



# **ORDINARY COUNCIL**

## **PUBLIC MINUTES**

WEDNESDAY 27 JANUARY 2016 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 >>

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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.

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**REPORT            COUNCIL MEETING**

**DATE              Wednesday 27 January 2016 at 9.00am**

**ITEMS            1 TO 30**

**PRESENT**        The Mayor, Councillor J Hill  
                  Councillor V Veitch  
                  Councillor S Blom  
                  Councillor C Doyle  
                  Councillor G Eddiehausen APM  
                  Councillor P Ernst  
                  Councillor R Gartrell  
                  Councillor J Lane  
                  Councillor A Parsons  
                  Councillor T Roberts  
                  Councillor L Walker

**Opening of Meeting and Announcement of Visitors**

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

**Prayer**

Reverend Ann Harley of the Uniting 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 V Veitch, SECONDED by Councillor C Doyle:**

"that the minutes of the Ordinary Council meeting of 15 December 2015 be confirmed."

**CARRIED**

## **Disclosure of Interests**

- (i). Perceived conflict of interest - Item 19 - Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell - Donation to Townsville First election campaign by Urbex. Urbex is associated with BMD who also have an interest in JMac Constructions that are an applicant for this tender.
- (ii) Perceived conflict of interest - Item 20 - Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell - Donation to Townsville First election campaign by UDP.
- (iii) Perceived conflict of interest - Item 23 - Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell - Donation to Townsville First election campaign by a subsidiary of BMD
- (iv) Perceived conflict of interest - Item 20 - The Mayor, Councillor J Hill and Councillors L Walker and C Doyle - UDP donated to the Team Hill election campaign.

## **Petitions**

### **(i) Stop Townsville Water at Golf Course**

#### **Overview**

The Mayor, Councillor J Hill tabled a petition.

#### **Petition Request**

That council give consideration to stopping the deal with Fairways Golf Course from going ahead with regards to using drinking water to water their grass. The Golf Course needs to pay for their own recycled water.

#### **Council Decision**

That the petition be referred to the relevant Division for consideration.

### **(ii) Rezoning of areas of Pimlico**

#### **Overview**

Councillor C Doyle tabled a petition from residents of Pimlico.

#### **Petition Request**

That council give consideration to rezoning areas of Pimlico. With reference to the inserted extract, shown on the petition, from Townsville City Council Planning Scheme Zoning Map ZM-33. The area bordered in red was rezoned from Neighbourhood Residential to Medium Density Residential in the 2014 Townsville City Plan. The petitioners demand that council immediately commence procedures to reinstate the equivalent of the previous Neighbourhood Residential zoning, being low Density Residential.

#### **Council Decision**

That the petition be referred to the relevant Division for consideration.

### **(iii) Mandating nightclubs and hotels in Flinders Street East to install rubber soft fall**

#### **Overview**

Councillor V Veitch tabled a petition.

#### **Petition Request**

That council give consideration to mandating nightclubs and hotels in Flinders Street East to install rubber soft fall in approximate ten metre square areas, directly in front of their premises with a view to also contributing funds to install rubber soft fall in the servicing taxi rank.

#### **Council Decision**

That the petition be referred to the relevant Division for consideration.

#### **Mayoral Minute**

The Mayor, Councillor J Hill presented the following Mayoral Minute:

"Today I rise and ask councillors to support a motion regarding councillor remuneration.

The recent report handed to the state government regarding the classification of councils in Queensland had determined that Townsville City Council should be reclassified.

This city has grown, thrived and survived over the last 150 years.

To the independent members of the tribunal, it was determined that Townsville was a city that should be classed as a category 6. And I emphasise, this is the only city to reach this level outside the South East Queensland area.

We are the first regional city in Queensland to reach this milestone, but this milestone comes with a price.

Our community is in difficult and uncertain times. The downturn in mining, the public sector cut backs, and the loss of jobs in traditional manufacturing areas has dented the confidence of our residents.

This is the time that we, as civic representatives and leaders of our city should be reasonable and show restraint, leadership and responsibility.

The higher classification of the city brings with it an option for higher remuneration. While this classification will only apply on July 1st 2016, we should and can give our community the surety of our intentions.

The challenges our residents face requires us to make tough decisions. And sometimes those tough decisions directly affect us. This is an occasion to lead by example and make a tough decision that only affects those in this chamber.

To accept an increase in pay, at this time, would only confirm a view that money motivates our interest.

Media interviews with councillors in this chamber indicate that each and every councillor in this room is satisfied with the current pay level and would only accept a two percent pay rise."

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

- "1. that the current level at which Townsville City Councillors are remunerated remain;
2. that an increase of CPI be paid and take effect from 1 July 2016; and
3. that the Local Government Remuneration and Discipline Tribunal be advised of the council's decision."

**CARRIED UNANIMOUSLY**

### **Correspondence**

Refer to General Business item (i).

### **Deputations**

There were no deputations.

### **Presentations**

Refer to Officers Reports item 1.

## **Officers Reports**

### **Planning and Development**

#### **1 P&D Strategic Planning - Economic Development & Strategic Projects - Townsville Sister Cities Program update and report on 15/16 activities**

##### **Executive Summary**

The Townsville Sister Cities Community Forum provides reports as required to the Planning and Development Committee for consideration of Full Council. Due to the forthcoming council election the current Townsville Sister Cities Community Forum held their final meeting on 14 December 2015.

This report provides an outline of the Forum's proceedings and an update on the 2015/2016 Sister Cities Program.

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

1. That council receive and note this report for information.
2. That council acknowledge the long term service of Ms Susan Roberts to the Townsville Sister Cities program and her acknowledgement from the Japanese Government for her contributions to the field of cultural exchanges between Japan and Australia through the Order of the Rising Sun, Gold and Silver Rays of Japan.

##### **Council Decision**

**It was MOVED by the Mayor, Councillor J Hill SECONDED by Councillor C Doyle:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**The Mayor, Councillor J Hill presented Susan Roberts with a certificate in appreciation of her 25 years service to the Townsville Sister Cities program.**

**Ms Roberts thanked the Mayor, Councillors and staff for their work on the Sister Cities Program over the last 25 years and for the success that it is today.**

## 2 P&D Strategic Planning - City Planning Unit - Request for Letter of Support (The Australian Sex Party) - Nude Beaches

### Executive Summary

The Australian Sex Party (Queensland Branch) is making formal representations to the Queensland Attorney-General for an amendment to legislation relating to public nudity, and requests a letter of support from council.

