balance over the festive season.

Officer's Recommendation

That all areas (with the exception of those listed in the table below) participate in the Christmas/New Year closedown with council service points closing at 3.00pm on Monday 24 December 2012 and reopening on Wednesday 2 January 2013.

Department	Operational needs	Staffing Levels
Customer Service	<i>Front counters to close at 3.00pm on Monday 24 December 2012 and reopen at 8.30am on Wednesday 2 January 2013. Phones to close at 3.00pm on Monday 24 December 2012 and reopen at 8.00am on Thursday 27 December 2012. They will close at 5.00pm on Friday 28 December 2012 and reopen at 8.00am on Wednesday 2 January 2013. Normal after-hours phone service applies during closedown period.</i>	<i>Minimal staffing level on phones. Front counters will not operate.</i>
Knowledge Management	<i>All sections of the department to close operations at 3.00pm on Monday 24 December 2012 and return to work on Wednesday 2 January 2012.</i>	<i>After hours on-call officer available. Key personnel available with Emergency/Disaster Management Planning.</i>
Library Services	<i>All branches to close at 3.00pm on Monday 24 December 2012 and to reopen on Wednesday 2 January 2013, except Aitkenvale Branch which will open from 9.00am to 5.00pm between Thursday 27 December and Friday 28 December and from 10.00am to 2.00pm on Saturday 29 December 2012. Increased borrowing/loaning levels apply in the lead up to this period to better accommodate community users.</i>	<i>Staffing levels adjusted based on operational hours.</i>

<p>Community Services Dept.</p>	<p><u>Tony Ireland Stadium:</u> -Grounds crew and Operational staff working as business requires. -Administrative services closed 8.30am Monday 24 December 2012 to 8.30am Wednesday 2 January 2013.</p>	<p>Staffing and service levels adjusted to meet business requirements.</p>
<p>-Sport Facilities Section</p>	<p><u>Townsville RSL Stadium:</u> -Operational staff working as business requires. -Administrative services closed 8.30am Monday 24 December 2012 to 8.30am Wednesday 2 January 2013.</p>	<p>Staffing and service levels adjusted to meet business requirements.</p>
	<p><u>Swimming Pools:</u> -Tobruk, Long Tan, Kokoda and NBLC pools close early on Monday 24 and Monday 31 December 2012, closed Tuesday 25 December 2012, late opening Wednesday 26 December 2012 and Tuesday 1 January 2013. -Riverway Lagoons, Strand Waterpark, Strand Rockpool, and public beaches open and patrolled as per normal schedule (weather permitting)</p>	<p>Service levels adjusted to meet business requirements.</p>
<p>-Performing Arts, Events, and Protocol Section</p>	<p><u>Civic Theatre:</u> -Technical and ticketing staff working as business requires. -Ticket shop closed 9.00am Monday 24 December to 9.00am Thursday 27 December 2012; and closed Tuesday 1 January 2013. -Administrative services closed 8.30am Monday 24 December 2012 to 8.30am Wednesday 2 January 2013.</p>	<p>Staffing and service levels adjusted to meet business requirements.</p>
	<p><u>Riverway Arts Centre</u> -Technical and ticketing staff working as business requires. -Ticket shop closed 9.00am Monday 24 December 2012 to 9.00am Thursday 27 December 2012; and closed Tuesday 1 January 2013. -Administrative services closed 8.30am Monday 24 December 2012 to 8.30am Wednesday 2 January 2013.</p>	<p>Staffing and service levels adjusted to meet business requirements.</p>
	<p><u>Events and Protocol Unit</u> - Event staff working as business requires.</p>	<p>Staffing adjusted to meet business requirements.</p>
<p>-Gallery Services Section</p>	<p><u>Perc Tucker Regional Art Gallery:</u> -Closed Monday 24 December 2012 to Friday 4 January 2013 inclusive.</p>	<p>Staffing and service levels adjusted to meet business requirements.</p>
	<p><u>Pinnacles Art Gallery:</u> -Closed Tuesday 25 December, Wednesday 26 December 2012, and Tuesday 1 January 2013.</p>	<p>Staffing and service levels adjusted to meet business needs</p>
<p>-Community Development Section</p>	<p><u>Early Years Information Service:</u> -closed Monday 24 December 2012 to Saturday 5 January 2013 inclusive (re-open Monday 7 January).</p>	<p>Staffing and service levels adjusted to meet business requirements.</p>
	<p><u>Worinda Occasional Child Care Centre:</u> -Closed Monday 17 December 2011 to Tuesday 22 January 2013 inclusive (re-open Wednesday 23 January).</p>	<p>Staffing and service levels adjusted to meet business requirements.</p>
<p>-Business Support Section</p>	<p><u>Community Services Dept (Northtown)</u> -customer service, venue booking office, community development office, inclusion support services office, and administration services closed 8.30am Monday 24 December 2012 to 8.30am Wednesday 2 January 2013.</p>	<p>Staffing and service levels adjusted to meet business requirements.</p>

