



SPECIAL COUNCIL

PUBLIC MINUTES

TUESDAY 7 JULY 2015 AT 9.00 AM

Council Members >>

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

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

- 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 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.
- 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.

MINUTES

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REPORT	COUNCIL MEETING
DATE	Tuesday 7 July 2015 at 9.00am
ITEMS	1 TO 2
PRESENT	The Mayor, Councillor J Hill Councillor V Veitch Councillor C Doyle Councillor G Eddiehausen APM Councillor R Gartrell Councillor J Lane Councillor A Parsons Councillor T Roberts Councillor L Walker

Opening of Meeting

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

Apologies and Leave of Absence

It was MOVED by Councillor T Roberts, SECONDED by Councillor L Walker:

"that the apologies from Councillor S Blom and Councillor P Ernst be received and that for the purposes of Section 162(1)(e) of the *Local Government Act 2009*, Councillor S Blom and Councillor P Ernst be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

Officers Reports

Corporate Services

1 Finance - Proposed Budget 2015/16

Executive Summary

In accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*, council must adopt a budget and Operational Plan for each financial year. The budget is integral to council's revenue raising powers and its planned spending. The recommendations in this report support the adoption of the Budget and Operational Plan for 2015/16.

The 2015/16 Budget complies with the *Local Government Act 2009* and associated Regulations.

The *Local Government Regulation 2012* states that the annual Operational Plan must:

- (a) be consistent with the annual budget; and
- (b) state how the local government will:
 - (i) progress the implementation of the five year Corporate Plan during the period of the annual Operational Plan; and
 - (ii) manage operational risks.

The Operational Plan and Budget have been developed in consultation with all departments and approved by the Executive Management Team.

The Operational Plan and Budget 2015/16, with supporting documentation and commentary, was tabled under separate cover, as follows:

Attachment 1 – Statement of Estimated Financial Position;
Attachment 2 – Operational Plan and Budget 2015/16; and
Attachment 3 – Register of Fees and Charges 2015/16.

All attachments will be available to the public on council's website following the special meeting.

Officer's Recommendation

1. FINANCIAL POLICIES >>

That council adopt:

- 1.1. The Debt Policy as set out in Attachment 2 – Appendix 4 – *Debt Policy*;
- 1.2. The Investment Policy – as set out in Attachment 2 – Appendix 5 – *Investment Policy*;
- 1.3. The Pensioner Rates Concession Policy as set out in Attachment 2 – Appendix 6 – *Pensioner Rates Concession Policy*;
- 1.4. The Charitable and Community Organisation General Rate and Utility Charges Concessional Policy as set out in Attachment 2 – Appendix 7 - *Charitable and Community Organisation General Rate and Utility Charges Concessional Policy*
- 1.5. The Revenue Policy as set out in Attachment 2 – Appendix 3 – *Revenue Policy*.

2. REVENUE STATEMENT >>

That, pursuant to sections 169(2)(b) and 172 of *Local Government Regulation 2012*, council adopt the Revenue Statement for 2015/16 as set out in Attachment 2 – Appendix 2 – *Revenue Statement*.

3. FEES AND CHARGES >>

- 3.1. That council adopt the Register of Fees and Charges for 2015/16 in Attachment 3 (as tabled); and
- 3.2. That council note the register of fees and charges includes details of cost-recovery fees pursuant to section 98 of the *Local Government Act 2009*; and
- 3.3. That council note cost-recovery and commercial fees and charges may be amended by resolution at any time during the financial year.

4. DIFFERENTIAL RATING CATEGORIES >>

That, pursuant to section 81 of the *Local Government Regulation 2012*, council adopt the differential rating categories and criteria for each category as set out in the Attachment 2 – Appendix 8 – *Differential Rating Categories*.