The proposed amendment seeks to introduce an exemption to Section 9 of the *Queensland Summary Offences Act 2005* (relating to 'wilful exposure'), by designating an area where public nudity is permitted under a 'clothing-optional' status. The powers to designate and responsibility for managing such areas are proposed to be devolved to council.

Letters of support from Queensland councils will be included in the Australian Sex Party's formal submission to the Queensland Attorney-General in this regard.

### Officer's Recommendation

That council write to the Acting President (Queensland Branch) of the Australian Sex Party expressing support for the introduction of an exemption to Section 9 of the *Queensland Summary Offences Act 2005*, which will give local councils the right to designate clothing-optional beaches within their local government area in consultation with their community.

### Council Decision

**It was MOVED by Councillor C Doyle SECONDED by Councillor S Blom:**

"that this item be referred back to staff for further community consultation and a report to come back to council for a final decision."

**CARRIED UNANIMOUSLY**

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
	All Councillors

#### Reasons Against

The report does not provide councillors with enough information and therefore confidence to make an informed decision with regards to supporting a letter of support to the Australian Sex Party (Queensland Branch).

### **3 P&D Strategic Planning - City Planning Unit - Potential North Queensland Regional Plan (Further Consideration)**

#### **Executive Summary**

At its meeting held 22 September 2015, council resolved to not support the development of a regional plan but to continue discussions with the State Government and other North Queensland local governments to establish regional matters for future consideration.

Further discussions have now occurred through the North Queensland Regional Organisation of Council's (NQROC) meeting held 20 November 2015, where it was agreed to progress the implementation of a regional plan. The NQROC now seek council's support to progress such a plan.

The issues of concern identified in regard to the potential development of a statutory regional plan have not changed since the previous council resolution. These include possible timing/alignment issues with the Queensland Government's major planning reform program, the introduction of an additional statutory layer in the current planning and development framework, without first establishing a clear need for the plan, and the potential for undermining of council's recently adopted planning scheme. Based on these concerns, making a decision on the preparation of a regional plan is considered to be a major policy decision.

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

1. That council agree a decision on the preparation of regional plan is a major policy decision and given the close proximity of the local government election, such a decision should be deferred for consideration by the new council.
2. That council write to the Deputy Premier and NQROC advising that while council supports further discussions with the State Government and other North Queensland local governments to establish regional matters for future consideration, a decision by council has been deferred until after the local government election on 19 March 2016.

#### **Council Decision**

**It was MOVED by Councillor A Parsons SECONDED by Councillor G Eddiehausen:**

"that the officer's recommendation be adopted."

**CARRIED**

#### **4 P&D MI15/0007 - MCU (Impact) - Preliminary Approval under Section 242 of SPA 2009 to facilitate use rights in accordance with a Plan of Development at 158 Hugh Street, Currajong**

##### **Executive Summary**

This application seeks council approval for a Preliminary Approval for a Material Change of Use (Impact) to affect the Planning Scheme in accordance with section 242 of the *Sustainable Planning Act 2009* to facilitate use rights in accordance with a Plan of Development over land at 158 Hugh Street, Currajong.

The extent to which the application seeks to vary the effect of the Townsville City Plan is detailed in the form of a Plan of Development. The Plan of Development will facilitate a mixed use commercial and retail development, which will be achieved through the implementation of a new Table of Assessment. As found in Attachment 1 of this report, the Plan of Development specifies the extent to which the development application seeks to vary the effect of the Townsville City Plan.

The application was referred to the State as a concurrence agency, as required under Schedule 7, Table 3, Item 1 – State Controlled Road of the *Sustainable Planning Regulation 2009*. The concurrence agency response was given to council providing no objection to the approval subject to conditions.

The applicant underwent public notification in accordance with the *Sustainable Planning Act 2009*, during such time no submissions were received.

An assessment of the proposal has been undertaken against the relevant provisions of the *Sustainable Planning Act 2009* and Townsville City Plan. It is considered that the proposal is consistent with the Strategic Framework of the Townsville City Plan and represents a suitable land use outcome for the site, given the immediate surrounding area land uses. As such, the proposed development over the subject land at 158 Hugh Street Currajong is recommended for approval.

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

That council approve application MI15/0007 for a Preliminary Approval for a Material Change of Use to affect the Townsville City Plan in accordance with Section 242 of the *Sustainable Planning Act 2009* to facilitate a Plan of Development on land described as Lots 92-96 on RP711592, more particularly 158 Hugh Street Currajong, on the following grounds/subject to the following conditions -

#### **PRELIMINARY APPROVAL**

#### **MATERIAL CHANGE OF USE DEVELOPMENT IN ACCORDANCE WITH THE PLAN OF DEVELOPMENT**

##### **1. Variation of the effect of the Local Planning Instrument**

###### **Condition**

Development pertaining to this 158 Hugh Street Mixed Use Plan of Development, approved by the Preliminary Approval, varies the effect of the Townsville City Plan 2014 (and subsequent local planning instruments) –

- providing the level of assessment for development at 158 Hugh Street, Currajong. Section 2.0 Table of Assessment of the Plan of Development sets out the levels of assessment for development. This table of assessment prevails over the levels of assessment specifies in Townsville City Plan (2014);

Subsequent Development applications over the land subject to this approval must be lodged and assessed in accordance with the 158 Hugh Street Mixed Use Plan of Development, Revision 3, dated January 2016.

**Reason**

The Preliminary Approval varies the effect of the Local Planning Instrument, and gives effect to the 158 Hugh Street Mixed Use Plan of Development for subsequent applications for Development Permit over the subject land.

**Timing**

For all future applications for Development Permit to be completed within 4 years of the date of the approval taking effect or any longer period (or indefinitely) as determined by the *Sustainable Planning Act 2009* (or other relevant legislation).

**2. Amalgamation of Allotments****Condition**

The developer must amalgamate Lots 92, 93, 94, 95 and 96 on RP711592 into single parcel. The survey plan must be registered, in accordance with the *Land Title Act 1994* or relevant legislation as amended, prior to the commencement of the use.

**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.

**Concurrence Agency Conditions – State Assessment and Referral Agency (DTMR)**

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the State Assessment and Referral Agency in conjunction with the Department of Transport and Main Roads advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the Department of Transport and Main Roads conditions as outlined in the Department's correspondence dated 30 July 2015.

**Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**5 P&D Outcome of Appeal No. 4225 of 2015, E.J. Cooper & Son Pty Ltd v Townsville City Council and Wingate Communities Pty Ltd - 127 Allambie Lane, Rasmussen**

**Executive Summary**

A submitter appeal was filed in the Planning and Environment Court in Brisbane by E.J. Cooper and Son Pty Ltd on 29 October 2015 against council's approval of a development application for a Preliminary Approval - Material Change of Use (Impact) to override the City of Thuringowa Planning Scheme 2003 to allow for development to occur in accordance with a Plan of Development for Residential Land Use in respect of land situated at 127 Allambie Lane, Rasmussen.

The submitter claimed the development application should be refused as it was in conflict with numerous provisions of the City of Thuringowa Planning Scheme 2003; failed to address the proposed management of stormwater quality and quantity, failed to address or attempt to mitigate impacts on surrounding uses and generally did not have sufficient grounds that warranted the approval. The Notice of Appeal also sought payment of any costs incurred by the submitter in the appeal.

On 15 December 2015 the submitter filed a Notice of Discontinuance in the Planning and Environment Court in Brisbane. This matter is now at an end.

**Officer's Recommendation**

That council receive this report.

**Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**6 P&D New Appeal No. 399 of 2015, Environ Enterprises Pty Ltd v Townsville City Council, 17 Thorn Street, Mount Louisa**

**Executive Summary**

An appeal was filed in the Planning and Environment Court in Townsville on 11 December 2015 against council's approval of a development application for Reconfiguring a Lot Two into 28 Residential Lots and One Balance Lot situated at 17 Thorn Street, Mount Louisa.

The appellants claim the development application should be approved with amended conditions, namely that the transfer of a balance lot for a parkland reserve is an unreasonable imposition on the development and should be removed or amended and the requirement for the demolition of structures on the same balance lot should also be removed or amended.

**Officer's Recommendation**

1. That council resolve to defend the approval of the development application in Planning and Environment Court Appeal No. 399 of 2015.
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.

## Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## 7 P&D New Appeal No. 401 of 2015, NEM Enterprises Pty Ltd v Townsville City Council - 2 Karanya Street, Mount Louisa

### Executive Summary

An appeal was filed in the Planning and Environment Court in Townsville on 15 December 2015 against a decision made by council to refuse a development application for Reconfiguring a Lot – Lot Creation – One into 72 Lots situated at 2 Karanya Street, Mount Louisa.

The appellant claims that the development application should be approved or, in the alternative, approved subject to conditions. The grounds of appeal are generally that the proposed development does not conflict with various purposes and parts detailed in the Townsville City Plan, Low Density Residential Zone Code, Reconfiguring a Lot Code, Transport Impact, Access and Parking Code and Flood Hazard Overlay Code and that the development is consistent with existing developments in the local authority area.

### Officer's Recommendation

1. That council resolve to defend the approval of the development application in Planning and Environment Court Appeal No. 401 of 2015.
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.

## Council Decision

It was **MOVED** by Councillor A Parsons **SECONDED** by Councillor G Eddiehausen:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **Corporate Services**

### **8 Councillor Remuneration**

#### **Executive Summary**

This report recommends that the council accept the determination of the Local Government Remuneration and Disciplinary Tribunal that Townsville City Councillors be remunerated at the new Category 6 local government level.

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

That council resolve to accept the recommendation of the Local Government Remuneration and Disciplinary Tribunal relating to the categorisation of the council as a new Category 6 local government and the remuneration to be paid to councillors.

#### **Council Decision**

It was noted that this item had been considered under the Mayor's mayoral minute.

### **9 Budget Variance Report - Whole of Council - December 2015**

#### **Executive Summary**

On behalf of the Chief Executive Officer, the Director Corporate Services will present and discuss the Budget Variance Report for the whole of council for December 2015, pursuant to section 204 of the *Local Government Regulation 2012*.

The Director Corporate Services will circulate separately to the Agenda the Budget Variance Report for the whole of council for December 2015.

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

That council note the financial report for December 2015 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation 2012*.

#### **Council Decision**

**It was MOVED by Councillor J Lane SECONDED by Councillor G Eddiehausen:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **10 Treasury Report - December 2015**

### **Executive Summary**

Attached to the Report to Council is an internal treasury report to provide council with information on cash, investments and debt. The report informs council on its monthly cash position.

### **Officer's Recommendation**

That council note the treasury report for December 2015 and the information contained therein.

### **Council Decision**

**It was MOVED by Councillor J Lane SECONDED by Councillor V Veitch:**

"that the officer's recommendation be adopted."

**CARRIED**

## **11 Annual Review - Chief Executive Officer Instrument of Delegation**

### **Executive Summary**

The *Local Government Act 2009* requires the Chief Executive Officer's delegations to be reviewed annually.

It is recommended that the Chief Executive Officer's delegation be reviewed without change.

### **Officer's Recommendation**

That council delegate to the Chief Executive Officer all delegable powers of the council under all Acts and other statutory instruments administered by the council pursuant to section 257 of the *Local Government Act 2009*, as set out in Attachment 1 "Instrument of Delegation" of the Report to Council.

### **Council Decision**

**It was MOVED by Councillor J Lane SECONDED by Councillor V Veitch:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **Community and Environment**

### **12 Community Services - Report on Potential Impacts of Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015**

#### **Executive Summary**

The purpose of this report is to provide information to Council about the Tackling Alcohol-Fuelled Violence Legislation Amendment Bill (The Bill) in response to a resolution of the Council at its meeting held on 15 December 2015. The intent of the report is to provide information only for Council to assist in understanding the impacts to traders and the community if The Bill is passed.

On 12 November 2015, Attorney General Yvette D'Ath and Stafford MP Anthony Lynham presented to parliament the Tackling Alcohol-Fuelled Violence Legislation Amendment Bill (The Bill). The Bill was read and subsequently referred to the Legal Affairs and Community Safety Committee for a report to the House on The Bill by 8 February 2016. Formal public consultation of The Bill has also been undertaken during 2015 by Qld Parliament, with dates for written submissions having closed on 23 December 2015. A Public hearing was scheduled to be held in Townsville on 22 January 2016 in which the Townsville Liquor Accord and any interested Councillors and community members will be addressing the Committee.

The purpose of the report seeks to understand the impact of the changes to the community and traders including the Townsville Liquor Accord and Flinders Street East Traders, the key amendments to the legislation have been described below:

- a) Stopping the service of alcohol at 2am;
- b) Prohibiting new extended trading approvals for takeaway liquor;
- c) 3am liquor trading with a 1am lock out in safe night precincts;
- d) Prohibiting new extended trading approvals for takeaway liquor; and
- e) Banning the sale of high alcohol content and rapid consumption drinks after midnight.

