



# **ORDINARY COUNCIL**

## **PUBLIC MINUTES**

TUESDAY 28 FEBRUARY 2017 AT 1.07PM

## **Council Members >>**

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

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## Goals and Strategies of Townsville City Council >>

### Corporate Plan >>

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

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

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

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

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

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

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

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

### ACKNOWLEDGEMENT OF COUNTRY

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

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<b>REPORT</b>	<b>COUNCIL MEETING</b>
<b>DATE</b>	<b>Tuesday 28 February 2017 at 1.07pm</b>
<b>ITEMS</b>	<b>1 TO 29</b>
<b>PRESENT</b>	The Mayor, Councillor J Hill Councillor R Cook Councillor V Coombe Councillor C Doyle Councillor A Greaney Councillor P Jacob Councillor M Molachino Councillor K Rehbein Councillor M Ryder Councillor M Soars Councillor L Walker

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

The Chair, the Mayor, Councillor J Hill opened the meeting at 1.07pm.

#### **Acknowledgement to Country**

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

#### **Prayer**

Father Mick Peters of the Catholic Church delivered the opening prayer.

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

There were no apologies or leave of absence noted.

#### **Confirmation of Minutes of Previous Meeting**

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

"that the minutes of the Ordinary Council meeting of 24 January 2017 be confirmed."

**CARRIED UNANIMOUSLY**

## **Disclosure of Interests**

- (i) Community and Cultural Development Committee - Perceived conflict of interest – Item 20 – Councillor V Coombe – Councillor Coombe has a business relationship with one of the panellists.
- (ii) Planning and Development Committee - Perceived conflict of interest - Item 6 - Councillors L Walker, M Molachino, K Rehbein, M Soars, R Cook, V Coombe, C Doyle, A Greaney, P Jacob, M Ryder and the Mayor, Councillor J Hill - Toprise (Australia) Pty Ltd donated to the Team Hill election campaign.
- (iii) Planning and Development Committee - Perceived conflict of interest - Item 9 -Councillors L Walker, M Molachino, K Rehbein, M Soars, R Cook, V Coombe, C Doyle, A Greaney, P Jacob, M Ryder and the Mayor, Councillor J Hill - Landel Pty Ltd donated to the Team Hill election campaign.
- (iv) Governance and Finance Committee - Real conflict of interest - Item 23 - The Mayor, Councillor J Hill - Councillor Hill's brother is working for one of the companies listed.

## **Correspondence**

There was no correspondence.

## **Petitions**

- (i) **Petition - Install safe crossing into Strand Park from outer road around Park**

### **Overview**

Councillor A Greaney tabled a petition requesting the installation of a safe crossing into Strand Park from the outer road around the park, even though there is a crossing at the back corners, the traffic is not requested to stop.

### **Council Decision**

That the petition be referred to the Chief Executive Officer for a report back to council.

## **Deputations**

There were no deputations.

## **Notices of Motion**

There were no notices of motion.

## **Presentations**

There were no presentations.

## **Mayoral Minute**

There were no Mayoral Minutes.

## **Committee Items**

### **Infrastructure Services Committee**

***It was MOVED by Councillor M Molachino, SECONDED by Councillor K Rehbein:***

*"that the committee recommendations to items 1 to 3 be adopted."*

**CARRIED UNANIMOUSLY**

## **1 Infrastructure Committee Quarter 2 Corporate Performance Management Report 2016/17**

### **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 Infrastructure Committee Development section of the Corporate Performance Report, under separate cover, is presented.

### **Officer's Recommendation**

That council receive the Infrastructure Committee section of the Corporate Performance Report for the second quarter of 2016/17, being the period 1 October 2016 to 31 December 2016.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 9303) where council resolved that the committee recommendation be adopted.**

## **2 Infrastructure and Operations - Australian Smart Cities and Infrastructure Summit**

### **Executive Summary**

The Chair Infrastructure and Operations, Councillor M Molachino has been invited by the Mayor Townsville City Council to attend the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017.

The conference brings together key stakeholders from government and private sectors to discuss Australia's future in smart cities and infrastructure.

### **Officer's Recommendation**

1. That council approve Councillor M Molachino to attend the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor M Molachino to attend the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017.



### **Committee Recommendation**

1. That council approve Councillor M Molachino and one additional councillor to attend the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor M Molachino and one additional councillor to attend the Australian Smart Cities and Infrastructure Summit to be held in Sydney from 16-17 March 2017.

### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 9303) where council resolved that the committee recommendation be adopted.**

## **3 Engineering Services - Peggy Banfield Park Petition Response**

### **Executive Summary**

This report provides a response to a petition from the Norths Rugby League Club, tabled at the November 2016 Council Meeting and the subsequent Action Item arising.

The Peggy Banfield Project is currently in the delivery phase of *Stage 1*. Its delivery has realised some potential impacts on the club's operations to which the petition makes request for council consideration

### **Officer's Recommendation**

That council endorse the actions proposed for each petition item outlined in this report.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 9303) where council resolved that the committee recommendation be adopted.**

## Planning and Development Committee

**In accordance with section 173 of the Local Government Act 2009, Councillors L Walker, M Molachino, K Rehbein, M Soars, R Cook, V Coombe, C Doyle, A Greaney, P Jacob, M Ryder and the Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 6.**

- (a) the name of the councillors who have the perceived conflict of interest:**  
Councillors L Walker, M Molachino, K Rehbein, M Soars, R Cook, V Coombe, C Doyle, A Greaney, P Jacob, M Ryder and the Mayor, Councillor J Hill
- (b) the nature of the conflict of interest as described by the Councillor:**  
Toprise (Australia) Pty Ltd donated to the Team Hill election campaign.
- (c) how the Councillors dealt with the perceived conflict of interest:**  
The Councillors disclosed that they may have a perceived conflict of interest as defined under Section 173(6) of the Local Government Act 2009 due to donations made by Toprise (Australia) Pty Ltd to the Team Hill election campaign. The Councillors have determined that this perceived conflict of interest is not of sufficient significance that will lead the Councillors to make a decision on this matter that is contrary to public interest. The Councillors honestly believe that they will best perform their responsibilities of serving the overall public interest of the whole of council's area by participating in the discussion and voting on this matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**  
The Councillors voted as per the officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

**In accordance with section 173 of the Local Government Act 2009, Councillors L Walker, M Molachino, K Rehbein, M Soars, R Cook, V Coombe, C Doyle, A Greaney, P Jacob, M Ryder and the Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 9.**

