



# **SPECIAL COUNCIL**

## **PUBLIC MINUTES**

**MONDAY 19 DECEMBER 2016 AT 2.00PM**

**Council Members >>**

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

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## Goals and Strategies of Townsville City Council >>

### Corporate Plan >>

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

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

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

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

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

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

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

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

### ACKNOWLEDGEMENT OF COUNTRY

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

## PUBLIC MINUTES

	<b>Page</b>
<b>Officers Reports</b>	
<b>Planning and Community Engagement</b>	
2 Ordinary Council and Committee Meeting Schedule - 2017	9264
<b>Confidential Items</b>	
1 Planning and Community Engagement - Expression of Interest for Cultural Facilities - North Queensland Arts Centre	9268

<b>REPORT</b>	<b>COUNCIL MEETING</b>
<b>DATE</b>	<b>Monday 19 December 2016 at 2.00pm</b>
<b>ITEMS</b>	<b>1 TO 2</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**

The Chair, the Mayor, Councillor J Hill opened the meeting at 2.00pm.

### **Acknowledgement to Country**

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

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

There were no apologies or leave of absence noted.

### **Disclosure of Interests**

1. Perceived Conflict of Interest - Item 1 - Councillor C Doyle - Councillor Doyle is a member of the Museum of Tropical Queensland Friends Group Incorporated. It has been identified that one of the proponents is working closely with the Museum of Tropical Queensland with their proposal.
2. Perceived Conflict of Interest - Item 1 - Councillor A Greaney - One of the proponents who submitted an Expression of Interest received for the North Queensland Arts Centre is Mark Adams who is the brother of Councillor Greaney's sister's husband.
3. Perceived Conflict of Interest - Item 1 - The Mayor, Councillor J Hill and Councillors R Cook, V Coombe, C Doyle, A Greaney, P Jacob, M Molachino, K Rehbein, M Ryder, M Soars and L Walker - Jack Gleeson, Mark Adams and Laurence Lancini donated to the Team Hill election campaign.

## Officers Reports

Council agreed to change the order of business to consider item 2 as the next item of business.

### 1 Planning and Community Engagement - Expression of Interest for Cultural Facilities - North Queensland Arts Centre

Refer to the above resolution of the Council Minutes (page 9264) where council agreed to consider item 2 as the next item of business.

Refer page 9268 of the Council Minutes for item 1 - Planning and Community Engagement - Expression of Interest for Cultural Facilities - North Queensland Arts Centre

## Planning and Community Engagement

### 2 Ordinary Council and Committee Meeting Schedule - 2017

#### Executive Summary

In accordance with Section 277(1) of the *Local Government Regulation 2012*, council is required on an annual basis to publish in a newspaper circulating generally in its area a notice of the days and times when its Ordinary meetings and Standing Committees will be held.

At the council meeting on 13 December 2016 council resolved to adopt a meeting schedule for 2017 that continued the existing arrangements of holding the council meeting on the fourth Tuesday of each month, with the Standing Committees being held across the two weeks preceding the Ordinary Council Meeting.

To better facilitate public engagement, it is recommended that the Standing Committee Meetings be rescheduled to occur in the second week of each month (with minor adjustment for December meetings).

## Officer's Recommendation

That council resolve to amend the decision made on 13 December 2016 relating to the adoption of dates for Ordinary Council and Standing Committee meetings for 2017 by re-scheduling standing committee meetings as follows:

<b>2017 Council and Committee Meeting Calendar</b>		
<b>Date</b>	<b>Time</b>	<b>Council/Committee</b>
24 January 2017	1.00 pm	Ordinary Council
14 February 2017	9.00 am	Infrastructure Services Committee
14 February 2017	11.00 am	Planning and Development Committee
15 February 2017	9.00 am	Community Health and Environment Committee
15 February 2017	11.00 am	Community and Cultural Development Committee
16 February 2017	9.00 am	Governance and Finance Committee
16 February 2017	11.00 am	Townsville Water and Waste Committee
28 February 2017	1.00 pm	Ordinary Council
14 March 2017	9.00 am	Infrastructure Services Committee
14 March 2017	11.00 am	Planning and Development Committee
15 March 2017	9.00 am	Community Health and Environment Committee
15 March 2017	11.00 am	Community and Cultural Development Committee
16 March 2017	9.00 am	Governance and Finance Committee
16 March 2017	11.00 am	Townsville Water and Waste Committee
28 March 2017	1.00 pm	Ordinary Council
11 April 2017	9.00 am	Infrastructure Services Committee
11 April 2017	11.00 am	Planning and Development Committee
12 April 2017	9.00 am	Community Health and Environment Committee
12 April 2017	11.00 am	Community and Cultural Development Committee
13 April 2017	9.00 am	Governance and Finance Committee
13 April 2017	11.00 am	Townsville Water and Waste Committee
26 April 2017	1.00 pm	Ordinary Council
9 May 2017	9.00 am	Infrastructure Services Committee
9 May 2017	11.00 am	Planning and Development Committee
10 May 2017	9.00 am	Community Health and Environment Committee
10 May 2017	11.00 am	Community and Cultural Development Committee
11 May 2017	9.00 am	Governance and Finance Committee
11 May 2017	11.00 am	Townsville Water and Waste Committee
23 May 2017	1.00 pm	Ordinary Council
13 June 2017	9.00 am	Infrastructure Services Committee
13 June 2017	11.00 am	Planning and Development Committee
14 June 2017	9.00 am	Community Health and Environment Committee
14 June 2017	11.00 am	Community and Cultural Development Committee
15 June 2017	9.00 am	Governance and Finance Committee
15 June 2017	11.00 am	Townsville Water and Waste Committee
27 June 2017	1.00 pm	Ordinary Council
11 July 2017	9.00 am	Infrastructure Services Committee
11 July 2017	11.00 am	Planning and Development Committee
12 July 2017	9.00 am	Community Health and Environment Committee
12 July 2017	11.00 am	Community and Cultural Development Committee
13 July 2017	9.00 am	Governance and Finance Committee
13 July 2017	11.00 am	Townsville Water and Waste Committee
25 July 2017	1.00 pm	Ordinary Council

<b>2017 Council and Committee Meeting Calendar</b>		
<b>Date</b>	<b>Time</b>	<b>Council/Committee</b>
8 August 2017	9.00 am	Infrastructure Services Committee
8 August 2017	11.00 am	Planning and Development Committee
9 August 2017	9.00 am	Community Health and Environment Committee
9 August 2017	11.00 am	Community and Cultural Development Committee
10 August 2017	9.00 am	Governance and Finance Committee
10 August 2017	11.00 am	Townsville Water and Waste Committee
22 August 2017	1.00 pm	Ordinary Council
12 September 2017	9.00 am	Infrastructure Services Committee
12 September 2017	11.00 am	Planning and Development Committee
13 September 2017	9.00 am	Community Health and Environment Committee
13 September 2017	11.00 am	Community and Cultural Development Committee
14 September 2017	9.00 am	Governance and Finance Committee
14 September 2017	11.00 am	Townsville Water and Waste Committee
26 September 2017	1.00 pm	Ordinary Council
10 October 2017	9.00 am	Infrastructure Services Committee
10 October 2017	11.00 am	Planning and Development Committee
11 October 2017	9.00 am	Community Health and Environment Committee
11 October 2017	11.00 am	Community and Cultural Development Committee
12 October 2017	9.00 am	Governance and Finance Committee
12 October 2017	11.00 am	Townsville Water and Waste Committee
24 October 2017	1.00 pm	Ordinary Council
14 November 2017	9.00 am	Infrastructure Services Committee
14 November 2017	11.00 am	Planning and Development Committee
15 November 2017	9.00 am	Community Health and Environment Committee
15 November 2017	11.00 am	Community and Cultural Development Committee
16 November 2017	9.00 am	Governance and Finance Committee
16 November 2017	11.00 am	Townsville Water and Waste Committee
28 November 2017	1.00 pm	Ordinary Council
29 November 2017	9.00 am	Infrastructure Services Committee
29 November 2017	11.00 am	Planning and Development Committee
30 November 2017	9.00 am	Community Health and Environment Committee
30 November 2017	11.00 am	Community and Cultural Development Committee
1 December 2017	9.00 am	Governance and Finance Committee
1 December 2017	11.00 am	Townsville Water and Waste Committee
12 December 2017 (2nd Tuesday)	1.00 pm	Ordinary Council

### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**The order of business resumed.**



**In accordance with section 173 of the *Local Government Act 2009*, Councillor C Doyle declared a perceived conflict of interest in regards to item 1.**

- (a) the name of the councillor who have the perceived conflict of interest:**  
Councillor C Doyle
- (b) the nature of the conflict of interest as described by the Councillor:**  
Councillor Doyle is a member of the Museum of Tropical Queensland Friends Group Incorporated. It has been identified that one of the proponents is working closely with the Museum of Tropical Queensland with their proposal.
- (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 before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**  
The Councillor voted as per the officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

**In accordance with section 173 of the *Local Government Act 2009*, Councillor A Greaney declared a perceived conflict of interest in regards to item 1.**

- (a) the name of the councillor who have the perceived conflict of interest:**  
Councillor A Greaney
- (b) the nature of the conflict of interest as described by the Councillor:**  
One of the proponents who submitted an Expression of Interest received for the North Queensland Arts Centre is Mark Adams who is the brother of Councillor Greaney's sister's husband.
- (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 vacated the meeting during discussion and voting on the item (and did not return to the meeting).
- (d) if the Councillor voted on the issue – how the Councillor voted:**  
The Councillor did not vote 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.

**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, P Jacob, M Molachino, K Rehbein, M Ryder, M Soars and L Walker declared a perceived conflict of interest in regards to item 1.**

- (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, P Jacob, M Molachino, K Rehbein, M Ryder, M Soars and L Walker
- (b) the nature of the conflict of interest as described by the Councillor:**  
Jack Gleeson, Mark Adams and Laurence Lancini 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 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.

## **Confidential Items**

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

"that council RESOLVE to close the meeting in accordance with Section 275 (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 (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 item.

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

"that council RESOLVE to open the meeting."

**CARRIED UNANIMOUSLY**

## **1 Planning and Community Engagement - Expression of Interest for Cultural Facilities - North Queensland Arts Centre**

### **Executive Summary**

Council called for expressions of interest for the design, build, own and lease back of the North Queensland Arts Centre (including an Art Gallery, Library and Concert Hall).

Submissions were received from:

- Griffin Group
- Honeycombes Property Group
- Lancini Developments and Mark Adams
- Adam Adams

The submissions were evaluated against the published selection criteria and council's financial model.

Council engaged KPMG to provide an independent expert review of the financial modelling.

### **Officer's Recommendation**

1. That council note that the:

- a) KPMG Report;
- b) all submissions received during the Expression of Interest process; and
- c) the Evaluation Report prepared by council's Evaluation Panel

contain information that is commercial in confidence to the parties that lodged expressions of interest, and information that if published has the potential to prejudice council's future dealings in respect of new cultural facilities, and resolves that the documents are and must be treated as confidential documents in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* unless council decides otherwise by resolution.

2. That council note that:

- the council's internal assessment of the financial implications and ongoing costs to council indicated that both of the shortlisted submissions were not affordable; and
- the KPMG review of council's analysis confirmed that proceeding with the project would commit council to increasing rates by between 5.25% and 8.9% (incorporating CPI) for the anticipated 50-year life of the facilities.

3. That the council resolve to not proceed with further engagement on the expressions of interest received, but to continue efforts to achieve affordable development of improved cultural facilities in the CBD as an integral component of a refreshed, revitalised and refocused vision for the City.

### **Council Decision**

**It was MOVED by the Mayor, Councillor J Hill, 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 JANUARY 2017**

**MAYOR**

**CHIEF EXECUTIVE OFFICER**