Parks Services	<i>Operational services (grounds crews and operational staff) operating as normal. Administrative services closed.</i>	<i>Normal staffing levels required.</i>
Water Operations	<i>Office: to be staffed 27 and 28 December in order to take calls from Customer Service. Water Retic: on-call across entire period plus extra crews working 27, 28 and 31 December to carry out urgent repairs and restorations. Bulk: Treatment plants and roving operations staffed throughout the period as normal. Pipeline crews on call. Dams and Catchments: Staff rostered at Paluma plus on-call for dam operations</i>	<i>On-call rostered staff required.</i>
Wastewater Operations	<i>Staff required to maintain essential services Wastewater Treatment, Distribution and Reticulation.</i>	<i>Normal staffing levels required.</i>
Townsville Waste Services	<i>Normal operational/service hours (including public holidays). Landfills to close on Tuesday 25 December 2012 only.</i>	<i>Normal operational staffing levels required. Team Leaders, Crew Leaders and their Crews will work as normal. Management and Admin staff will participate in the closedown.</i>
Laboratory Services	<i>Staff required to maintain essential services.</i>	<i>Staffing adjusted to meet business requirements.</i>
Construction and Maintenance	<i>Skeleton crew for any emergent road or drainage issues.</i>	<i>Minimal staffing levels required.</i>
Planning and Development Division	<i>Operating until 3.00pm Monday 24 December 2012 and returning to work Wednesday 2 January 2013.</i>	<i>Key personnel available consistent with Emergency /Disaster Management Planning.</i>
Infrastructure Services Division	<i><u>Emergency Management Section</u> - - Emergency Mgmt Section will be operational during the close down period with at least one staff member at work. <u>Property Management - Skeleton staff over Christmas Shutdown Period</u> from 3.00pm on Monday 24 December 2012 and reopening on Wednesday 2 January 2013. <u>Security and cleaning public facilities as normal.</u></i>	<i>Minimal staffing to maintain CORE services (e.g. fleet and property services) and relevant support for these services.</i>
Corporate Services Division (areas not identified separately)		
Commercial Businesses Division (areas not identified separately)	<i>Staff required to maintain essential services – Waste Water Pump stations, Treatment Plants, and other Council infrastructure</i>	<i>Staffing and service levels adjusted to meet business requirements. Some instrument PM will still need to be carried out. Minimal staffing to maintain CORE services (e.g. animal management, vector control, environmental health) and relevant support for these services.</i>
Community and Environment Division (areas not identified separately)		

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

39 2011/12 Interim Management Report issued by QAO

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 13 August 2012

Executive Summary

Pursuant to section 162 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, whereby, if the auditor-general gives the mayor of a local government a copy of the auditor-general's report about the local government's financial statements, the mayor must present a copy of the report at the next ordinary meeting of the local government.

The Interim Audit Management Report contains observations made by the QAO audit team during their interim audit for the period 1 July 2011 to 30 June 2012, and their potential implications to the financial statements of Council. These observations have been assessed by risk and grouped into High, Medium and Low risk categories. The Interim Audit Management Report is hereby presented to Council.

Officer's Recommendation

That, pursuant to section 162 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, council note the attached Interim Audit Management Report for the year ended 30 June 2012 as issued by the auditor-general on 31 July 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 on the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

40 Budget Variance Report - Whole of Council - July 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 10 August 2012

Executive Summary

On behalf of the Chief Executive Officer, the Executive Manager Finance will present and discuss the Budget Variance Report for the whole of council for July 2012, pursuant to section 152 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.

The July report is still being influenced by end of year processing for June 2012. While the end of year work continues, any further adjustments that may result in a change to the 2012/13 financial year will be processed in the current open period, August 2012.

The Executive Manager will circulate separately to the Agenda the Budget Variance Report for the whole of council for July 2012.

Officer's Recommendation

That council note the financial report for July 2012 and budget variance explanations, pursuant to section 152 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

41 Evaluation of 2011/2012 Financial Sustainability Return

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 9 August 2012

Executive Summary

In 2009, the sustainability and reporting process for Queensland local government commenced. This process includes the implementation of the national frameworks for sustainability, which seek to ensure that all local governments in Australia adopt long-term planning processes.

The Local Government Act 2009 (the Act) and the Local Government (Finance, Plans and Reporting) Regulation 2010 require local governments to prepare long-term asset management plans; long term financial forecasts and long-term community plans. The emphasis of the Act is to shift local government planning processes from the short-term (annual budget) focus to a longer term perspective on the on-going sustainability of the local government.

Council completed and lodged its 2011/12 financial sustainability return in December 2011 as part of the sustainability and reporting process.

The Department of Local Government evaluated Townsville City Council's Return, and offered the following comments for consideration:

The review of the Financial Management (Sustainability) Return indicates that Townsville City Council has a sound long-term financial management strategy in place.

Overall the forecasts indicate that Council remains financially viable over the forecast period. Council maintains its financial capital while not adequately planning to invest in maintaining its infrastructure.

Officer's Recommendation

That council receive and note the Department of Local Government's evaluation of Council's 2011/12 Financial Management (Sustainability) Return.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

42 Notice of Intention to Sell Properties for Arrears of Rates

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance Department
Date 8 August 2012

Executive Summary

Forty-five properties have overdue rates which have remained outstanding for a period in excess of the period specified in the regulation and can now be sold by council to recover the outstanding rates and charges under Part 12 section 74 of *Local Government (Finance Plans and Reporting) Regulation 2010*.

Every effort has been made to contact the owners and negotiate suitable repayment outcomes. Legal action has also commenced to recover the outstanding rates on some properties. Sale proceedings are the last resort after all other recovery avenues have been exhausted.

Officer's Recommendation

1. That pursuant to part 12 section 74 of *Local Government (Finance Plans and Reporting) Regulation 2010* council resolve to commence sale proceedings to recover outstanding rates and charges for the following properties :

Property numbers

41650	524182	509462	30750
105860	524950	507334	512612
122870	527129	507337	55180
174880	533923	507466	73890

189810	3990	507467	103000
212700	7560	507791	505515
213850	507196	507796	525473
351322	507197	507827	221980
515641	509458	528906	81220
516060	509459	506566	
520682	509460	353415	
523623	509461	517666	

2. That council approve that on the day appointed for the auction of any property for which sale proceedings have been commenced the Director of Corporate Services or delegated officer may remove the property from sale if that person determines, on all of the facts available to them on the auction day, that it is not in council's best interests to proceed with the auction or that it would be unjust or unfair to the property owner to proceed with the auction on that day.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

43 PSA6702 - Supply of First Aid Products and Services

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 13 August 2012

Executive Summary

Council issued Tender number PSA6702 on 16 June 2012 for a Preferred Supplier Arrangement for the Supply of First Aid Products and Services. The tender closed on 11 July 2012 and seven submissions were received.