- (a) the name of the councillors who have the perceived conflict of interest:**  
Councillors L Walker, M Molachino, K Rehbein, M Soars, R Cook, V Coombe, C Doyle, A Greaney, P Jacob, M Ryder and the Mayor, Councillor J Hill
- (b) the nature of the conflict of interest as described by the Councillor:**  
Landel Pty Ltd donated to the Team Hill election campaign.
- (c) how the Councillors dealt with the perceived conflict of interest:**  
The Councillors disclosed that they may have a perceived conflict of interest as defined under Section 173(6) of the Local Government Act 2009 due to donations made by Landel Pty Ltd to the Team Hill election campaign. The Councillors have determined that this perceived conflict of interest is not of sufficient significance that will lead the Councillors to make a decision on this matter that is contrary to public interest. The Councillors honestly believe that they will best perform their responsibilities of serving the overall public interest of the whole of council's area by participating in the discussion and voting on this matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**  
The Councillors voted as per the officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

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

*"that the committee recommendations to items 4 and 6 to 12 be adopted and that item 5 be dealt with separately."*

**CARRIED UNANIMOUSLY**

Item 5 - MI16/0011 Report - Material Change of Use (Impact) Outdoor Sport and Recreation - Rodeo Grounds 1/1994 Hervey Range Road

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

"that item 5 be withdrawn."

**CARRIED UNANIMOUSLY**

Councillor A Greaney referred to item 4 - MI16/0005 Report - Material Change of Use (Impact) Office and Warehouse - St Vincent de Paul - 6 Hubert Street South Townsville, and thanked the staff for a great job for this site.

#### **4 MI16/0005 Report - Material Change of Use (Impact) Office and Warehouse - St Vincent de Paul - 6 Hubert Street South Townsville**

##### **Executive Summary**

An application was received on 1 February 2016 for the new Townsville Operations Centre for St Vincent de Paul which will consolidate all administration facilities for the Townsville Diocese of St Vincent de Paul in one location at 6 Hubert Street, South Townsville.

A new office building proposed on the corner of Boundary and Hubert Streets will be a purpose-built facility incorporating space for office facilities, training rooms, conference facilities, call centres and staff/volunteer amenities. This new building has been designed with car parking and bike storage at ground level and office facilities above. The applicant engaged with council prior to lodging the application to ensure a high-quality outcome reflective of the character of the area, particular for the Boundary Street frontage.

An existing warehouse building will be retained as a sorting/storage area for all donations collected across the City before being distributed to retail outlets associated with the St Vincent de Paul Society. The development will be serviced by heavy-ridged vehicles internal to the warehouse for loading and unloading once or twice a month. It should be noted that the existing warehouse remains a lawful use and can recommence operating without any further approvals from council, irrespective of this new application. Historically, the existing industrial warehouse generated numerous complaints from residents with respect to noise and traffic. The proposed St Vincent de Paul Operations Centre is considered a more compatible land use with fewer impacts on adjoining residents than its current use primarily as a warehouse.

The applicant has proposed a number of site improvements to amenity, including new boundary fencing, landscape treatments and new built form addressing the street. Operating hours for the Office component will be restricted to 6am to 6pm Monday to Saturday and the Warehouse component will be limited to 7am to 6pm Monday to Friday for sorting and distribution activities. Collection of pre-packed delivery vehicles by truck drivers have been permitted to commence at 5:30am Monday to Friday. The existing car parking area (adjoining 8 Hubert Street) will be formalised with driveway and similar fencing and landscaping treatments. A donation drop-off point is also planned to the Hubert Street frontage and has been conditioned to be kept in a clean and tidy state at all times during the life of the development.

Through assessment of the proposal against the Townsville City Plan, the development was found to comply with the overall intent and is therefore recommended for approval subject to reasonable and relevant conditions.

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

That council approve application MI16/0005 for a Development Permit for Office and Warehouse - St Vincent de Paul under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 119 T 118105, Lot 118 T 118105, Lot 117 T 118105, more particularly 6 Hubert Street South Townsville subject to the following conditions -

## 1. Approved Plans and Supporting Documentation

### Condition

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

Plan Name	Plan No.	Revision No.	Revision Date
Site Plan	SK1	1	19/11/2015
Ground Floor Plan	SK2	2	07/09/2016
First Floor Plan	SK3	1	19/11/2015
Roof Plan	SK4	1	19/11/2015
Elevations – Sheet 1	SK5	1	19/11/2015
Elevations – Sheet 2	SK6	1	19/11/2015
Street Perspective 1	SK8	1	19/11/2015
Street Perspective 2	SK9	1	19/11/2015
Street Perspective 3	SK10	1	19/11/2015
Street Perspective 4	SK11	1	19/11/2015
Warehouse Storage	SK12	1	29/08/2016
Roadworks and Traffic Condition Plan	-	-	-
<b>Associated Reports</b>			
Traffic Impact Assessment (Reference: B16264TR001) Revision B, Dated 15/09/2016, Prepared by Lambert & Rehbein.			
Flood and Coastal Inundation Assessment (Reference: 4281-01R01v02), Version 2, Dated 29/01/2016, Prepared by Water Technology.			

- b) One full set of the most up to date approved plans and supporting documentation must be held on site and available for inspection for the duration of the construction phase.
- c) The recommendations outlined in the above reports/s must be implemented prior to the commencement of the use.

### Reason

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

### Timing

During the operation and life of the development.

## 2. Hours of Operation

### Condition

Unless otherwise approved by Council, the following hours of operation are approved from –

- Office (Monday to Saturday): 6am – 6pm
- Warehouse (Monday to Friday):
  - Sorting and distribution activities – 7am – 6pm
  - Collection of delivery vehicles may commence at 5:30am.

**The uses are not to operate on Saturdays (Warehouse only), Sundays or Public Holidays.**

### Reason

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

**Timing**

During the operation and life of the development.

**3. Flood and Coastal Inundation Assessment****Condition**

The recommendations of the Flood and Coastal Inundation Assessment report (Reference: 4281-01R01v02), Version 2, Dated 29/01/2016, Prepared by Water Technology must be implemented by all future operators of the development.

**Reason**

To reduce the risks associated with inundation from storm tide and flood events in accordance with the Flood hazard overlay code and the Coastal protection overlay code.

**Timing**

During the operation and life of the development.

**4. Security****Condition**

The gates for the Volunteer's Carpark and the proposed Office Carpark must be locked after hours of operation.

**Reason**

To reduce the risk of loitering or trespassers entering the premises after business hours.

**Timing**

During the operation and life of the development.

**5. Property Numbering****Condition**

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

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

**Reason**

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

**Timing**

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

**6. Relocation of Services or facilities****Condition**

Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to Council.

**Reason**

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

**Timing**

Prior to the development achieving on maintenance or commencement of use.

**7. Storage****Condition**

Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties.

**Reason**

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

**Timing**

At all times following the commencement of the use.