5. RATEABLE VALUE OF LAND >>

That, pursuant to section 74 of the *Local Government Regulation 2012*, council resolve that the calculation of the rates for land is by using the rateable value of the land and the rateable value of the land for a financial year is the site or unimproved value of land for the financial year as advised by the Department of Natural Resources and Mines.

6. LIMITATION OF INCREASE IN RATES LEVIED (CAPPING) >>

That, pursuant to section 116 of the *Local Government Regulation 2012*, council resolve that for 2015/16 the amount of general rates levied will not be more than the amount of general rates levied for the property for the previous financial year, plus the increase, for the relevant rating category, as set out in Attachment 2 – Appendix 9 – *Differential Rates, Limitations on Increases and Minimum General Rate*; subject to:

- The limitation not being available retrospectively and only applying from the beginning of the financial year; and
- The limitation ceasing to apply on and from 1 July 2016 where the ownership of any land to which the limitation applied is transferred on or after 1 July 2015.

7. DIFFERENTIAL RATES, LIMITATION ON INCREASES, MINIMUM GENERAL RATE >>

That, pursuant to part 4, part 5 and section 116 of the *Local Government Regulation 2012*, council resolve to set the differential general rates, minimum general rates and limitation of increase in rates levied for 2015/16 as set out in Attachment 2 – Appendix 9 – *Differential Rates, Limitations on Increases and Minimum General Rate*.

8. UTILITY CHARGES >>

8.1. Water >>

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy the utility charges for water for 2015/16 as set out in Attachment 2 – Appendix 10 – *Utility Charges - Water*.

8.2. Sewerage >>

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy the utility charges for sewerage for 2015/16 as set out in Attachment 2 – Appendix 11 – *Utility Charges - Sewerage*.

8.3. Refuse and Recycling >>

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy utility charges for refuse and recycling for 2015/16 as set out in Attachment 2 – Appendix 12 – *Utility Charges - Refuse and Recycling*.

9. SPECIAL RATES >>

9.1. Nelly Bay Harbour Development >>

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the annual implementation plan, and make and levy a special rate for the Nelly Bay Harbour Development on the following basis:

- To rateable land identified in the overall plan adopted by council at its meeting held 22 June 2010;
- To recover the cost of service and activity outlined in the Nelly Bay Harbour Overall Plan adopted by council at its meeting held 22 June 2010;
- The annual implementation plan, as set out in Attachment 2 – Appendix 13 – *Nelly Bay Harbour Operational Plan*; and
- At the rate of \$0.00 applied to the rateable value of the land.

10. SPECIAL CHARGES >>

10.1. Rural Fire Levy >>

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the following overall plan and annual implementation plan, and to make and levy a special charge for Rural Fire Brigades on the following basis:

- The Rural Fire Levy Special Charge will apply to all rateable land identified in the gazetted Rural Fire Board area maps for the following areas and on the following bases; and
- The overall plan for the Rural Fire Brigades Special Charge is to provide financial assistance to the brigades to enable provision of a rural fire service in each area on an ongoing basis. The amount of the charge is based upon the 3 year budget for each brigade that has been provided to council by the Queensland Fire and Rescue Service; and
- The annual implementation plan is to remit to the respective brigades the levy collected, twice a year; and
- The annual charges per property in each rural fire brigade area be as detailed in Attachment 2 – Appendix 14 – *Rural Fire Levy*.

10.2. Julago and Alligator Creek Water Supply Scheme >>

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the annual implementation plan, and make and levy a special charge of \$1,050.00 per property per annum for the Julago and Alligator Creek Water Supply Scheme to repay a capital contribution of \$10,500 per property for the Julago and Alligator Creek Water Supply Scheme on the following basis:

- The overall plan for the Julago and Alligator Creek Water Supply Scheme was adopted by council at its meeting held on 19 August 2008.
- The properties to which the charge applies are identified in the overall plan for the Julago and Alligator Creek Water Supply Scheme was adopted by council at its meeting held on 19 August 2008.
- The annual implementation plan for the Julago and Alligator Creek Water Supply Scheme is to levy the charge to each property identified in the overall plan for the period stated in the overall plan.