Councillors Veitch, Walker and officers from the Community Services Department met with members of the Townsville Liquor Accord on 20 January 2016, who have expressed concern regarding the proposed Bill and changes to the trading hours that will potentially affect their business. They will be making deputations to the Legal Affairs and Community Safety Committee Public Forum on 22 January 2016 to express their concerns on the proposed changes.

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

That council receive and note the content of Report on Potential Impacts of Tackling Alcohol-Fuelled Violence Legislation Amendment Bill 2015 compiled by the Community Development Section.

#### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **13 Environmental Health Services Fees and Charges 2016/17**

### **Executive Summary**

Environmental Health Services delivers a range of compliance, approval and education services relating to public health and safety, environmental protection, development compliance and parking enforcement. Fees and charges are levied annually in respect of licensing, registration and permits on the basis of either full cost recovery or the provision of contracted services.

Environmental Health Services has reviewed the costs associated with delivering these services and have developed a schedule of fees and charges which are reflective of the resources required to deliver priority objectives.

This review has resulted in a proposed increase across the majority of fees and charges commensurate with the current CPI of 2.7%; however the fees and charges listed below vary from CPI with an explanation as to their variation provided:

### **Fines / PIN – Payment Plan Application Fee and Fines / PIN Reminder Notice**

Review identified discrepancy between Regulatory Services fee for same services. Current fees for Environmental Health increased to be aligned to Regulatory Services.

### **Services Fees for Environmental Protection**

These fees are set by legislation and are not subject to be increased unless an amendment to the legislation occurs therefore no increase has occurred.

### **Pensioner Dog – First (Desexed)**

There has been no charge associated with this and continues to remain free.

### **Dangerous Dog / Menacing Dog**

A significant increase was levied in the 2015/16 fees and charges to reflect the ongoing costs associated with administering these animals. With the subsequent increase has been an increase in appeals related to registration costs therefore no further increase was considered this year.

### **First Registration – dog (for current registration period)**

The first registration charge remains unchanged to encourage registration of new or currently unrecorded animals.

### **Impound Release Fee**

A minimal increase in the fee is reflected by the annual increase in charges from RSPCA as contracted manager of council's animal facility.

Where the CPI increase of 2.7% was calculated to be below \$1.00 and whereby the rounding of that increase would have resulted in no change to the fee, the minimum increase of \$1.00 was levied. Those fees and charges are listed below:

- Pensioner Dog Entire
- Pensioner Dog – Subsequent (desexed)
- New dangerous dog signs (replacement upon request)
- Cat Permit (per resident for up to 2 cats)
- Stock feed per animal per day

### **Officer's Recommendation**

That council adopt the 2016/2017 fees and charges for Environmental Health Services as set out in Schedule 1 below.

**Schedule 1:**

Townsville City Council - Schedule of Fees and Charges 2016/17														
Community & Environment														
Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015/16	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation	Committee Fee Approved at	Date of meeting
<b>Department Name - Environmental Health Services</b>														
<b>Section Name - Environmental Health</b>														
<b>Fee Name</b>														
<b>SERVICE FEES FOR ENVIRONMENTAL HEALTH</b>														
General Business / File Search	Cost-recovery fee	Each	\$138.00	\$138	\$0.00	\$134.00	\$4.00	2.99%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(c)			
Fines / PIN - Payment Plan Application Fee	Other fee under S.262	Each	\$33.00	\$33	\$0.00	\$31.00	\$2.00	6.45%	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3)c)			
Fines / PIN Reminder Notice	Other fee under S.262	Each	\$16.00	\$16	\$0.00	\$12.00	\$4.00	33.33%	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3) c)			
EHO Consultancy - General, Pre Lodgement (Hourly Rate)	Other fee under S.262	Per Hour	\$176.00	\$176	\$17.60	\$171.00	\$5.00	2.92%	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3) c)			
InterCouncil Services - Food Its Your Business Publication	Other fee under S.262	Each	\$129.00	\$129	\$12.90	\$126.00	\$3.00	2.38%	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3) c)			
General Building Compliance Notice (Inspection (includes MP5.7 only, does not include Fire Safety component MP2.1))	Cost-recovery fee	Each	\$525.00	\$525	\$0.00	\$511.00	\$14.00	2.74%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Residential Services (Accreditation) Act 2002 S.29 (5)		
General Building Compliance Notice (Certificate only, no inspection)	Cost-recovery fee	Each	\$164.00	\$164	\$0.00	\$160.00	\$4.00	2.50%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Residential Services (Accreditation) Act 2002 S.29 (5)		
Renewal-Licence-Approval Restoration Fee / Late Payment Fee	Other fee under S.262	Each	\$38.00	\$38	\$0.00	\$37.00	\$1.00	2.70%	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3) c)			
Justified Complaint	Other fee under S.262	Each	\$264.00	\$264	\$0.00	\$257.00	\$7.00	2.72%	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3) c)			
Certificate of Compliance	Cost-recovery fee	Each	\$354.00	\$354	\$0.00	\$345.00	\$9.00	2.61%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(c)			