The contract is for 24 months with the option of a further three 12 month periods. At the completion of the 24 month contract period the contract performance will be reviewed and if the performance is satisfactory extension options will be negotiated. Extensions to the existing contracts allow council to reduce the extensive administrative costs required as part of the full tender process. Council will also benefit from maintaining good supplier relationships.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That pursuant to tender PSA6702 council resolve to award the Preferred Supplier Arrangement for First Aid Products and Services to Coral Sea Training for a period of 24 months with an option of a further three 12 month periods at an estimated value of \$30,523 (exl GST) per annum.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5776) where Council resolved that the Committee Recommendation be adopted.

44 PSA6713 - Supply and Delivery of Water Meters

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 13 August 2012

Executive Summary

Council issued Tender number PSA6713 on 09 June 2012 for a Preferred Supplier Arrangement for the Supply and Delivery of Water Meters. The tender closed on 11 July 2012 and five submissions were received.

The contract is for 24 months with the option of a further three 12 month periods. At the completion of the 24 month contract period the contract performance will be reviewed and if the performance is satisfactory extension options will be negotiated. Extensions to the existing contracts allow council to reduce the extensive administrative costs required as part of the full tender process. Council will also benefit from maintaining good supplier relationships. The contract will be divided into two groupings, Mechanical Water Meters and Fittings; and Meter Detector Check Valves. A contract will be awarded for each group.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That pursuant to tender PSA6713 council resolve to award the Preferred Supplier Arrangement for:
 - a. Water Meters and Fittings to Reliance Worldwide for 24 months with the option of three 12 month extensions with and estimated contract value of \$360,470 (GST incl) per annum.
 - b. Meter Detector Check Valves to Elster Metering Pty Ltd for 24 months the option of three 12 month extensions with and estimated contract value of \$91,619 (GST incl) per annum.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

45 Write-off Bad Debts as at June 2012

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 13 August 2012

Executive Summary

A review of the Accounts Receivable Aged Debtors Reports with a balance outstanding for more than 90 days as at 30 June 2012 was conducted. In this review any debtors that were included in this report were investigated to make a determination on the collectability of the debtors, with guidance from the relevant department.

The write-off of debtors were identified after standard collection processes were performed in an effort to recover the unpaid amounts over time however, the current assessment has determined that the amounts in the attached debtor write-off list are either uncollectable, or it is considered uneconomical to continue action to collect. It is therefore recommended that the debtors detailed in the attached debtor write-off list be written off as "bad debts".

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approves the write-off of \$26,724.10 in outstanding commercial debtors as at 30 June 2012, detailed in the attached Debtor write-off list.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

46 Request for General Rate Concession

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 13 August 2012

Executive Summary

A request has been received for general rate concessions for property number 34330 and property number 110620. The application has been made under council's draft concessions policy.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council grant a concession for the for the general rate for Townsville Golf Club Incorporated and Rowes Bay Golf Club Incorporated for the property numbers 34330 and 110620 and that the concession include general rates dating back to 01/01/2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 of the Council Minutes (page 5775) where Council resolved that the Committee Recommendation be adopted.

Townsville Water and Waste Committee

*It was **MOVED** by Councillor R Gartrell, **SECONDED** by Councillor L Walker:*

"that the committee recommendations to items 47 to 50 be adopted."

CARRIED

47 Utility Services - Laboratory Services Fees and Charges

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste

Department Utility Services

Date 6 July 2012

Executive Summary

This report provides details in relation to the proposed fees and charges for services provided by council's Laboratory Services and recommends that council resolve to delegate the power to adjust fees to the Chief Executive Officer.

Officer's Recommendation

That council delegate the power to set fees for council's Laboratory Services to the Chief Executive Officer.

Committee Recommendation

1. That the Officer's Recommendation be adopted.
2. That the Chief Executive Officer be directed to provide a confidential quarterly report to committee on fee variations for Laboratory Services approved under his delegated authority.

Council Decision

Refer to resolution preceding item 47 of the Council Minutes (page 5786) where Council resolved that the Committee Recommendation be adopted.

48 Townsville Water & Waste - Request for waiver or reduction of excess water charges - Property No. 121160

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste

Department Townsville Water and Waste

Date 8 August 2012

Executive Summary

The owner of property number 121160 is seeking a waiver or reduction of an excess water bill of \$3,585.60 for an undetected water leak within their property. The circumstances surrounding this leak do not fall within the council's policy for a reduction of water charges due to a concealed leak and it is therefore not recommended that a waiver or reduction should apply.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve not to provide a waiver or concession for excess water charges associated with undetected water leaks at property number 121160.

Committee Recommendation

1. That Officer's Recommendation no 1 be adopted.
2. That a 20% discount be given on the excess water charges for property number 121160 as the property owners have taken all reasonable steps, including the engagement of a licensed plumber, and would experience genuine financial hardship.

Council Decision

Refer to resolution preceding item 47 of the Council Minutes (page 5786) where Council resolved that the Committee Recommendation be adopted.

49 Commercial Performance - Monthly Report Card - July 2012

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Commercial Performance
Date 1 August 2012

Executive Summary

Townsville Water and Waste's monthly report card containing year to date operating results for 2012/2013 is submitted for the month of July 2012.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the report card from Townsville Water and Waste for the month of July 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 47 on the Council Minutes (page 5786) where Council resolved that the Committee Recommendation be adopted.