**8. Stormwater Drainage****Condition**

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage achieves the outcomes in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan.

**Reason**

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.4.2 Healthy waters code of the Townsville City Plan.

**Timing**

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

**9. Roadworks and Traffic****Condition**

- a) The existing vehicle accesses including the crossover in the kerb and channel to the Warehouse and Volunteer's carpark on Hubert street must be replaced in accordance with Part 9.4.6 Transport impact, access and parking code of the Townsville City Plan.
- b) The existing vehicle access(es) including crossover(s) in the kerb and channel on Boundary Street at the locations shown on the approved Roadworks and Traffic Condition Plan must be removed and replaced with new kerb and channel. Where applicable, the footpath must be reinstated in accordance with Part 9.4.6 Transport impact, access and parking code and Part 9.4.3 Landscape code of the Townsville City Plan.
- c) The road shoulder from lip of channel to edge of existing bitumen surfaced pavement must be gravel paved and bitumen surfaced for the full frontage of the development site on Boundary street in accordance with Part 9.4.6 Transport impact, access and parking code of the Townsville City Plan.
- d) Any damage to the kerb and channelling must be reconstructed/repared for the full frontage of the site in accordance with Part 9.4.6 Transport impact, access and parking code of the Townsville City Plan.

- e) The existing bus stop on Hubert Street in front of the subject site must be relocated to an alternative location and constructed in accordance with Standard Drawing SD-515 and Standard Drawing SD-545 of the SC6.4 Development manual planning scheme policy. The 1.5m concrete footpath must extend along the Hubert Street frontage of the site and up to the new bus stop location.
- f) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with Council's standards.

**Reason**

To provide development with access in accordance with council standards.

**Timing**

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

**10. Car Parking**

**Condition**

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.4.6 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) A minimum of 43 car spaces including disabled parking must be provided on site in accordance with SC6.10 Parking rates planning scheme policy of the Townsville City Plan.

**Reason**

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

**Timing**

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

**11. Screening of Plant and Utilities**

**Condition**

Unless otherwise agreed to by Council, all plant and utilities must be screened or located so as not to be visible from the street.

**Reason**

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

**Timing**

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

**12. Footpath Awning**

**Condition**

The proposed footpath awning must be provided along the designated extent of the Boundary Street frontage of the site as per the approved plans.

**Reason**

Awnings/shade structures are to provide solar relief and to be designed in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use.

**13. Landscaping****Condition**

Landscape and Irrigation Design Plans must be prepared in accordance with Part 9.4.3 Landscape code of the Townsville City Plan. In particular, the plans must include dense planting along the perimeter of all boundaries adjoining a residential property to provide additional screening and buffering.

**Reason**

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

**Timing**

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

**14. Street Enhancements****Condition**

Details of the street enhancements/footpath treatment along the street frontages of the site must be prepared in accordance with Part 9.4.3 Landscape code of the Townsville City Plan. In particular:

- (a) A full-width footpath must be provided along the Boundary Street frontage of the site and constructed in accordance with footpath treatment P6 of the SC6.4.3.3 Footpath treatment policy.
- (b) A 1.5m wide concrete footpath must be provided from the corner of Boundary Street and Hubert Street up to the crossover/access to the Volunteer's Carpark.

**Reason**

To achieve the desired streetscape character of the location in accordance with relevant code/s and policy direction.

**Timing**

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

**15. Minimum Floor Levels****Condition**

Floor levels must achieve immunity from storm tide inundation/flood hazards by ensuring floor levels of all non-residential buildings are above the defined storm tide event.

Documentation signed by an engineer (who must be an RPEQ) must be submitted to a Building Certifier identifying the required minimum floor height of all habitable rooms to achieve storm tide/flood immunity.



**Reason**

To ensure developments are appropriately immune from rising storm tide /flood water in accordance with relevant code/s and policy direction.

**Timing**

Prior to the issuing of a Development Permit for Building Works

**16. Signage****Condition**

- (a) Plans of any signage to be associated with the use that is deemed to be assessable development in accordance with Part 5.8 Levels of assessment - Operational work specifically Table 5.8.2 Operational work being placing an advertising device on premises of the Townsville City Plan must be submitted to council for assessment; and
- (b) Signs must be designed in accordance with Part 9.4.1 Advertising Devices Code of the Townsville City Plan; and
- (c) To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by Council.

*Note: Signage has been included as a Plan Right development type, see Council's web site for a list of accredited consultants that can assist with the submission of an application.*

**Reason**

Signage not approved with this Development Permit or deemed either Exempt or Self Assessable development requires a Code Assessable Operational works development application to be lodged with Council in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use.

**17. Soil Erosion Minimisation, Sediment Control****Condition**

Erosion and sediment control management must be installed and maintained in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan.

*Note: The contingent design, implementation and maintenance of measures must be provided in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.8.6 MUSIC modelling requirements of the Townsville City Plan.*

**Reason**

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

**Timing**

At all times during the construction phase.

## 18. Waste Management Plan

### Condition

A Waste Management Plan must be prepared in accordance with SC6.4.3.22 Waste management guidelines of SC6.4 Development manual planning scheme policy.

### Reason

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

### Timing

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

## 19. Outdoor Lighting

### Condition

Install and maintain lighting fixtures to ensure that glare or light levels are in accordance with *Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting* (or the current applicable standard).

### Reason

To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the *Queensland Environmental Protection Act 1994* Section 440.

### Timing

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

## 20. Sewerage Reticulation

### Condition

The development must connect to Council's reticulated sewer system.

### Reason

To ensure that the premises are appropriately serviced by Council infrastructure where located in a service area for a sewerage service in accordance with relevant code/s and policy direction.

### Timing

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

## 21. Water Supply

### Condition

The development must connect to Council's reticulated water system.

### Reason

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

### Timing

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

## 22. Amalgamation of Allotments

### Condition

The amalgamation of Lots 117, 118 and 119 on T118105 into a single parcel must be undertaken and the survey plan must be registered, in accordance with the *Land Title Act 1994* or *relevant legislation as amended*.

### Reason

The development application identified multiple lots were required to allow the approved use to operate and commence. Accordingly the amalgamation of the lots is required to support the proposed use.

### Timing

Prior to the commencement of the use

## 23. Donation point

### Condition

The proposed new donation point on Hubert Street must be maintained in a clean and tidy manner to avoid overflow of goods onto the footpath and driveway.

### Reason

To ensure the health and safety of the public is maintained to an acceptable standard.

### Timing

At all times during the life of the development.

## Committee Recommendation

That the officer's recommendation be adopted.