10.3. Black River Rural Water Supply >>

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the annual implementation plan, and make and levy a special charge of \$920.00 per property per annum for the Black River Rural Water Supply on the following basis:

- The overall plan for the Black River Rural Water Supply was adopted by council at its meeting held on 10 January 2006.
- The properties to which the charge applies are identified in the overall plan for the Black River Rural Water Supply that was adopted by council at its meeting held on 10 January 2006.
- The annual implementation plan for the Black River Rural Water Supply is to levy the charge to each property identified in the overall plan for the period stated in the overall plan.

11. WHEN RATES OR CHARGES MUST BE PAID >>

That, pursuant to section 118 of the *Local Government Regulation 2012*, council resolve that all rates and charges must be paid within 30 days after the rate notice is issued.

12. INTEREST ON OVERDUE RATES >>

That, pursuant to section 133 of the *Local Government Regulation 2012*, council resolve that overdue rates and charges will bear interest from 30 days after it becomes overdue and the interest will be calculated at a rate of 11.0% per annum compounding on a daily basis unless, the property owner is an Approved Pensioner as detailed in the Pensioner Rates Concession Policy, in which case overdue rates and charges will bear interest from 1 July 2016.

13. DISCOUNT FOR PROMPT PAYMENT >>

That, pursuant to section 130 of the *Local Government Regulation 2012*, council resolve that a discount for prompt payment of 15% will apply to the General Rate, the Nelly Bay Harbour Development Special Rate and the Black River Rural Water Supply Special Charge upon full payment of all rates and charges, including arrears, by the due date shown on the notice.

14. LEVYING OF RATES >>

That, pursuant to section 94(2) of the *Local Government Act 2009*, council resolve to levy rates notices for 2015/16 as follows:

- General Rates, Special Rates, Special Charges and Utility Charges will be levied in advance on a half-yearly basis, utility charges for water consumption on certain properties may also be levied on a monthly basis.

15. CONCESSIONS>>

15.1. Pensioner Rates Concession >>

That, pursuant to section 119 of the *Local Government Regulation 2012*, council resolve to allow a concession of up to 85% of the general rate to a maximum of \$800 as detailed in Attachment 2 – Appendix 6 - *Pensioner Rates Concession Policy*.

15.2. Not-for-profit >>

That, pursuant to section 120(b) of the *Local Government Regulation 2012*, council resolve to continue granting a concession to entities whose objects do not include making a profit and that applications made to council for consideration of a concession must meet the criteria as defined in section 120 of the Regulation and as detailed in Attachment 2 – Appendix 7 - *Charitable and Community Organisation General Rates & Utility Charges Concession Policy*.

15.3. Water and Sewerage Concessions >>

That, pursuant to part 10 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to apply concessions for water and sewerage utility charges as detailed in Attachment 2 – Appendix 7 - *Charitable and Community Organisation General Rates & Utility Charges Concession Policy*.

16. LONG-TERM FINANCIAL FORECAST >>

That, pursuant to section 171 of the *Local Government Regulation 2012*, council adopt the long-term financial forecast as set out in the *Strategic Financial Framework* in Attachment 2.

17. OPERATING FUND BUDGET >>

17.1 That, pursuant to section 169 of the *Local Government Regulation 2012*, council note the 2015/16 Budget is consistent with the 5-year corporate plan adopted by council on 25 March 2014;

17.2 That, pursuant to section 169 of the *Local Government Regulation 2012*, council adopt as its Budget the *Budgeted Financial Statements* for 2015/16 as set out in tables 5 – 8 of the Budget 2015/16 in Attachment 2.