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015/16	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation	Committee Fee Approved at	Date of meeting
<b>SERVICE FEES FOR THE FOOD PROGRAM</b>														
Food Business Applications - New Owner + Food Safety Program (prorata refund)	Cost-recovery fee	Each	\$630.00	\$630	\$0.00	\$613.00	\$17.00	2.77%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Food Business Applications - New Owner (prorata refund)	Cost-recovery fee	Each	\$555.00	\$555	\$0.00	\$540.00	\$15.00	2.78%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Food Business Application - Plan Assessment (no prorata)	Cost-recovery fee	Each	\$736.00	\$736	\$0.00	\$717.00	\$19.00	2.65%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Food Business Application - Plan Assessment + Food Safety Program (no prorata)	Cost-recovery fee	Each	\$810.00	\$810	\$0.00	\$789.00	\$21.00	2.66%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Food Business - Annual Renewal (prorata refund)	Cost-recovery fee	Each	\$493.00	\$493	\$0.00	\$480.00	\$13.00	2.71%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Food Business - Reinspection / FSP Audit Inspection	Cost-recovery fee	Each	\$264.00	\$264	\$0.00	\$257.00	\$7.00	2.72%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Food Safety Program Accreditation Application - (desktop approval + changes to existing)	Cost-recovery fee	Each	\$137.00	\$137	\$0.00	\$133.00	\$4.00	3.01%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Temporary Food Stall - one event (including giving away high risk samples)	Cost-recovery fee	Each	\$274.00	\$274	\$0.00	\$267.00	\$7.00	2.62%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Temporary Food Stall Application - Annual (including giving away high risk samples)	Cost-recovery fee	Each	\$329.00	\$329	\$0.00	\$320.00	\$9.00	2.81%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Temporary Food Stall Annual Renewal	Cost-recovery fee	Each	\$292.00	\$292	\$0.00	\$284.00	\$8.00	2.82%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Licence Administrative Amendment - Change condition, Licensee removal, Move to existing licenced business	Cost-recovery fee	Each	\$168.00	\$168	\$0.00	\$164.00	\$4.00	2.44%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Technical Amendment - plan assessment	Cost-recovery fee	Each	\$736.00	\$736	\$0.00	\$717.00	\$19.00	2.65%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Application (preparing non potentially hazardous cakes and snack foods for sale in their own unlicensed mobile vehicle e.g. coffee van)	Cost-recovery fee	Each	\$367.00	\$367	\$0.00	\$357.00	\$10.00	2.80%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Renewal (preparing non potentially hazardous cakes and snack foods for sale in their own unlicensed mobile vehicle e.g. coffee van)	Cost-recovery fee	Each	\$254.00	\$254	\$0.00	\$247.00	\$7.00	2.83%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015/16	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation	Committee Fee Approved at	Date of meeting
<b>SERVICE FEES FOR THE FOOD PROGRAM</b>														
Domestic Kitchen Type 2 Application ( Home based, potentially hazardous cakes & snack from home)	Cost-recovery fee	Each	\$367.00	\$367	\$0.00	\$357.00	\$10.00	2.80%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 2 Renewal ( Home based, potentially hazardous cakes & snack from home)	Cost-recovery fee	Each	\$254.00	\$254	\$0.00	\$247.00	\$7.00	2.83%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 3 Application (B&B, Farm-stay, potentially hazardous cakes & snack as a part of accommodation)	Cost-recovery fee	Each	\$367.00	\$367	\$0.00	\$357.00	\$10.00	2.80%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 3 Renewal (B&B, Farm-stay, potentially hazardous cakes & snack as a part of accommodation)	Cost-recovery fee	Each	\$254.00	\$254	\$0.00	\$247.00	\$7.00	2.83%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 4 Application (Sale at markets of non-potentially hazardous cakes & snack )	Cost-recovery fee	Each	\$367.00	\$367	\$0.00	\$357.00	\$10.00	2.80%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 4 Renewal (Sale at markets of non-potentially hazardous cakes & snack )	Cost-recovery fee	Each	\$254.00	\$254	\$0.00	\$247.00	\$7.00	2.83%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 5 Application (Sale at markets of potentially hazardous unpackaged cakes & snacks and includes market licence)	Cost-recovery fee	Each	\$557.00	\$557	\$0.00	\$542.00	\$15.00	2.77%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 5 Renewal (Sale at markets of potentially hazardous unpackaged cakes & snacks and includes market licence)	Cost-recovery fee	Each	\$417.00	\$417	\$0.00	\$406.00	\$11.00	2.71%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 6 Application (Sale at markets of potentially hazardous packaged cakes & snacks)	Cost-recovery fee	Each	\$367.00	\$367	\$0.00	\$357.00	\$10.00	2.80%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		
Domestic Kitchen Type 6 Renewal (Sale at markets of potentially hazardous packaged cakes & snacks )	Cost-recovery fee	Each	\$254.00	\$254	\$0.00	\$247.00	\$7.00	2.83%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Food Act 2006 Section 31 (1)		

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015/16	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation	Committee Fee Approved at	Date of meeting
<b>SERVICE FEES FOR PERSONAL APPEARANCE</b>														
Personal Appearance Business - Application	Cost-recovery fee	Each	\$604.00	\$604	\$0.00	\$588.00	\$16.00	2.72%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Public Health (Infection Control for Personal Appearance		
Personal Appearance Licence - Administrative Amendment	Cost-recovery fee	Each	\$168.00	\$168	\$0.00	\$164.00	\$4.00	2.44%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Public Health (Infection Control for Personal Appearance		
Personal Appearance Licence - Technical Amendment, Plan Assessment	Cost-recovery fee	Each	\$314.00	\$314	\$0.00	\$306.00	\$8.00	2.61%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Public Health (Infection Control for Personal Appearance		
Personal Appearance Business - Annual Licence	Cost-recovery fee	Each	\$383.00	\$383	\$0.00	\$373.00	\$10.00	2.68%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Public Health (Infection Control for Personal Appearance		
Personal Appearance Licence - Transfer & New Licence	Cost-recovery fee	Each	\$274.00	\$274	\$0.00	\$267.00	\$7.00	2.62%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Public Health (Infection Control for Personal Appearance		
Failed Compliance/Reinspection/Remedial Notice	Cost-recovery fee	Each	\$264.00	\$264	\$0.00	\$257.00	\$7.00	2.72%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Public Health (Infection Control for Personal Appearance		
<b>SERVICE FEES FOR ENVIRONMENTAL PROTECTION</b>														
6(b) - Asphalt manufacturing >1000t year	Cost-recovery fee	Each	\$3,200.00	\$3,200.00	\$0.00	\$3,200.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
12(1) - Plastic product manufacturing >50t yr.	Cost-recovery fee	Each	\$2,800.00	\$2,800.00	\$0.00	\$2,800.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
12(2) - Plastic product manufacturing >5t yr. of foam	Cost-recovery fee	Each	\$5,400.00	\$5,400.00	\$0.00	\$5,400.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
19 - Metal forming >10,000t yr.	Cost-recovery fee	Each	\$500.00	\$500.00	\$0.00	\$500.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
20(1) - Metal recovery <100t day	Cost-recovery fee	Each	\$500.00	\$500.00	\$0.00	\$500.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
20(2a) - Metal recovery >100tday or 10,000tyr	Cost-recovery fee	Each	\$1,900.00	\$1,900.00	\$0.00	\$1,900.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015/16	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation	Committee Fee Approved at	Date of meeting
<b>SERVICE FEES FOR ENVIRONMENTAL PROTECTION</b>														
38(1a) - Surface coating 1t-100t yr. anodising	Cost-recovery fee	Each	\$1,000.00	\$1,000.00	\$0.00	\$1,000.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
(49) Boat Maintenance or Repairs	Cost-recovery fee	Each	\$1,700.00	\$1,700.00	\$0.00	\$1,700.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
61(1) - Waste incineration & thermal treatment - veg, clean paper and cardboard	Cost-recovery fee	Each	\$500.00	\$500.00	\$0.00	\$500.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
Application for Certificate of Registration	Cost-recovery fee	Each	\$570.00	\$0.00	\$0.00	\$570.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 117		
Development Application	Cost-recovery fee	Each	\$570.00	\$570.00	\$0.00	\$570.00	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Act 1994 Section 73A		
Continuing Registration	Cost-recovery fee	Each	\$118.20	\$118.20	\$0.00	\$118.20	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Act 1994 Section 73D		
Extend currency, change or cancel DA conditions	Cost-recovery fee	Each	\$285.60	\$285.60	\$0.00	\$285.60	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Act 1994 Section 73C		
Fee for late payment of an annual fee for a registration certificate or environmental authority	Cost-recovery fee	Each	\$118.20	\$118.20	\$0.00	\$118.20	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Act 1994 Section 316		
Public Register Copies	Other fee under S.262	Each	\$52.30	\$52.30	\$0.00	\$52.30	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3) c)	Environmental Protection Act 1994 Section 542		
Transitional Environmental Program Application	Other fee under S.262	min 2 hours EHO consultancy + an additional EHO consultancy rate per hour or part thereof, charged after the first two hours.	min 2 hours EHO consultancy + an additional EHO consultancy rate per hour or part thereof, charged after the first two hours.	min 2 hours EHO consultancy + an additional EHO consultancy rate per hour or part thereof, charged after the first two hours.	\$0.00	min 2 hours EHO consultancy + an additional EHO consultancy rate per hour or part thereof, charged after the first two hours.	NA	NA	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3) c)	Environmental Protection Act 1994 Section 334		