## Council Decision

**Refer to resolution preceding item 4 of the council minutes (page 9305) where council resolved that the committee recommendation be adopted.**

## **5 MI16/0011 Report - Material Change of Use (Impact) Outdoor Sport and Recreation - Rodeo Grounds 1/1994 Hervey Range Road**

### **Executive Summary**

The application is for a Development Permit for a Material Change of Use for Outdoor Sport and Recreation being a Rodeo Grounds located at Lot 1/1994 Hervey Range Road, Hervey Range over Lot 1 on SP255113 and Common Property on SP255113. The proposal is ordinarily code assessable under the Townsville City Plan in the Grazing precinct of the Rural zone but has triggered impact assessment due to the inclusion of outdoor lighting for the Rodeo Arena to allow evening and night-time events.

The application includes a new Arena, holding yards, a viewing mound, a bar structure and car parking area. Amenities are proposed to be provided via temporary and transportable hire services for events. Access to the car parking area within the development site will be via an existing intersection on Hervey Range Road through a private road on common property over which this application is also subject to. It is noted that these structures are existing and one event has already been held on the property in August 2016.

The proposal involves primarily one annual event per year with up to 400 patrons and 40 competitors per event. The intent is to expand to potentially two or three events in the future based on the success of the current schedule. Council has taken this into consideration and conditioned up to 12 events per year having based the calculation of infrastructure charges contributions on the agreed number of events, patrons and competitors for each event.

The application was required to undertake Public Notification for a period of 15 business days during which time council received one properly made submission against the development. Some of the statements made in the submission can be more accurately described as questions rather than objections to the development. These comments and concerns have been addressed in further detail within this report and conditioned where appropriate and relevant to do so.

Similarly, through assessment against the provisions and strategic intent of the planning scheme as a whole, the use as a Rodeo is a rural-based activity proposed within a rural-zoned property where such uses are encouraged to establish. In particular, tourism ventures such as this are specifically supported in the Rural zone where the potential impacts on surrounding existing uses (such as residential dwellings in this case) in terms of noise, light and traffic can be practically mitigated.

### **Officer's Recommendation**

That council approve the application MI16/0011 for a development permit for Outdoor Sport and Recreation (Rodeo Grounds) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 1 SP 255113 and Lot 0 CP SP 255113, more particularly known as 1/1994 Hervey Range Road Hervey Range subject to the following conditions -

## 1. Approved Plans and Supporting Documentation

### Condition

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

Plan Name	Plan No.	Revision No.	Plan Date
Proposed Site Plan – Rodeo Grounds	01	B	June 2016
Elevations Plan – Rodeo Grounds	02	A	July 2016
<b>Associated Reports</b>			
Amended Property Vegetation Management Plan (Report No. DA0007-16 PVMP), Version 4, Prepared By BNC Planning, Dated July 2016			
Waste Management Plan, Received by council 27 July 2016			

- b) One full set of the most up to date approved plans and supporting documentation must be held on site and available for inspection for the duration of the construction phase.
- c) The recommendations outlined in the above reports/s must be implemented prior to the commencement of the use.

### Reason

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

### Timing

During the operation and life of the development.

## 2. Noise Management

### Condition

A Noise Management Plan must be prepared in accordance with the Noise Measurement Manual as prescribed by the *Environmental Protection Regulation 2008* and SC6.4.3.15 Noise and vibration assessment guidelines of SC6.4 Development manual planning scheme policy and submitted to Council for approval.

In particular, the Noise Management Plan must demonstrate that the proposed use complies with the noise level requirements for Open-air events as specified under section 440X of the *Environmental Protection Act 1994*.

The Noise Measurement Manual can be accessed at the following address:  
<https://www.ehp.qld.gov.au/licences-permits/pdf/noise-measurement-manual-em1107.pdf>

### Reason

To ensure that the use does not cause a noise nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby noise sources in accordance with the Section 440 of the Queensland Environmental Protection Act 1994.

### Timing

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

### 3. Event capacity

#### Condition

The number of patrons and competitors attending any event at any time is restricted to the following:

- Patrons – 400
- Competitors – 40

#### Reason

To ensure the appropriate amount of infrastructure charges commensurate with the expected demand created by the use on council's infrastructure networks have been adequately levied.

#### Timing

At all times following the commencement of the use.

### 4. Number of events

#### Condition

The number of events associated with the use are limited to a maximum of twelve (12) per year.

#### Reason

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

#### Timing

At all times following the commencement of the use.

### 5. Building Materials

#### Condition

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

#### Reason

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

#### Timing

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

### 6. Property Numbering

#### Condition

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

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

#### Reason

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

#### Timing

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

## 7. Relocation of Services or facilities

### Condition

Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to Council.

### Reason

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

### Timing

Prior to the development achieving on maintenance or commencement of use.

## 8. On-site Waste Disposal

### Condition

The development must be serviced by either:

- an on-site sewerage facility; or,
- temporary portable toilets.

*Note: On site sewerage information supplied with this application is not permission to install the facility or commence building work. Under the Plumbing and Drainage Act 2002, an application must be lodged with the Hydraulic Certification Unit, Townsville City Council before any building work or installation of an on-site facility can be carried out.*

### Reason

Development is not located within a service area for a sewerage service under the *Water Supply (Safety and Reliability) Act 2008* and must be appropriately serviced by a wastewater treatment and disposal facility that is appropriate for the level of demand generated by the development.

### Timing

Following issue of a Hydraulics permit (for on-site sewerage disposal) and prior to an event.

## 9. On-site Water Supply

### Condition

A private water supply must be provided in accordance with Part 9.4.7 Works code of the Townsville City Plan and Development manual planning scheme policy SC6.4 – SC6.4.3.11 - On-site water supply of the Townsville City Plan.

### Reason

The development is not located within a service area for a reticulated water service and in accordance with relevant code/s and policy direction.

### Timing

Prior to the commencement of the use.

## 10. Roadworks and Traffic

### Condition

- a) A new access driveway from the edge of bitumen to the property boundary must be constructed generally in accordance with Part 9.4.6 Transport impact, access and parking code of the Townsville City Plan.
- b) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with Council's standards.

**Reason**

To provide the development with access in accordance with council standards.

**Timing**

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

**11. Car Parking****Condition**

- a) The identified event car parking area and car park entrance must be provided and maintained in accordance with the approved site plan (Sheet 01, Revision B, dated June 2016, received by council 27 July 2016).
- b) Vehicle access to the identified event car parking area is restricted to the existing private road located on Common Property on SP 255113.
- c) The event car parking area and driveway must be maintained to a safe operating standard at all times during the life of the development.

**Reason**

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

**Timing**

Prior to the commencement of the use and maintained at all times during the life of the development.