18. STATEMENT OF ESTIMATED FINANCIAL POSITION >>

That, pursuant to section 205 of the *Local Government Regulation 2012*, council note the Financial Report and explanation of material variances relating to council's estimated financial position as at 30 June 2015 as set out in Attachment 1 of this report.

19. OPERATIONAL PLAN AND BUDGET 2015/16 >>

That, pursuant to section 174 and 175 of the *Local Government Regulation 2012*, council adopt the Annual Operational Plan as set out in Attachment 2 on pages 1 to 244.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

2 Changes to Subordinate Local Law No. 2 (Animal Management) 2011 and Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

Executive Summary

Public consultation about the proposed changes to *Subordinate Local Law No. 2 (Animal Management) 2011* and *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*, has concluded with only one submission being received.

It is recommended that council proceed to amend the subordinate local laws as detailed in this report.

Officer's Recommendation

1. That council resolve to amend Schedule 2, Item 2 of Subordinate Local Law No. 2 (Animal Management) 2011 by re-lettering the existing items as “(b)”, “(c)”, “(d)” and “(e)” respectively, and inserting a new item (a) as follows: “(a) one or two cats on any allotment;”
2. That council resolve to amend Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011, by:
 - (a) inserting in Schedule 1, a new Item 10, as follows:

10	The Aplin Weir Impoundment, The Gleeson Weir Impoundment, The Black Weir Impoundment, Lake Paluma Storage Area and Lake Ross Storage Area	(a) any activity that unreasonably interferes with the conduct of an approved activity.
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- (b) inserting in Schedule 2, new Items 10, 11, 12 and 13, as follows:

10	Lake Paluma Storage Area	(a) Possessing, bringing or allowing a domestic animal (other than an assistance dog, guide dog or hearing dog) into the area.	(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.
11	Lake Ross Storage Area	(a) the launching or placing of any ship.	(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(b) any activity that involves the use of a ship.	(b) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(c) any activity within any part of the area not clearly marked by signage as being open to public access.	(c) Permitted only if authorised under the conditions of an approval for a prescribed activity.
		(d) Possessing, bringing or allowing a domestic animal (other than an assistance dog, guide dog or hearing dog) into the area.	(d) Permitted only if authorised under the conditions of an approval for a prescribed activity.

12	The Aplin Weir Impoundment, the Gleeson Weir Impoundment and Lake Paluma Storage Area	(a) the launching or placing of any ship powered by an internal combustion engine. (b) any activity that involves the use of a ship powered by an internal combustion engine.	(a) Permitted only if authorised under the conditions of an approval for a prescribed activity. (b) Permitted only if authorised under the conditions of an approval for a prescribed activity.
12	The Black Weir Impoundment	(a) the activity of water-skiing	(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.

- (c) Inserting in Schedule 7 new definitions as follows:
- Lake Paluma Storage Area means the water impounded by the Paluma Dam and the surrounding TCC controlled land, as shown in Schedule 8
- Lake Ross Storage Area means the waters impounded by the Ross Dam and the surrounding TCC controlled land, as shown in Schedule 8.
- The Aplin Weir Impoundment means those waters impounded by the Aplin Weir, but downstream of the Gleeson Weir
- The Black Weir Impoundment means those waters impounded by the Black Weir, but downstream of the Ross Dam.
- The Gleeson Weir Impoundment means those waters impounded by the Gleeson Weir, but downstream of the Black Weir
- (d) Inserting a new Schedule 8, entitled "*Water Storage Areas*", and inserting maps of the Lake Paluma Storage Area and Lake Ross Storage Area as shown in Attachment 1 to this report.
3. That council resolve to adopt consolidated versions of Subordinate Local Law No. 2 (Animal Management) 2011 and Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011 as shown in Attachment 2 and Attachment 3 to this report.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Close of Meeting

The Chair, Mayor J Hill declared the meeting closed at 9.04am.

CONFIRMED this TWENTY- EIGHTH day of JULY 2015

MAYOR

CHIEF EXECUTIVE OFFICER