50 Programs & Technical Support - Tender Evaluation - PSA6635 - Periodic Supply and Delivery of Bulk Chemicals

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Water and Waste
Date 10 August 2012

Executive Summary

Tenders were called for and closed at 10:00am on Wednesday 25 July 2012 for Periodic Supply and Delivery of Bulk Chemicals (PSA6635). Nine Contractors submitted tenders for the various chemicals. Aluminium Sulphate deliveries have been excluded from this tender assessment due to a significant change in quantities after the tender had closed. All tenderers will be contacted to allow them to re-submit their price. This will be submitted to the September full council meeting.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.

2. That council award the tender for Periodic Supply and Delivery of Bulk Chemicals (PSA6635) for the chemicals and rates shown in the following commencing from 4 September 2012 with a term of two years.

Chemical	Supplier	Tendered Price (ex GST)
Sodium Hypochlorite	GE Water & Process Technologies Pty Ltd	\$0.3525/L – Mainland STP Sites \$455/IBC – Magnetic Island \$0.3925/L – Water Sites
Liquid Ethanol	Sucrogen Bioethanol Pty Ltd	\$1.18/L – 100TC \$1.18/L – 95IND \$1.32/L – 95S6
Liquid Citric Acid	GE Water & Process Technologies Pty Ltd	\$1,371/IBC
Polyelectrolyte	Water Treatment Services Pty Ltd	\$7.92/kg – C7022 \$6.38/kg – A2010 \$7.44/kg – C1010
Liquid Polyelectrolyte	Water Treatment Services Pty Ltd	\$6.76/kg – CE6010 \$6.76/kg – CE4010 \$2.54/kg – 50
Sodium Hydroxide Solution	Orica Chemicals Pty Ltd GE Water & Process Technologies Pty Ltd	\$560/tonne \$1,38.65/IBC
Sugar Solution	Water Treatment Services Pty Ltd	\$1.70/L
Ferrous Chloride	Orica Chemicals Pty Ltd	\$545/tonne
Hydrated Lime	Sibelco Australia Limited	\$690.50/tonne
Soda Ash	Water Treatment Services Pty Ltd	\$598.50/IBC

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 47 of the Council Minutes (page 5786) where Council resolved that the Committee Recommendation be adopted.

OFFICERS REPORTS

Planning and Development

51 Economic Development and Strategic Projects - Townsville Enterprise Limited August 2012 Report

REPORT TO COUNCIL

Authorised by Director Planning and Development

Department Strategic Planning

Date 20 August 2012

Executive Summary

Under the terms of its Service Level Agreement with council, Townsville Enterprise Limited must provide thrice yearly reports on activities and performance outcomes.

Accordingly, Townsville Enterprise has prepared its report for August 2012.

It outlines several economic development and marketing initiatives, and is provided for council's information.

Officer's Recommendation

That council receive the Townsville Enterprise Service Level Agreement report for August 2012, which is enclosed for council's information.

Mr David Kippin presented Townsville Enterprises' August 2012 Report to the council.

Council Decision

It was MOVED by Councillor V Veitch, SECONDED by Councillor G Eddiehausen:

"That the Officer's Recommendation be adopted."

CARRIED

Council resolved to change the order of business to consider item 59 as the next item of business.

ADDENDUM

Planning and Development

59 MI07/0047 MCU Extractive Industry to Remove Sand, 159 Carty Road, Cape Cleveland

REPORT TO COUNCIL	
Authorised by	Director Planning and Development
Department	Development Assessment
Date	24 August 2012
Address	Lot 500 RP 860205, 159 Carty Road, CAPE CLEVELAND
Applicant/Owner	Stephen Edwards & Bruce Fisher, C/- Brazier Motti
Description	MCU Impact MI07/0047 - Extractive Industry to Remove Sand and Environmentally Relevant Activity (ERA) 20, the extraction of 50,000 tonnes annually with the potential to increase processing to 100,000 annually.

Executive Summary

A Development Application for Material Change of Use - Extractive Industry and Environmentally Relevant Activity (ERA) 20, the extraction of 50,000 tonnes annually with the potential to increase processing to 100,000 annually, on Lot 500 RP 860205 situated at Carty Road, Cape Cleveland has been received from Applicant >>Stephen Edwards & Bruce Fisher through their consultant Brazier Motti - MI07/0047 6304001 and has been recommended for approval.

Officer's Recommendation

That council approve application MI07/0047 for a development permit for Extractive Industry to Remove Sand under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 500 RP 860205, more particularly 159 Carty Road, CAPE CLEVELAND, subject to the following conditions -

1. Site Layout

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

DRAWING/REPORT NAME	DRAWING NO./ REPORT AUTHOR	REVISION No.	DATE
Conceptual Layout - Overview	27654/2	D	18 December 2007
Conceptual Layout - Detail	27654/4	D	18 December 2007
Conceptual Layout - Section	27654/5	D	18 December 2007
Site Access Plan	27654/012	A	24 April 2012
Revegetation Management Plan	C & R Consulting		February 2010
Site Based Management Plan for Extractive Industry	C & R Consulting		February 2010
Fauna Survey & Protected Species Investigation Report	C & R Consulting		February 2010
Acid Sulphate Soil Investigation	C & R Consulting		August 2009

Cultural Heritage Impact Assessment Study	Northern Archaeology Consultancies Pty Ltd		October 2009
Groundwater Impacts and Monitoring	Rob Lait & Associates Pty Ltd		February 2009

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Rehabilitation and Site Management