**12. Signage****Condition**

- (a) Plans of any signage to be associated with the use that is deemed to be assessable development in accordance with the assessment table of Part 5.8.2 of the Townsville City Plan must be submitted to council for assessment; and
- (b) Signs must be designed in accordance with Part 9.4.1 – Advertising Devices Code of the Townsville City Plan; and
- (c) To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by Council.

*Note: Signage has been included as a Plan Right development type, see Council's web site for a list of accredited consultants that can assist with the submission of an application.*

**Reason**

Signage not approved with this Development Permit or deemed either Exempt or Self Assessable development requires a Code Assessable Operational works development application to be lodged with Council in accordance with relevant code/s and policy direction.

**Timing**

Prior to the commencement of the use.



### 13. Soil Erosion Minimisation, Sediment Control

#### Condition

Erosion and sediment control management must be installed and maintained in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan.

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

#### Reason

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

#### Timing

At all times during the construction phase.

### 14. Vegetation Disposal

#### Condition

The disposal of vegetation must be carried out in accordance with Part 9.4.7 Works code of the Townsville City Plan.

#### Reason

Vegetation to be disposed of in an environmentally responsible manner in accordance with Development manual planning scheme policy SC6.4.5 and SC6.4.6.11 of the Townsville City Plan.

#### Timing

Prior to, or during construction of the development.

### 15. Vegetation Retention and Protection

#### Condition

Unless otherwise approved by Council in writing all trees/vegetation must be retained as detailed in Condition 1 above.

#### Reason

Vegetation to be retained must be protected in accordance with relevant code/s and policy direction.

#### Timing

At all times during the construction of the development and following the commencement of the use.

### 16. Waste Management

#### Condition

The Waste Management Plan, prepared by BNC Planning, received by council on 27/07/2016 is approved. The waste management plan must be implemented during construction and at all times following commencement of the use. Any amendments to the plan must not be implemented until approval from Council is issued.

#### Reason

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

**Timing**

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

**17. Outdoor Lighting****Condition**

Outdoor lighting fixtures installed and maintained as part of the use must not emit glare or light above the levels stated in *Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting* (or the current applicable standard).

**Reason**

To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the Queensland Environmental Protection Act 1994 Section 440.

**Timing**

At all times following the commencement of the use.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 4 of the council minutes (page 9306) where council resolved the following:**

**that item 5 be withdrawn.**

**6 New Appeal No. 331 of 2016, Toprise (Australia) Pty Ltd v TCC, 1 Mariners Drive, Townsville City****Executive Summary**

An appeal was filed in the Planning and Environment Court in Townsville on 12 December 2016 against a decision made by council on 22 November 2016, under delegation of authority, to refuse a request for a negotiated decision notice with respect to a Development Permit – Material Change of Use (Impact) Restaurant and Catering Shop at 1 Mariners Drive, Townsville City.

The appellant is seeking an order from the court that the development application be approved subject to amended conditions.

**Officer's Recommendation**

1. That council resolve to defend the refusal of the request for a negotiated decision notice dated 22 November 2016 in Planning and Environment Court Appeal No. 331 of 2016.
2. That council, under *Section 257 (1)(b)* of the *Local Government Act 2009*, resolve to 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 of the council minutes (page 9305) where council resolved that the committee recommendation be adopted.**

### **7 New Appeal 332 of 2016, Fairfield Constructions Pty Ltd v TCC, 79 Lakeside Drive, Idalia**

#### **Executive Summary**

An appeal was filed in the Planning and Environment Court in Townsville on 12 December 2016 against a decision made by council on 22 November 2016, under delegation of authority, to issue a negotiated decision notice with respect to a Development Permit – Reconfiguration of a Lot, Plan Right – Lot Creation – One into Two at 79 Lakeside Drive, Idalia.

The appellant is seeking an order from the court that the negotiated decision notice, specifically the Infrastructure Charges Notice, be amended.

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

1. That council resolve to defend the issue of the negotiated decision notice dated 22 November 2016 in Planning and Environment Court Appeal No. 332 of 2016.
2. That council, under *Section 257 (1)(b)* of the *Local Government Act 2009*, resolve to 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 of the council minutes (page 9305) where council resolved that the committee recommendation be adopted.**

### **8 New Appeal, Originating Application No. 333 of 2016, Parkside Development Pty Ltd v TCC & Townsville Karting Club Inc.**

#### **Executive Summary**

An Originating Application was filed in the Planning and Environment Court Townsville on 12 December 2016 by Parkside Development Pty Ltd. The Originating Application seeks interim enforcement orders and further enforcement orders that the second respondent, Townsville Karting Club Inc, cease carrying out or permitting to carry out a Motor Sport Facility save where the use is for Go-Kart racing or authorised by an effective development permit.

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

1. That council note the details of the Originating Application in Planning and Environment Court Appeal No. 333 of 2016.
2. That council, under *Section 257 (1)(b)* of the *Local Government Act 2009*, resolve to 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 of the council minutes (page 9305) where council resolved that the committee recommendation be adopted.**

## **9 Outcome of Appeal No. 44 of 2016, Fairfield Land Pty Ltd & Landel Pty Ltd v TCC, 2-30 Lakeside Drive, Idalia**

### **Executive Summary**

An appeal was filed in the Planning and Environment Court in Townsville on 18 February 2016. The appeal was against a decision made by council officers, under delegation of authority, to issue a negotiated decision notice associated with a development application for a Development Permit – Material Change of Use (code) (MC14/0184) hotel, food and drink outlet and shopping centre at 2-30 Lakeside Drive, Idalia.

The matter progressed to mediation on 24 May 2016 and, following a number of negotiations, an Infrastructure Agreement was agreed to by council officers (under delegation of authority) and signed by the parties. The appellants subsequently withdrew the appeal on 10 October 2016.

This matter is now at an end.

### **Officer's Recommendation**

That council receive this report and note the outcome of Appeal No 44 of 2016.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 4 of the council minutes (page 9305) where council resolved that the committee recommendation be adopted.**

## **10 Planning Services - Proposed Alignment Amendment 2017/02 Townsville City Plan and Planning Scheme Policies**

### **Executive Summary**

The new *Planning Act 2016* (the Act) is scheduled to commence on 3 July 2017 and will replace the current *Sustainable Planning Act 2009* and associated statutory instruments. The commencement of the Act will be the culmination of four years of planning reform within Queensland. To ensure the Townsville City Plan aligns with the requirements of the Act and supporting statutory instruments, an amendment is required to the Townsville City Plan and associated planning scheme policies in accordance with the Alignment amendment rules (Minister's rules under section 293 of the Act) made on 25 November 2016. Alignment amendments are limited to amendments where the effect of the local planning instrument is not substantially changed, and which are consistent with the Act.