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015/16	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation	Committee Fee Approved at	Date of meeting
<b>SERVICE FEES FOR ENVIRONMENTAL PROTECTION</b>														
Transitional Environmental Program Annual Return	Cost-recovery fee	Each	\$331.65	\$331.65	\$0.00	\$331.65	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 140		
Transitional Environmental Program Monitoring and Compliance Inspection	Other fee under S.262	EHO consultancy rate per hour + cost of analysis	EHO consultancy rate per hour + cost of analysis	EHO consultancy rate per hour + cost of analysis	\$0.00		NA	NA	1/07/2016	30/06/2017	Local Government Act 2009 S.262(3) c)	Environmental Protection Regulation 2008 Section 140		
Transitional Environmental Program Amendment	Cost-recovery fee	Each	\$165.85	\$165.85	\$0.00	\$165.85	\$0.00	0.00%	1/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Environmental Protection Regulation 2008 Section 140		

Reduced Annual Fees for ERA (Section 127 Environmental Protection Regulations 2008)	
Percentage (%) of Annual Fee	Reduction Criteria
90% of the annual fee	if the holder is an approved partner
80% of the annual fee	if the holder has an approved EMS; or the holder has a lower emission score
70% of the annual fee	the holder is an approved partner and has an approved EMS or the holder has a lower emission score
60% of the annual fee	the holder has an approved EMS; and the holder has a lower emission score
50% of the annual fee	the holder is an approved partner; and the holder has an approved EMS and the holder has a lower emission score

**Notes** (Referenced from Chapter 8 Fees Part 8 Annual Fees)

Annual fee, for an authority, means the annual fee worked out under section 120 for the authority

Approved Environmental Management System (EMS) means an environmental management system accredited under ASNZ ISO: 14001:2004 Environmental management Systems

*What is an approved EMS?*

The holder of a relevant authority has an approved EMS if each relevant activity carried out under the authority is being carried out in accordance with a prescribed environmental management system.

Who is an approved partner?

- (1) An approved partner is the holder of a relevant authority who is registered with the business partnership program.
- (2) In this section— Business partnership program means the program of that name established by the department.

*What is a lower emissions score?*

(1) The holder of a relevant authority has a lower emissions score—

- a) if the holder is carrying out only 1 relevant activity under the authority—the relevant activity has an emissions score that is at least 25% less than the emissions score stated to apply for the activity under the environmental emission profile; or
- b) if the holder is carrying out 2 or more relevant activities under the authority—the relevant activity that has the highest aggregate environmental score has an emissions score that is at least 25% less than the emissions score stated to apply for the activity under the environmental emission profile.

(2) In this section—Emissions score, for a relevant activity, means the emissions score component of the aggregate environmental score for the activity.

**ANIMAL MANAGEMENT PROGRAM - FEES AND CHARGES SCHEDULE 2016/17**

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015 - 2016	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation	Committee Fee Approved at	Date of meeting
<b>ANIMAL MANAGEMENT - REDUCED FEE PERIOD (1/6/16 - 31/7/16 inc)</b>														
Entire	Cost Recovery	Each	\$74.00	\$74.00	\$0.00	\$72.00	\$2.00	2.78%	1/06/2016	31/07/2016	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
Desexed dog	Cost Recovery	Each	\$43.00	\$43.00	\$0.00	\$42.00	\$1.00	2.38%	1/06/2016	31/07/2016	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
<b>ANIMAL MANAGEMENT - FULL FEE ( 1/8/16 - 31/6/17 inc)</b>														
Entire dog	Cost Recovery	Each	\$92.00	\$92.00	\$0.00	\$90.00	\$2.00	2.22%	01/08/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
Desexed dog	Cost Recovery	Each	\$62.00	\$62.00	\$0.00	\$60.00	\$2.00	3.33%	01/08/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
Pensioner Dog Entire	Cost Recovery	Each	\$27.00	\$27.00	\$0.00	\$26.00	\$1.00	3.85%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
Pensioner Dog - First (Desexed)	Cost Recovery	Each	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
Pensioner Dog - Subsequent (desexed)	Cost Recovery	Each	\$15.00	\$15.00	\$0.00	\$14.00	\$1.00	7.14%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
First registration - dog (for current registration period)	Cost Recovery	Each	\$30.00	\$30.00	\$0.00	\$30.00	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
Dangerous Dog	Cost Recovery	Each	\$400.00	\$400.00	\$0.00	\$400.00	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
Menacing Dog	Cost Recovery	Each	\$350.00	\$350.00	\$0.00	\$350.00	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
Guide / Assistance dogs	Cost Recovery	Each	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Animal Management (Cats & Dogs) Act 2008 S.44 (2)		
New dangerous dog signs (replacement upon request)	Contracts, Seizure & Services	Each	\$28.00	\$28.00	\$0.00	\$27.00	\$1.00	3.70%	01/07/2016	30/06/2017	Local Government Act 2009 S.262(3)(c)	Animal Management (Cats & Dogs) Act 2008		