- a) Where not in conflict with conditions imposed by respective concurrence agencies, the approved development is to be in accordance with the following reports:
- Revegetation Management Plan, prepared by C & R Consulting, dated February 2010;
 - Site-Based Management Plan for an Extractive Industry, prepared by C & R Consulting, dated February 2010;
 - Fauna Survey & Protected Species Investigation Report, prepared by C & R Consulting dated, February 2010;
 - Acid Sulphate Soil Investigation, prepared by C & R Consulting, dated August 2009;
 - Cultural Heritage Impact Assessment Study prepared by Northern Archaeology Consultancies Pty Ltd, dated October 2009;
 - Groundwater Impacts and Monitoring prepared by Rob Lait & Associates Pty Ltd dated February 2009.
- b) In respect of the Revegetation Management Plan, at a minimum this will require that:
- i. The sand extraction be staged in blocks no larger than 2 hectares;
 - ii. Vegetation cover not be removed from a stage prior to cessation of sand extraction from the previous stage;
 - iii. Stripping of vegetation not be carried out on a new stage unless there is visible growth on not less than 50% of the vegetation on all previously replanted stages including the most recently re-planted stage. *(That is, stage 3 must not be stripped until there is visible growth on not less than 50% of the re-plantings in stage 1, and stage 4 must not be stripped until there is visible growth on not less than 50% of the re-plantings in stages 1 and 2, and so on).*
 - iv. Vegetation removed from a stage must be mulched and re-used on site in subsequent rehabilitation works;
 - v. Topsoil must be stripped from each stage to a depth of no greater than 10 cm and stored separately to other spoil and re-used on site in subsequent rehabilitation works;
- c) In respect of the Site-Based Management Plan for an Extractive Industry at a minimum this will require that the development be carried out in accordance with condition 2(b) of these conditions and that:
- i. Prior to any stripping of vegetation bollards be erected at not less than 25 metre intervals along the boundary of the extraction area and the buffer zones, with those bollards indelibly marked with an AHD level;
 - ii. Sand be extracted using a wheeled loader or an excavator, and with the use of a mobile screening plant, operated in such a way as to prevent impacts outside the site of dust from these sources;

- iii. Sand be extracted to a maximum depth of 1 metre AHD;
 - iv. To minimise dust impacts all traffic within the site is to be operated at speeds of no more than 40 km/h;
 - v. To minimise dust impacts all product transported from site must be covered prior to leaving the site.
- d) In respect of the Fauna Survey & Protected Species Investigation Report at a minimum this will require that the development be carried out in accordance with conditions 2(b) and 2(c) of these conditions and that:
- i. A pre-clearing inspection be carried out immediately prior to the stripping of vegetation on each stage, by an appropriately qualified and experienced inspector, to identify any rare and threatened fauna species and important habitat features such as habitat trees with hollows;
 - ii. Significant habitat trees and known roosting sites and a buffer zone around them sufficient to ensure that the viability of the habitat feature or roosting site is not compromised must be bollarded when located, and preserved from extraction activities
 - iii. To minimise impacts upon wetland fauna, sand extraction not be carried out during the wet season;
 - iv. Large hollow logs located during stripping of vegetation must be preserved, stored on site and placed throughout revegetated areas to provide habitat for fauna;
 - v. Weed and pest species management must be continuously conducted throughout each current extraction stage and all re-vegetated stages.
- e) In respect of the Acid Sulphate Soil Investigation at a minimum this will require that sand extraction not go below 1 metre AHD at any point on the site.
- f) In respect of the Cultural Heritage Impact Assessment Study at a minimum this will require that:
- i. In the event that any Aboriginal remains or Aboriginal cultural heritage sites, material or values are discovered at any time during development or excavation, the area be delineated by bollards and work cease at that location until the find is assessed and appropriately managed.
- g) In respect of the Groundwater Impacts and Monitoring at a minimum this will require that:
- i. Automatic water level data loggers be installed at sites MB1 and MB4 and data from those loggers downloaded and assessed quarterly;
 - ii. Manual groundwater level measurements be conducted at least monthly at sites MB2 and MB3;
 - iii. Quarterly groundwater field measurements including pH and electrical conductivity be conducted at sites MB1, MB2, MB3 and MB4;
 - iv. A report be compiled about ground water testing each six months and be provided to the assessment manager upon request.
- (Note that compliance with this condition 2(g) is in addition to the quarterly monitoring requirements imposed under condition 16).*

3. Defined Use

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

4. Area of Extraction

All quarrying of materials for the approved development (Extractive Industry) must be confined to the land described in the approved plans, except where specified otherwise in these conditions of approval.

5. Hours of Operation

Notwithstanding the hours of operation listed at clause 4, 2.5 of the Site-Based Management Plan for an Extractive Industry, unless otherwise approved in writing by the Council, the activities associated with the use must be conducted only between 6:00 am to 6:00 pm Monday to Friday and 7.00am to 1:00pm Saturday. **The use is not permitted to operate on Sunday or Public Holidays.**

6. Fencing and Signage

- a) Prior to any stripping of vegetation bollards be erected at not less than 25 metre intervals along the boundary of the extraction area and the buffer zones, with those bollards indelibly marked with an AHD level, including where possible given existing site topography a distinctive mark showing 1 metre AHD.
- b) Any excavated areas having water deeper than 1.5 metres is to be fenced to a height of 2 metres to prevent unauthorised or accidental public entry.

7. Site Appearance

The site is to be kept in a clean and tidy condition at all times consistent with the use to the satisfaction of Council.

8. Relocation of Utilities

The developer is responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development. The Council will not contribute to the cost of that work.

9. Water Supply

The developer at all times must supply and maintain a supply of on-site potable water for employees and visitors.

10. Sewerage

All effluent and polluted waste water must be disposed of within the boundaries of the site in accordance with the Plumbing and Drainage Act 2002 to the satisfaction of Council.