### **Officer's Recommendation**

That, pursuant to section 293(1) of the *Planning Act 2016* and step 2.1 of the Alignment amendment rules (Minister's rules under section 293 of the *Planning Act 2016*), council decides to propose to make an alignment amendment to the Townsville City Plan and planning scheme policies.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 4 of the council minutes (page 9305) where council resolved that the committee recommendation be adopted.**

## **11 Planning Services - Heritage and Urban Planning - Heritage Advisory Committee Terms of Reference**

### **Executive Summary**

The draft Heritage Advisory Committee Terms of Reference requires ratification by council before expressions of interest are called.

### **Officer's Recommendation**

That council adopt the Heritage Advisory Committee Terms of Reference attached to this Report to Council.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 4 of the council minutes (page 9305) where council resolved that the committee recommendation be adopted.**

## **12 Planning and Development Committee Quarter 2 Corporate Performance Management Report 2016/17**

### **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 Planning and Development section of the Corporate Performance Report, under separate cover, is presented.

### **Officer's Recommendation**

That council receive the Planning and Development section of the Corporate Performance Report for the second quarter of 2016/17, being the period 1 October 2016 to 31 December 2016.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 4 of the council minutes (page 9305) where council resolved that the committee recommendation be adopted.**

## **Community Health and Environment Committee**

### **13 Community Health and Environment Committee Quarter 2 Corporate Performance Management Report 2016/17**

#### **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 Community Health and Environment section of the Corporate Performance Report, under separate cover, is presented.

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

That council receive the Community Health and Environment section of the Corporate Performance Report for the second quarter of 2016/17, being the period 1 October 2016 to 31 December 2016.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

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

*"that the committee recommendation be adopted."*

**CARRIED UNANIMOUSLY**

## Community and Cultural Development Committee

***In accordance with section 173 of the Local Government Act 2009, Councillor V Coombe declared a perceived conflict of interest in regards to item 20.***

- (a) *the name of the Councillor who has the perceived conflict of interest:***  
*Councillor V Coombe*
- (b) *the nature of the conflict of interest as described by the Councillor:***  
*Councillor Coombe has a business relationship with one of the panellists.*
- (c) *how the Councillor dealt with the perceived conflict of interest:***  
*The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter and excluded herself from the meeting while the matter was debated and the vote taken.*
- (d) *if the Councillor voted on the issue – how the Councillor voted:***  
*The Councillor vacated the Chambers during discussion and voting on this item.*
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.***  
*The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.*

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

*"that the committee recommendations to items 14 to 19 be adopted and that item 20 be dealt with separately."*

**CARRIED UNANIMOUSLY**

*Item 20 - Community Engagement - Tender Evaluation - RPS00035 Register of Prequalified Suppliers for Graphic Design and Photography Services*

***It was MOVED by Councillor C Doyle, SECONDED by Councillor A Greaney***

*"that the committee recommendation to item 20 be adopted."*

**CARRIED UNANIMOUSLY**

## 14 Community Engagement - Art Acquisition Working Group

### Executive Summary

The Art Acquisition Working Group is a committee of council providing information and advice in respect of the acquisition of artworks for inclusion in the City of Townsville Art Collection, including both the internal collection, and the City of Townsville Art in Public Spaces Collection. The working group will consider the goals of the Visual Arts Strategy and the City of Townsville Art Collection Policy and Art in Public Spaces Framework in making recommendations to council.

This working group needs to be reappointed for the term of the current council and the attached list of nominees is submitted for council's approval.

The Terms of Reference for the Art Acquisition Working Group have also been revised to reflect the purpose, scope and objectives of the group to a greater extent. The Terms of Reference for the Art Acquisition Working Group is attached.



### **Officer's Recommendation**

1. That council approve the appointment of nominees to the Art Acquisition Working Group as recommended.
2. That council approve the Terms of Reference of the Art Acquisition Working Group as submitted.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 9327) where council resolved that the committee recommendation be adopted.**

## **15 Community Engagement - Learning Communities Leadership Group**

### **Executive Summary**

The Learning Communities Leadership Group provides advice on strategies which foster the development of Townsville as a learning community through equitable access to learning that will build the community's capacity to be economically and socially sustainable. It is a high-level reference group of dynamic and enthusiastic community leaders who are intent on providing access to lifelong learning opportunities and developing Townsville as a learning community. The group meets bi-monthly.

Members of the group have leadership experience in community learning, education and/or community service and/or business. The nominees listed in the attachment have demonstrated leadership experience and demonstrated commitment to lifelong learning. One change has been made to the Terms of Reference to widen representation from the formal education sector.

### **Officer's Recommendation**

1. That the nominees for membership of the Learning Communities Leadership Group as submitted be endorsed.
2. That the Terms of Reference for the Learning Communities Leadership Group be approved as submitted.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 9327) where council resolved that the committee recommendation be adopted.**

**16 Community Engagement - Surrender of Licence to Occupy (LTO) - Souths United Rugby League Club - Victoria Park**

**Executive Summary**

Souths United Rugby League Club experienced a rapid decline in playing/membership numbers towards the end of the 2016 season. The club committee decided to wind up the club, ensuring that all assets have either been distributed to other organisations or removed from Victoria Park.

**Officer's Recommendation**

That council approve the surrender of the License to Occupy agreement with Souths United Rugby League Club at Victoria Park.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 9327) where council resolved that the committee recommendation be adopted.**

**17 Community and Cultural Development Committee Quarter 2 Corporate Performance Management Report 2016/17**

**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 Community and Cultural Development section of the Corporate Performance Report, under separate cover, is presented.

**Officer's Recommendation**

That council receive the Community and Cultural Development section of the Corporate Performance Report for the second quarter of 2016/17, being the period 1 October 2016 to 31 December 2016.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 9327) where council resolved that the committee recommendation be adopted.**

**18 Community Engagement - Townsville City Council Reconciliation Action Plan 2015 - 2017 Quarterly Report July to September 2016**

**Executive Summary**

The report for the July to September 2016 quarter describes the achievements and progress to date relating to the actions and deliverables within the Townsville City Council Reconciliation Action Plan 2015 - 2017.

**Officer's Recommendation**

That council notes the July to September 2016 Quarterly Report on the progress of the Townsville City Council Reconciliation Action Plan 2015 - 2017.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 9327) where council resolved that the committee recommendation be adopted.**

**19 Community Engagement - Report of Inclusive Community Advisory Committee - 6 December 2016**

**Executive Summary**

Attached to the Report to Council are the minutes of council's Inclusive Community Advisory Committee meeting held on 6 December 2016.

