



SPECIAL COUNCIL

PUBLIC MINUTES

WEDNESDAY 4 OCTOBER 2017 AT 2.05PM

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

At this meeting contributions made by members of the public may be recorded by way of audio recording which will be used for the purpose of developing minutes of the meeting and decision making of council. Townsville City Council is bound by the Information Privacy Act 2009 to protect the privacy of personal information.

Under Local Law 1 Section 35(3) a person must not make an audio or video recording of a local government meeting, a standing committee meeting, a special committee meeting or an advisory committee meeting unless the chairperson at the meeting gives consent in writing to the recording of the meeting.

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

Goals and Objectives that identify strategic intent of Townsville City Council >>

Corporate Plan >>

Goal 1 - A Prosperous City

Deliver a strong and innovative economy for Townsville with sustainable growth and support for local jobs and businesses.

Objectives that identify our strategic intent:

- 1.1 Support local businesses, major industries, local innovation and employment growth.
- 1.2 Promote our economic and geographic strengths and market Townsville as a vibrant destination for commerce, education, research, tourism, entertainment and lifestyle.
- 1.3 Plan, support, provide and advocate for infrastructure and investment that supports innovation, residential and economic growth.
- 1.4 Maximize opportunities for economic growth by building and maintaining effective partnerships.

Goal 2 - A City for People

Enhance people's experience of Townsville as a liveable and vibrant city by providing services that support the growth of an inclusive, knowledgeable, active, safe and healthy community.

Objectives that identify our strategic intent:

- 2.1 Provide services and local infrastructure that meet community expectations, support growth and provide for the needs of our community.
- 2.2 Improve the liveability of Townsville and encourage active and healthy lifestyles by providing accessible public facilities and community infrastructure.
- 2.3 Improve the vibrancy of Townsville by supporting the community's access to, and participation in, a range of artistic, cultural and entertainment activities.
- 2.4 Enhance community knowledge of and access to council services to improve community wellbeing, health and safety.

Goal 3 - A Clean and Green City

Create a sustainable future for Townsville through the protection, maintenance and enhancement of our unique, natural and built environment.

Objectives that identify our strategic intent:

- 3.1 Plan, design and deliver sustainable development and support this by actively managing the natural environment and increasing green infrastructure, at both a city, suburb and place level.
- 3.2 Develop and implement long term solutions for the management of water and waste that are socially, financially and environmentally sound.

Goal 4 - A Simpler, Faster, Better Council

Transform the Townsville City Council into a simpler, faster and better council that is easy to work with, and for, and gains community trust by being transparent and managing its resources.

Objectives that identify our strategic intent:

- 4.1 Provide customer-focused services that meet the expectations of our community in a dynamic and adaptive manner.
- 4.2 Ensure that council's plans, services, decisions and priorities reflect the needs and expectations of the community.
- 4.3 Be a valued and committed employer who provides a productive, inclusive and respectful environment for staff and the community.
- 4.4 Improve financial sustainability and provide value and accountability to the community for the expenditure of public funds.
- 4.5 Ensure that public funds are expended efficiently and that council expenditure represents value for money whilst supporting the local economy.

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.

PUBLIC MINUTES

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Officers' Reports

Confidential Items

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| 1 | Economic Activation Opportunity | 9669 |
| 2 | Infrastructure Planning Assets and Fleet - Tender Assessment TCW00220 Civic Theatre Major Refurbishment Project | 9671 |

REPORT	COUNCIL MEETING
DATE	Wednesday 4 October 2017 at 2.05pm
ITEMS	1 TO 2

PRESENT	The Mayor, Councillor J Hill Councillor R Cook Councillor V Coombe Councillor C Doyle Councillor P Jacob Councillor K Rehbein Councillor L Walker Councillor A Greaney (via teleconference) Councillor M Soars (via teleconference) Councillor M Ryder (via teleconference)
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Opening of Meeting

The Chair, the Mayor, Councillor J Hill opened the meeting at 2.05pm

Councillors participating in meeting via teleconference

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor K Rehbein:

"that Council commit Councillors Soars, Greaney and Ryder to participate in this Special Council meeting as a teleconference of Wednesday 4 October at 2pm."

CARRIED UNANIMOUSLY

Apologies and Leave of Absence

The apology from Councillor M Molachino was noted.