11. Stormwater Quality Management

A stormwater quality management plan (SQMP) must be submitted to and be approved by council prior to the commencement of the use. The SQMP must be prepared by a suitably qualified person*.

12. Soil Erosion Sediment Control Plan

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

- * incorporate performance standards, hold points and end points.
- * include maps, calculations, timing/staging and rainfall events/design criteria.
- * include specifications and construction details.
- * include soil and water management plans.
- * contain supporting documentation.
- * include a maintenance and monitoring program.
- * include geotechnical advice relating to the stability of the site during and after works including details on revegetation and stabilisation of the site.

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

13. Release of Contaminants to Waters

Contaminants must not be directly or indirectly released from the premises to any waters or the bed and banks of any waters.

14. Roadworks and Traffic

- a) A new access to the site from the existing edge of bitumen to the property boundary must be constructed by the developer at the developer's expense prior to the commencement of use and generally in accordance with Council's standard Drawing for "Constructed Access to Rural Properties.
- b) The developer must pay a contribution of \$50,000 to Council (Construction and Maintenance Section, Infrastructure Services) for the maintenance of Carty Road between Cape Cleveland Road and Meehan Road. Payment is to be made in five equal instalments of \$10,000 with the first payment made prior to commencement of the use and subsequent payments made annually on or before each anniversary of the first payment.
- c) Any damage caused by construction activities associated with the development at any time to council infrastructure (including sealed or gravelled surfaces of the road and verges) within road reserves must be replaced or repaired by the developer in accordance with Council's standards.

15. Vegetation Disposal

All felled trees and waste vegetation on the site must be treated in accordance with the Site-based Management Plan for extractive Industry and the Revegetation Management Plan referred to as contained in Condition 1 of these conditions. Waste vegetation must not be burned or buried on site.

16. Quarterly Monitoring

Quarterly groundwater monitoring is to be undertaken during extractive operations. Monitoring locations and testing parameters are to be agreed with the Department of Environment and Resource Management (DERM) and testing is to include groundwater elevation, indicators of ASS disturbance and saline intrusion. New groundwater monitoring bores are to be established within the extractive area as voids are completed. Reporting is to be supplied to DERM on an annual basis, summarising the findings, any problems and how these have/are to be remedied.

During quarterly monitoring, other related aspects are to be recorded. These aspects include evidence of any fish deaths (including stranding of fish when voids dry), erosion on batters and establishment of vegetation in void bases and batters. Reporting is to be supplied to DERM on an annual basis, summarising the findings, any problems with the landform design and how these have/are to be remedied.

17. Further Approvals Required

a) Compliance Assessment

All engineering associated with this development must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

All engineering 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 Development Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

Concurrence Agency Conditions -Department of Transport and Main Roads

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the **Department of Transport and Main Roads** advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the **Department of Transport and Main Roads** conditions as outlined in the Department's correspondence dated 24 February 2012.

Concurrence Agency Conditions - Department of Environment and Resource Management

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the **Department of Environment and Resource Management** advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the **Department of Environment and Resource Management** conditions as outlined in the Department's correspondence dated 21 January 2011.

Advice Agency - Department of Environment and Resource Management

Pursuant to Section 3.3.16(2) of the *Integrated Planning Act 1997*, **Department of Environment and Resource Management** advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, as attached.

Advice Agency - Ergon Energy

Pursuant to Section 292 of the *Sustainable Planning Act 2009*, **Ergon Energy** advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, as attached.

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. Environmental Considerations

DERM Requirements

Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

3. Environmentally Relevant Activity

The developer is required to obtain an environmentally relevant activity approval from the relevant State Agency before any stormwater runoff can be discharged into the adjacent RAMSAR Wetland.

4. Portable Toilets

Adequate numbers of portable toilets for staff are to be provided on site and to be maintained in an environmentally friendly and hygienic way.

Council Decision

It was **MOVED** by Councillor A Parsons, **SECONDED** by Councillor P Ernst:

"That the Officer's Recommendation be adopted."

A Division was called by Councillor L Walker:

FOR: P Ernst, R Gartrell, A Parsons, J Lane, S Blom, T Roberts, G Eddiehausen

AGAINST: V Veitch, C Doyle, L Walker and J Hill

The motion was **CARRIED**

The order of business resumed and returned to item 52 of the Officers Reports.

OFFICERS REPORTS

Community and Environment

52 Re-establishment of Councils Community-Based Advisory Committees

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 14 August 2012

Executive Summary

This report is to provide information and recommendations regarding the establishment of councils community-based Advisory Committees. Community-based Advisory Committees are a key opportunity for council to connect, engage and receive advice from the community on current and emerging issues, and policy matters on an on-going basis. Council's goal is to actively promote and encourage equity of access for and within the Townsville community. Advisory Committees are established in accordance with section 62 of the *Local Government (Operations) Regulation 2010* ("the Regulation") and run for the term of council.

In order to create a more inclusive and connected community-based Advisory Committee, with the focus to actively promote and encourage equity of access for and within the Townsville Community, it is recommended that council initially establish two (2) community-based Advisory Committees - Inclusive Community Advisory Committee; and Aboriginal and Torres Strait Islander Advisory Committee. It is intended that future consultation and consideration will occur for potential establishment of additional community-based advisory committees.

Officer's Recommendation

- 1) That council approve the establishment of the Inclusive Community Advisory Committee, for the duration of the current term of Council.

- 2) That council approve for the Inclusive Community Advisory Committee to include Aboriginal and Torres Strait representation to meet on a bi-monthly basis, with the first meeting to commence at the conclusion of the recruitment process.
- 3) That council nominate two (2) Councillors to join the membership of the Inclusive Community Advisory Committee in a voting role, with one of these Councillors to be appointed as the Chairperson by council.
- 4) That further consultation occurs regarding establishment of additional Advisory Committees.