**Officer's Recommendation**

That council note the Report of the Inclusive Community Advisory Committee meeting of 6 December 2016 including the following recommendations:

- a. that the 'Scattering the Seeds for Change' award be supported; and
- b. that a recommendation be made to the Community and Cultural Development Committee that council investigate programs or initiatives that can utilise community service workers to work on council's projects.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 9327) where council resolved that the committee recommendation be adopted.**

## 20 Community Engagement - Tender Evaluation - RPS00035 Register of Prequalified Suppliers for Graphic Design and Photography Services

### Executive Summary

Council is responsible for engaging the community through communication and information via a range of channels. The look and feel of the communication collateral is a crucial component of this work and as such council engages a range of different professionals (graphic designers and photographers) to assist in the design and production of much of our communications.

Council currently operates utilising a panel of preferred suppliers (pre-qualified suppliers) and the current contracts have now expired requiring council to go back to the market to identify suitable providers. Townsville City Council is seeking suitably qualified and experienced pre-qualified suppliers to provide Graphic Design and Photography Services.

Council issued tender RPS00035 on 10 September 2016 to establish a panel of providers to provide Graphic Design and Photography Services for 12 (twelve) months with the option of a further three (3) twelve (12) month extensions.

The tender closed on 5 October 2016 and nineteen (19) submissions were received with each tenderer declaring they had no conflict of interest.

The report provides an analysis and evaluation of the submissions received.

### Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council receive the following Recommendation report:  
"RPS00035 Register of Prequalified Suppliers for Graphic Design and Photography Services", dated 06 December 2016", (*Attachment 1*).
3. That council resolve to:
  - a) Award RPS00035 Register of Pre-qualified Suppliers to provide Graphic Design and Photography Services (*as detailed in table 1 below*) to the listed suppliers at the tendered schedule of rates for each supplier.
  - b) Award RPS00035 Register of Pre-qualified Suppliers to provide Graphic Design and Photography Services for an initial 12 months with the option of a further three (3) twelve (12) month extensions.

Table 1 – Recommended panel of providers

Graphic Design Services	Photography Services
AEC Group Pty Ltd	Michael Chambers
Matthew Gianoulis	Matthew Gianoulis
TBD Communication Design	Robert Parsons t/a Through the Looking Glass Studio
The Hunting House (Johanne Ramsay & Michella Manolis)	Ferry Photography Pty Ltd
Vetta Productions Pty Ltd	Vetta Productions Pty Ltd
Two Creative Heads Pty Ltd t/a 121 Creative Townsville	J & P de Rooy Family Trust t/a John de Rooy Photography
Robert Parsons t/a Through the Looking Glass Studio	

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 14 of the council minutes (page 9327) where council resolved that the committee recommendation be adopted.**

## Governance and Finance Committee

***In accordance with section 173 of the Local Government Act 2009, the Mayor, Councillor J Hill declared a real conflict of interest in regards to item 23.***

- (a) *the name of the Councillor who has the perceived conflict of interest:***  
*The Mayor, Councillor J Hill*
- (b) *the nature of the conflict of interest as described by the Councillor:***  
*Councillor Hill's brother is working for one of the companies listed.*
- (c) *how the Councillor dealt with the perceived conflict of interest:***  
*The Councillor determined that she had a real conflict of interest and excluded herself from the meeting while the matter was debated and the vote taken.*
- (d) *if the Councillor voted on the issue – how the Councillor voted:***  
*The Councillor vacated the Chambers during discussion and voting on this item.*
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.***  
*The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.*

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

*"that the committee recommendations to items 21 and 22 be adopted and that item 23 be dealt with separately."*

**CARRIED UNANIMOUSLY**

***The Deputy Mayor, Councillor L Walker assumed the position of Chair during discussion and voting of item 23.***

*Item 23 - Business Services - Additional sole suppliers and/or suppliers of specialised or confidential services for 2017*

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

*"that the committee recommendation to item 23 be adopted."*

**CARRIED UNANIMOUSLY**

## **21 Governance and Finance Committee Quarter 2 Corporate Performance Management Report 2016/17**

### **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 Governance and Finance section of the Corporate Performance Report, under separate cover, is presented.

### **Officer's Recommendation**

That council receive the Governance and Finance section of the Corporate Performance Report for the second quarter of 2016/17, being the period 1 October 2016 to 31 December 2016.

### **Committee Recommendation**

That the officer's recommendation be adopted.

## **Council Decision**

**Refer to resolution preceding item 21 of the council minutes (page 9333) where council resolved that the committee recommendation be adopted.**

### **22 Cities 4.0 Summit - Melbourne - 21-23 March 2017**

#### **Executive Summary**

Correspondence (letter) has been received inviting a Councillor to attend the Cities 4.0 Summit being held in Melbourne on 21-23 March 2017. The Cities 4.0 Summit brings together some of the most innovative urban thinkers from around the globe and across Australia to explore strategy, technology and design for innovative and connected smart cities.

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

1. That council approve the attendance of Councillor V Coombe at the Cities 4.0 Summit in Melbourne on 21-23 March 2017.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009*, leave of absence be granted to Councillor V Coombe to attend the Cities 4.0 Summit from 21-23 March 2017.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

## **Council Decision**

**Refer to resolution preceding item 21 of the council minutes (page 9333) where council resolved that the committee recommendation be adopted.**

### **23 Business Services - Additional sole suppliers and/or suppliers of specialised or confidential services for 2017**

#### **Executive Summary**

It is a requirement of the *Local Government Regulation 2012* to:

- invite written quotations where the carrying out of works or the supply of goods and services involves costs greater than \$15,000 in a financial year or over the proposed term of the contractual arrangement.
- Invite tenders where the carrying out of works or the supply of goods and services involves costs greater than \$200,000 in a financial year, or over the proposed term of the contractual arrangement.

Additionally council's Procurement Policy contains provisions regarding obtaining quotations for amounts less than \$15,000 and the process for when quotes cannot be sought.

The *Local Government Regulation 2012* acknowledges that there are instances where it will not always be possible to meet the requirements of seeking quotes from the required number of suppliers, or the calling of tenders, and provides a number of exceptions to manage these instances.

The report recommends the additional suppliers listed within *Attachment 1* be added to the sole suppliers and/or suppliers of specialised or confidential services list for 2017.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve in accordance with section 235(a) and (b) of the *Local Government Regulation 2012* that it is satisfied that these suppliers, as listed in *Attachment 1*, are sole suppliers and/or suppliers of specialised or confidential services for the 2017 calendar year.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 21 of the council minutes (page 9333) where council resolved that the committee recommendation be adopted.**



## **Townsville Water and Waste Committee**

***It was MOVED by Councillor P Jacob, SECONDED by Councillor L Walker:***

*"that the committee recommendations to items 24 to 29 be adopted."*

**CARRIED UNANIMOUSLY**

### **24 Townsville Water and Waste Committee Quarter 2 Corporate Performance Management Report 2016/17**

#### **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 Townsville Water and Waste section of the Corporate Performance Report, under separate cover, is presented.