Disclosure of Interests

1. Officers' Reports - Item 2 - Perceived conflict of interest - The Mayor, Councillor J Hill and Councillors R Cook, V Coombe, C Doyle, A Greaney, M Ryder, P Jacob, K Rehbein, M Soars and L Walker - A Gabrielli Constructions donated to the Team Hill election campaign.

Officers' Reports

Confidential Items

It was **MOVED** by Councillor V Coombe, **SECONDED** by Councillor R Cook:

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

Section 275 (e) contracts proposed to be made by it (Items 1 and 2); and
Section 275 (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage (Item 1)."

CARRIED UNANIMOUSLY

The Council discussed the items.

It was **MOVED** by Councillor V Coombe, **SECONDED** by Councillor R Cook:

"that Council RESOLVE to open the meeting."

CARRIED UNANIMOUSLY

Councillor M Ryder commenced participation in the meeting (via teleconference) during discussion on the following item.

1 Economic Activation Opportunity

Executive Summary

This confidential report updates the Council on current economic activation opportunities and associated contract negotiations and if negotiations with proponents are successful, the steps required to be taken to activate the opportunities and any associated beneficial enterprises.

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 the update supplied in closed session and authorise the Chief Executive Officer to finalise negotiations with proponents regarding the economic activation opportunities discussed in closed session at this meeting and to take the necessary steps to establish a special purpose vehicle as discussed in closed session at the Special Council Meeting held on 10 July 2017.

Council Decision

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

1. "that Officer's Recommendation 1 be adopted;
2. that Council note the update supplied in closed session and authorise the Chief Executive Officer to complete and execute all applicable transaction documents with proponents regarding the economic activation opportunities discussed in closed session at this meeting and to take the necessary steps to establish a special purpose vehicle as discussed in closed session at the Special Council Meeting held on 10 July 2017; and
3. that funding for the special purpose vehicle be capped at no more than \$18,500,000 in 2017/18 and 2018/19 financial years."

CARRIED

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

For	Against
The Mayor, Councillor J Hill	Councillor P Jacob
Councillor R Cook	
Councillor V Coombe	
Councillor C Doyle	
Councillor K Rehbein	
Councillor L Walker	
Councillor M Soars	
Councillor A Greaney	
Councillor M Ryder	
Reasons Against	

Councillor P Jacob believes there is not sufficient return to the community on the proposed opportunity to warrant Council considering the matter further or setting up a SPV.

In accordance with section 173 of the *Local Government Act 2009*, the Mayor, Councillor J Hill and Councillors R Cook, V Coombe, C Doyle, A Greaney, M Ryder, P Jacob, K Rehbein, M Soars and L Walker declared a perceived conflict of interest in regards to item 2.

- (a) the name of the Councillors who have the perceived conflict of interest:**
The Mayor, Councillor J Hill and Councillors R Cook, V Coombe, C Doyle, A Greaney, M Ryder, P Jacob, K Rehbein, M Soars and L Walker.
- (b) the nature of the conflict of interest as described by the Councillors:**
A Gabrielli Constructions donated to the Team Hill 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 the item, 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 Councillors 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.

2 Infrastructure Planning Assets and Fleet - Tender Assessment TCW00220 Civic Theatre Major Refurbishment Project

Executive Summary

The Townsville Civic Theatre is due for significant upgrades ensuring the facility built in 1978 continues to operate as a safe facility for venue staff and the public as the cultural and theatrical performance hub for the Townsville Region.

Building works shall improve safe movement and equitable access, refurbish mechanical and electrical systems, update house lighting to LEDs, roof replacement and improve the safety and operation of the orchestra pit and flytower hoist system.

The works will commence in November 2017 whilst the theatre remain operational with majority of works undertaken during the six month closure period commencing January 2018.

This report provides an analysis and Council's recommendation for awarding tender TCW00220 Civic Theatre Major Refurbishment Project.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council award tender TCW00220 Civic Theatre Major Refurbishment Project to J Hutchinson Pty Ltd, trading as Hutchinson Builders, for the lump sum price of \$7,672,246 (excluding GST).
3. That Council delegate authority to the Chief Executive Officer to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 2.55pm.

CONFIRMED this TWENTY-FOURTH day of OCTOBER 2017

MAYOR

CHIEF EXECUTIVE OFFICER