Councillor Gartrell left the chamber without leave at 10.39am and returned at 10.44am during discussion on this item.

Councillors S Blom, C Doyle and G Eddiehausen were nominated to be members of the Inclusive Community Advisory Committee.

**Councillor J Lane nominated Councillor G Eddiehausen to be chairperson.
Councillor G Eddiehausen withdrew and nominated Councillor C Doyle as chairperson.**

Council Decision

It was MOVED by Councillor A Parsons, SECONDED by Councillor P Ernst:

- 1) That council approve the establishment of the Inclusive Community Advisory Committee, for the duration of the current term of Council.
- 2) That council approve for the Inclusive Community Advisory Committee to include Aboriginal and Torres Strait representation and to meet on a bi-monthly basis, with the first meeting to commence at the conclusion of the recruitment process.
- 3) That council nominate Councillor S Blom, Councillor C Doyle and Councillor G Eddiehausen to join the membership of the Inclusive Community Advisory Committee in a voting role with Councillor C Doyle to be appointed as the Chairperson by council.
- 4) That further consultation occurs regarding establishment of additional Advisory Committees.

CARRIED

The Chief Executive Officer left the meeting. The Director Planning and Development stood in as Acting Chief Executive Officer.

Corporate Services

53 Community Wellbeing Symposium 20 - 22 November 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Corporate Governance

Date 28 August 2012

Executive Summary

The Local Government Association Queensland is hosting a Community Wellbeing Symposium in Brisbane, 20-22 November 2012. The symposium aims to build the capacity of councils to deliver policies and programs that will enhance community engagement, community development and community wellbeing initiatives.

The conference theme is Connect, Innovate, Achieve. Day 1 is targeted at Councillors, while the remaining two days are targeted at council officer level.

Officer's Recommendation

1. That council consider nominating a Councillor, to attend the 2012 Local Government Association of Queensland's Community Wellbeing Symposium being held in Brisbane, 20-22 November 2012.
2. That in accordance with section 162(1)(e) of the Local Government Act 2009 council grant leave of absence to nominated delegates/observers for 20-22 November 2012.

Council Decision

It was MOVED by Councillor A Parsons, SECONDED by Councillor V Veitch:

- "1. That Councillor C Doyle and Councillor S Blom attend the 2012 Local Government Association of Queensland's Community Wellbeing Symposium in Brisbane, 20 - 22 November 2012; and
2. that in accordance with section 162(1)(e) of the Local Government Act 2009 council grant Councillor C Doyle and Councillor S Blom leave of absence to attend the Community Wellbeing Symposium."
3. That the Councillors Doyle and Blom report back to the councillors on this Symposium.

CARRIED

54 IBM Smart Cities Challenge Summit 14-15 November 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Corporate Governance

Date 28 August 2012

Executive Summary

IBM awarded Townsville City Council a Smart Cities Challenge Grant in 2011. Six IBM professionals including a number from overseas visited Townsville for three weeks in 2011 and provided Council a report on Smart cities opportunities for Townsville. An IBM Smart Cities Summit will be held in Palisades, New York 14-15 November 2012 and IBM has invited the Mayor, Chief Executive Officer and the Executive Manager Integrated Sustainability to attend. The summit provides an opportunity to share Townsville's expertise and insight into the challenges facing our city and to seek potential research collaborations.

Officer's Recommendation

1. That council consider nominating the Mayor or Deputy Mayor to attend the 2012 Smart Cities Challenge Summit being held in New York 14 - 15 November 2012.
2. That in accordance with section 162(1)(e) of the Local Government Act 2009 council grant leave of absence to nominated delegate for 14 - 15 November 2012 and required travel time.

Council Decision

It was MOVED by Councillor V Veitch, SECONDED by Councillor P Ernst:

- "1. That the Mayor, Councillor J Hill attend the 2012 Smart Cities Challenge Summit being held in New York 14 - 15 November 2012; and
2. that in accordance with section 162(1)(e) of the Local Government Act 2009 council grant the Mayor, Councillor J Hill leave of absence to attend the 2012 Smart Cities Challenge Summit."

CARRIED

Councillor J Lane requested that her objection to council paying for overseas travel costs and her dissention to this motion be noted.

55 LGAQ Annual Conference 2012 - Brisbane - 22-25 October 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Corporate Governance

Date 28 August 2012

Executive Summary

The Local Government Association of Queensland's [LGAQ] 2012 Annual Conference, "Making A Difference – Growing Queensland's Four Pillar Economy", is to be held from Monday 22 October - Thursday 25 October, 2012 at the Brisbane Convention & Exhibition Centre.

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 Monday 3 September 2012.

Council can also nominate any person, who is an elected member of any member council as a candidate for the Office of President of the LGAQ. The nominee does not have to be a member of the Policy Executive to stand for the Office of President. Nominations must be received by the LGAQ 21 September 2012.

Officer's Recommendation

1. That council consider nominating two Councillors, as delegates to attend the 2012 Local Government Association of Queensland's 116th Annual Conference being held in Brisbane, 22-25 October 2012.
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 2012 Local Government Association of Queensland's 116th Annual Conference being held in Brisbane, 22-25 October 2012;
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 21 - 26 October 2012.
5. That council determine any motions for submission to the Annual Conference of relevance to Townsville, the region or local government industry.
6. That council consider nominating a suitable candidate for the Office of President of the Local Government Association of Queensland for a term of four years.