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

That council receive the Townsville Water and Waste section of the Corporate Performance Report for the second quarter of 2016/17, being the period 1 October 2016 to 31 December 2016.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 24 of the council minutes (page 9336) where council resolved that the committee recommendation be adopted.**

### **25 Wastewater Operations - Systematic Inspection Program - Infiltration and Inflow Study of Sewers, Program 18 - Mount Low, Cosgrove, Bohle Plains, Shaw, Kirwan, Kelso (Catchments ML20, ML21A, ML01, L17, LE21A, BP03, BP02, BP01, BU4, K16B, W4A, W3, 33, 35)**

#### **Executive Summary**

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

Townsville Water's Wastewater Operations section seeks approval to undertake the Systematic Inspection Program, beginning 20 March 2017.

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

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

That council approve the undertaking of a Systematic Inspection Program pursuant to *section 134 of the Local Government Act 2009*, in Mount Low, Cosgrove, Bohle Plains, Shaw, Kirwan and Kelso (specifically sewerage catchments ML20, ML21A, ML01, L17, LE21A, BP03, BP02, BP01, BU4, K16B, W4A, W3, 33 and 35), starting between 20 March and 3 April 2017, and completed within three months.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 24 of the council minutes (page 9336) where council resolved that the committee recommendation be adopted.**

## **26 Townsville Water and Waste - Monthly Report Card for November 2016 and December 2016**

### **Executive Summary**

Townsville Water and Townsville Waste's monthly report cards containing year to date operating results for 2016/17 are submitted for the months of November 2016 and December 2016.

### **Officer's Recommendation**

That council note the report cards from Townsville Water and Townsville Waste for the months of November 2016 and December 2016, and also note that future report cards will be presented on a quarterly basis to the Townsville Water and Waste committee.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 24 of the council minutes (page 9336) where council resolved that the committee recommendation be adopted.**

## **27 Townsville Water and Waste - Customer Service Standard Report Cards - Quarter 2 - 201617**

### **Executive Summary**

Townsville Water and Townsville Waste Services publish a Customer Service Standard Report Card each quarter to report their performance against their targeted service standards as identified in their Customer Service Standards.

The results for Quarter 2, 2016/17 are available and ready to be published on council's website.

### **Officer's Recommendation**

That council note the results of the Quarter 2, 2016/17 Customer Service Standard Report Cards for Townsville Water and Townsville Waste Services.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 24 of the council minutes (page 9336) where council resolved that the committee recommendation be adopted.**

## **28 Townsville Water and Waste - Outcome of Tender Submission for the Provision of Waste Management Services**

### **Executive Summary**

On 9 December 2016, Townsville Waste Services submitted a tender for the Provision of Waste Management Services - Contract no. TBSC/16/010, to Burdekin Shire Council.

This report details the outcome of that tender submission.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note that the outcome of the Burdekin Shire Council tender evaluation was that council's tender was not successful.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 24 of the council minutes (page 9336) where council resolved that the committee recommendation be adopted.**

## **29 Townsville Water - EOI00015 Expression of Interest for Clearing of the Mount Saint John Sewage Treatment Plant Outfall Channel**

### **Executive Summary**

The Mount Saint John outfall channel forms an integral part of the Townsville City Council Mount Saint John Sewage Treatment Plant. The channel is the authorised discharge point for the plant, situated at the northern end of the plant, traversing Department of Defence land, council managed reserve land and the Town Common Regional Park discharging into Little Snaggy Creek.

The channel and creek have over the years become subject to significant infestation of the introduced aquatic species Para grass, *Brachiaria mutica*, which has formed dominant communities in the surrounding wetland. The proliferation of Para grass and other aquatic species within the outfall channel has reduced the hydraulic capacity of the channel, resulting in overtopping of the banks and inundation of adjacent land.

This report provides an analysis and evaluation of the Expression of Interests received for this project for consideration by council.

The Committee also considered the verbal comments of AECOM representatives, James Ramsay and Rouven Lau provided at the 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(5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve, in accordance with section 228(6)(a) and (b), of the *Local Government Regulation 2012*, that the following companies are invited to submit a written tender for the clearing and removal from site of the Para grass and other vegetation in the Mount Saint John Sewage Treatment Plant outfall channel:
  - (a) CivilPlus Constructions Pty Ltd;
  - (b) Shamrock Civil Engineering Pty Ltd; and
  - (c) E Blacklock Pty Ltd T/A Ausfield Services.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 24 of the council minutes (page 9336) where council resolved that the committee recommendation be adopted.**

## **General Business**

### **(i) Request for Leave of Absence**

Councillor L Walker requested leave of absence for the period 1 to 3 March 2017 to allow him to conduct council business in Adelaide.

#### **Council Decision**

**It was MOVED by Councillor L Walker, SECONDED by Councillor C Doyle:**

"that leave of absence for the period 1 to 3 March 2017 be granted to Councillor L Walker to allow him to conduct council business in Adelaide."

**CARRIED UNANIMOUSLY**

### **(ii) Correspondence Premier of Queensland - Invitation to Mayor, Councillor J Hill to participate in an international trade mission delegation to India**

The Mayor, Councillor J Hill tabled correspondence dated 24 February 2017 from the Premier of Queensland addressed to the Mayor, Councillor J Hill inviting her to participate in an international trade mission delegation the Premier plans to lead to India in March 2017.

#### **Council Decision**

**It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor V Coombe:**

"that leave of absence for the period 14 to 20 March 2017 be granted to the Mayor, Councillor J Hill to allow her to participate in an international trade mission delegation with the Premier of Queensland to India."

**CARRIED UNANIMOUSLY**

## **Confidential Session**

**It was MOVED by Councillor L Walker, SECONDED by Councillor C Doyle:**

"that council RESOLVE to close the meeting to discuss a matter."

**CARRIED UNANIMOUSLY**

## **Meeting Adjournment**

The Mayor, Councillor J Hill adjourned the meeting at 1.30pm.

**Meeting Recommencement**

The Mayor, Councillor J Hill reconvened the meeting at 3.00pm.

**Open Session**

**It was MOVED by Councillor L Walker, SECONDED by Councillor C Doyle:**

"that council RESOLVE to open the meeting."

**CARRIED UNANIMOUSLY**

**Close of Meeting**

The Chair, Mayor Councillor J Hill declared the meeting closed at 3.00pm.

**CONFIRMED this TWENTY-EIGHT day of MARCH 2017**

**MAYOR**

**CHIEF EXECUTIVE OFFICER**