**ANIMAL MANAGEMENT PROGRAM - FEES AND CHARGES SCHEDULE 2016/17**

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015 - 2016	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation		
Cat Permit (per resident for up to 2 cats)	Cost Recovery	Each	\$16.00	\$16.00	\$0.00	\$15.00	\$1.00	6.67%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Subordinate Local Law No. 2 (Animal Management) 2011, Sched 2 (2)		
<b>PERMITS (LOCAL LAWS)</b>														
3-4 dogs on an allotment between 400sqm and 4,000sqm	Cost Recovery	Each	\$163.00	\$163.00	\$0.00	\$159.00	\$4.00	2.52%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
3, 4, 5 or 6 cats on an allotment less than 4,000sqm	Cost Recovery	Each	\$163.00	\$163.00	\$0.00	\$159.00	\$4.00	2.52%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
1 or 2 dogs on an allotment less than 400sqm	Cost Recovery	Each	\$163.00	\$163.00	\$0.00	\$159.00	\$4.00	2.52%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
1 or 2 dogs on a multi-residential premises	Cost Recovery	Each	\$72.00	\$72.00	\$0.00	\$70.00	\$2.00	2.86%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
Kennel / Cattery - up to 20 Animals	Cost Recovery	Each	\$205.00	\$205.00	\$0.00	\$200.00	\$5.00	2.50%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
Kennel / Cattery - 21 - 50 Animals	Cost Recovery	Each	\$296.00	\$296.00	\$0.00	\$288.00	\$8.00	2.78%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
Kennel / Cattery – More than 50 Animals	Cost Recovery	Each	\$385.00	\$385.00	\$0.00	\$375.00	\$10.00	2.67%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
1 animal (Horse, Mule, Ass, Donkey, Cow, Bull, Buffalo or Camel) on an allotment between 2,001sqm and 4,000sqm	Cost Recovery	Each	\$163.00	\$163.00	\$0.00	\$159.00	\$4.00	2.52%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
More than 2 animals (Horse, Mule, Ass, Donkey, Cow, Bull, Buffalo or Camel) on an allotment between 4,001sqm and 10,000sqm	Cost Recovery	Each	\$163.00	\$163.00	\$0.00	\$159.00	\$4.00	2.52%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
More than 4 animals (Sheep, Goat, Alpaca, Llama, Ostrich or Emu) on an allotment between 2,001sqm and 4,000sqm	Cost Recovery	Each	\$163.00	\$163.00	\$0.00	\$159.00	\$4.00	2.52%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
More than 6 animals (Sheep, Goat, Alpaca, Llama, Ostrich or Emu) on an allotment between 4,001sqm and 6,000sqm	Cost Recovery	Each	\$163.00	\$163.00	\$0.00	\$159.00	\$4.00	2.52%	01/07/2016	30/06/2017	Local Government Act 2009	Local Law 1 & 2		
More than 20 birds (Budgerigar, Canary or other bird of similar size or racing pigeons) on an allotment less than 4,000sqm	Cost Recovery	Each	\$163.00	\$163.00	\$0.00	\$159.00	\$4.00	2.52%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
<b>RESCUE FEES (DOGS &amp; CATS)</b>														
Release of dog/cat from approved Council shelter	Contracts, Seizure & Services	Each	\$125.00	\$125.00	\$0.00	\$120.00	\$5.00	4.17%	01/07/2016	30/06/2017	Local Government Act 2009 S.262(3)(b)	Local Law 1 & 2		

**ANIMAL MANAGEMENT PROGRAM - FEES AND CHARGES SCHEDULE 2016/17**

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	New Base Charge Rounded (exc GST)	GST	Previous Fee 2015 - 2016	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority Local Govt Act	Specific legislation		
<b>RESCUE FEES (STOCK)</b>														
Feed per animal per day	Cost Recovery	Each	\$26.00	\$26.00	\$0.00	\$25.00	\$1.00	4.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
Vet or other charges	Cost Recovery	Each	Cost +5%	Cost +5%	Cost +5%	N/A	N/A	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
Seizure	Cost Recovery	Each	\$300.00	\$300.00	\$0.00	\$292.00	\$8.00	2.74%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		
Erecting Portable yards	Cost Recovery	Each	Cost +5%	Cost +5%	Cost +5%	N/A	N/A	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 2		

**HEALTH COMPLIANCE PROGRAM - FEES AND CHARGES SCHEDULE 2016/17**

<b>Abandoned Vehicles</b>														
Holding fee (per day)	Contracts, Seizure & Services	Each	Cost +5%	Cost +5%	Cost +5%	Cost +5%	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.262(3)(b)	Transport Operations (Road Use Management) Act 1995 section s.100(1) (a)		
Towing Fee	Contracts, Seizure & Services	Each	Cost + 5%	Cost +5%	Cost +5%	Cost + 5%	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.262(3)(b)	Transport Operations (Road Use Management) Act 1995 section s.100(1) (a)		
Administration charge	Cost Recovery	Each	\$87.00	\$87.00	\$0.00	\$85.00	\$2.00	2.35%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Transport Operations (Road Use Management) Act 1995 section s.100(1) (a)		
<b>Overgrown Allotments</b>														
Administration fee	Cost Recovery	Each	\$274.00	\$274.00	\$0.00	\$267.00	\$7.00	2.62%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 3		
Contractor's fee	Cost Recovery	Each	At Cost	At Cost	At Cost	At Cost	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Local Law 1 & 3		
<b>Miscellaneous</b>														
Fines – payment plan administration fee	Cost Recovery	Each	\$33.00	\$33.00	\$0.00	\$32.00	\$1.00	3.13%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	As authorised		
Fines – reminder	Cost Recovery	Each	\$16.00	\$16.00	\$0.00	\$15.00	\$1.00	6.67%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	As authorised		

**PARKING ENFORCEMENT - FEES AND CHARGES SCHEDULE 2016/17**

<b>Parking Enforcement</b>														
Commercial Vehicle Permits	Contracts, Seizure & Services	Each	\$159.00	\$159.00	\$0.00	\$155.00	\$4.00	2.58%	01/07/2016	30/06/2017	Local Government Act 2009 S.262(3)(c)	Transport Operations (Road Use Management) Act 1995 section 103(5)(a) & (c)		
Search Fees	Cost Recovery	Each	\$20.00	\$20.00	\$0.00	\$20.00	\$0.00	0.00%	01/07/2016	30/06/2017	Local Government Act 2009 S.97(2)(a)	Transport Operations (Road Use Management) Act 1995		

## **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**Council agreed to change the order of business to consider items 29 and 30 as the next items of business.**

## **Planning and Development**

### **29 P&D - Strategic Planning Report - Economic Development & Strategic Projects - Thuringowa Civic Centre Invitation for Offers**

#### **Executive Summary**

The centralisation of council administrative services into the Walker Street offices has proceeded to an extent that it is now appropriate to commence a process to sell or lease the Thuringowa Civic Centre complex. A sale or lease of that complex will provide revenue for the council, reduce ongoing operational costs, and is likely to result in redevelopment that produces jobs and otherwise benefits the area.