Councillors P Ernst, C Doyle and G Eddiehausen were nominated to attend this conference with Mayor J Hill

Council Decision

It was **MOVED** by Councillor V Veitch, **SECONDED** by Councillor G Eddiehausen:

- "1. that the Mayor, Councillor J Hill and Councillor P Ernst be council's delegates to the 2012 Local Government Association of Queensland's 116th Annual Conference being held in Brisbane, 22-25 October 2012;
2. that the Mayor, Councillor J Hill receive 4 votes, and Councillor P Ernst receive 4 votes;
3. that Councillor C Doyle and Councillor G Eddiehausen attend the 2012 Local Government Association of Queensland's 116th Annual Conference as observers;
4. that in accordance with section 162(1)(e) of the Local Government Act 2009 council grant the Mayor, Councillor J Hill, Councillor P Ernst, Councillor G Eddiehausen and Councillor C Doyle leave of absence for 22-25 October 2012; and
5. that council develop the following into motions to be put to the Local Government Association of Queensland and that these motions be brought back to the next council meeting for endorsement:
 - a) the issue that building certifiers working in a local government area should be certified by that local government in addition to State government requirements.
 - b) the matter of council decisions regarding the destruction of dangerous animals being overturned by local courts through directions for negotiation resulting in the release of a potentially dangerous animal.
 - c) the potential loss of bio-security in tropical North Queensland.
 - d) the difficulties experienced when dealing with state government agencies on the environmental health issues arising from illegal drug/amphetamine labs on private property."

CARRIED

56 Australian Local Government Women's Association - Membership Application

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Corporate Governance

Date 17 August 2012

Executive Summary

The aim of the Australian Local Government Women's Association is to:-

- Assist in furthering women's knowledge and understanding of the functions of Local Government
- Encourage women to participate in Local Government
- Encourage women to make a career from Local Government
- Protect the interests and rights of women in Local Government
- Take action in relation to any subject or activity affecting Local Government and Local Government legislation
- Act in an advisory capacity to intending women candidates for Local Government elections

Membership of ALGWA is open to anyone interested in supporting women's participation in Local Government. Membership includes elected Councillors, Employees in Local Government, former Mayors and Councillors, individual Councils and Shires and intending candidates for Local Government elections.

Expressions of interest have been invited from Townsville City Council.

Officer's Recommendation

That council nominate councillor/s to be members of the Australian Local Government Women's Association.

Council Decision

It was MOVED by Councillor P Ernst, SECONDED by Councillor G Eddiehausen:

"That Councillor S Blom and Councillor C Doyle become members of the Australian Local Government Women's Association."

CARRIED

57 Ethnic Community Care Links Inc - Invitation to Join Board of Management

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 17 August 2012

Executive Summary

Ethnic Community Care Links Incorporated works to promote inclusion, compassion, care and respect for others and equal access to all people, regardless of background, culture or abilities. They currently service approximately 500 clients and their families / carers in North Queensland.

An invitation has been extended to Councillor C Doyle to join as a member of their Board of Management that meets on a bi-monthly basis.

Officer's Recommendation

That council endorse Councillor C Doyle as council's representative on the Board of Management for Ethnic Community Care Links Inc.

Council Decision

It was MOVED by Councillor A Parsons, SECONDED by Councillor L Walker:

"That Councillor C Doyle be endorsed as council's representative on the Board of Management for Ethnic Community Care Links Inc."

CARRIED

**58 Townsville City Council - Structure and Governance - RTB Solutions Report
Dated August 2011**

THIS ITEM WAS WITHDRAWN

Refer to resolution on page 5733 of the Council Minutes where Council resolved to withdraw this item.

59 MI07/0047 MCU Extractive Industry to Remove Sand, 159 Carty Road, Cape Cleveland.

Refer to resolution following item 51 of the Council Minutes (page 5791) where Council resolved that the order of business be changed and item 59 be considered as the next item of business.

Refer page 5792 of the Council Minutes for item 59 - MI07/0047 MCU Extractive Industry to Remove Sand, 159 Carty Road, Cape Cleveland.

ADDENDUM

Corporate Services

60 Corporate Governance - Show Day Public Holiday 2013

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 23 August 2012

Executive Summary

Correspondence dated 20 August 2012 has been received from the Townsville Pastoral Agricultural and Industrial Association requesting that the Public Holiday for the Townsville Show in 2013 be scheduled for Monday 1 July 2013.

Officer's Recommendation

That council write to the Attorney-General and Minister for Justice requesting that Monday 1 July 2013 be declared a regional public holiday for the purpose of the annual Townsville Show.

Council Decision

It was MOVED by Councillor V Veitch, SECONDED by Councillor A Parsons:

“That the Officer's Recommendation be adopted.”

CARRIED

Motions of which previous notice has been given

There were no motions.

General Business

(i) Closure of Townsville Dragway - New Precinct Required.

GENERAL BUSINESS ITEM	
Raised at	Ordinary Council
Date	28 August 2012

Councillor Veitch advised that the final Dragway Meet (Shaw Road) was held last weekend and that council needed to move forward quickly in identifying a new site for motor sports such as this.

The Mayor, Councillor J Hill informed the council that a community committee would be formed to initiate this process.

(ii) Pallarenda Master Plan

GENERAL BUSINESS ITEM	
Raised at	Ordinary Council
Date	28 August 2012

The Mayor, Councillor J Hill requested a Master Plan be developed for Pallarenda and that this plan be brought back to council through the Sports, Parks and Recreation Committee.

(iii) Workshop - Core Businesses of Council

GENERAL BUSINESS ITEM	
Raised at	Ordinary Council
Date	28 August 2012

The Councillors requested a Workshop be held regarding what the core businesses of council should encompass. It was further requested that all information and materials be provided to them 2 business days before the Workshop is held.

Close of Meeting

The Chair, Mayor J Hill declared the meeting closed at 11.22 am.

CONFIRMED this

day of

2012

MAYOR

CHIEF EXECUTIVE OFFICER