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

1. That council invite offers to purchase or lease the Thuringowa Civic Centre, with the invitation to record that it is the council's intention that Library and Customer Service facilities will continue to be provided from within the Centre.
2. That the council resolve to delegate to the Chief Executive Officer the authority to negotiate the sale or lease of the Thuringowa Civic Centre, subject to agreement being reached about the terms of the sale including acceptance of a disposal value of at least of the amount determined by a market valuation performed by a registered valuer.

## **Council Decision**

**It was MOVED by Councillor J Lane SECONDED by Councillor A Parsons:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## Corporate Services

### 30 Four Month Budget Review 2015/16

#### Executive Summary

In accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*, council may amend the budget for a financial year at any time before the end of the financial year.

Management have completed a four month review of the 2015/16 Budget considering the results to the end of November 2015. Known or anticipated changes to the operating environment or assumptions made at the time of budget formulation have increased the forecast operating surplus from \$1.12M to \$2.69M for 2015/16.

Management have made every effort to update the budget assumptions to reflect the results to-date and anticipated changes in the operating environment however, there remains a risk that the forecast surplus may be impacted by growth forecasts, and continued dry weather on costs of supplying potable water and water consumption revenue. Other weather related events like cyclones may have un-forecasted consequences for the 2015/16 operating result.

There are no material changes to planned activities or service levels resulting from the budget amendments.

The amended budget for 2015/16 and the following two years financial statements and nine years financial sustainability ratios as defined by the Department of Infrastructure and Planning are attached to the Agenda.

Capital revenue streams have been forecast for the 2015/16 year to reduce from \$110.78M to \$90.42M for 2015/16. The 2015/16 Capital Works budget has been adjusted downwards by \$7.59M.

#### Officer's Recommendation

1. That, in accordance with section 169 of the *Local Government Regulation 2012*, and having considered presentations and advice provided by the Executive Manager Finance, council note the 2015/16 Budget has been:
  - prepared on an accruals basis; and
  - developed consistently with council's corporate and operational plans.and shows that council's:
  - liabilities are able to be satisfied;
  - capital base is not being consumed at a rate that will adversely affect its service potential;
  - planned asset replacement is sufficiently funded; and
2. That in accordance with Sections 169 of the *Local Government Regulation 2012*, council adopt the Revised Budget Financial Statements for 2015/16, including council's Significant Business Activities, Forecast Financial Statements for 2015/16 to 2017/18, and relevant measure of financial sustainability ratios for 2015/16 to 2024/25.

#### Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**The Mayor, Councillor Hill thanked Councillor Lane for her assistance during the budget review process.**

**Council agreed to change the order of business to consider item 28 in open session.**

## **Townsville Water and Waste**

### **28 Water Operations - Townsville Water Security**

#### **Executive Summary**

Townsville is currently experiencing drought conditions after successive failed wet seasons. Current Bureau of Meteorology rainfall outlooks indicate Townsville is unlikely to receive median rainfall in the January – February 2016 period. The city is on Level 2 restrictions and in the absence of good rain it is likely restrictions will increase to Level 3 by mid-February 2016. Soon after that it will be necessary to begin pumping water from the Burdekin system to supplement Townsville's water supply.

Council's current contract for water from the Burdekin system will provide sufficient water to meet the city's minimum supply requirements for approximately 2.5 months. To safeguard against continued drought conditions council must secure an additional water allocation from the Burdekin system to provide for up to 12 months minimum supply.

Securing the rights to the additional water allocation will incur substantial fixed costs and further variable costs should it be necessary to access the water. It will be necessary to amend council's 2015/16 Budget and review water pricing in the 2016/17 Budget to accommodate the cost of additional water security. Opportunities to offset these costs may exist through water trading.

This report provides an overview of council's water security risks and supporting analysis for the recommendations to procure additional water allocations from the Burdekin system.

#### **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 delegate authority to the Chief Executive Officer to enter into a 15 month lease with SunWater for a 35,000ML allocation of high priority water.
3. That council endorse an amendment to the 2015/16 Budget at the next budget review to reflect the additional costs of the water allocation.
4. That the Chief Executive Officer investigate the risks, benefits and opportunities of entering into a water trading arrangement for any unused portion of council's medium priority water reserve and report back to council.

#### **Council Decision**

**It was MOVED by the Mayor, Councillor J Hill SECONDED by Councillor L Walker:**

"that officer's recommendations 2, 3 and 4 be adopted."

**CARRIED UNANIMOUSLY**

**The order of business was resumed.**

## Confidential Items

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

"that council RESOLVE to close the meeting in accordance with Sections 275 (e) and (c) 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 14 to 20 and 22 to 27); and  
Section 275 (c) the local government's budget." (Items 21)

**CARRIED UNANIMOUSLY**

The council discussed the items.

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

"that council RESOLVE to open the meeting."

**CARRIED UNANIMOUSLY**

## **14 P&D Hydraulic & Building Services - Register of Prequalified Suppliers for Building Certifiers RPS00020**

### **Executive Summary**

Townsville City Council utilises a Register of Prequalified Suppliers for Building Certifiers (the Register). The existing Register expired in December 2015 and council is now seeking to reappoint to the Register for 12 months with the option for four x 12 month extensions. The annual contract value is estimated to be in excess of \$40,000.

Council invited tender RPS00020 for building certification services by public advertisement in the Townsville Bulletin on 14 November 2015. Submissions closed on 9 December 2015 at 10.00am.

Only one submission was received during the submission period.

### **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 the following service provider be placed on council's register of pre-qualified suppliers for building certification services for a period of 12 months, with an option of a further one x 12 month extension:
  - Building Certifiers Queensland.
3. That council note that it will re-run the tender process to reappoint to the Register, with a view to obtaining further and competitive submissions.

### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **15 PSA00030 - Storage and Retrieval of Council Records**

### **Executive Summary**

Council issued Tender number PSA00030 on 5 September 2015 for the Storage and Retrieval of Council's Records, and Mail Courier requirements. The Mail Courier and Storage requirements were advertised as separable portions.

Two submissions were received in total. All submissions received tendered for the Storage and Retrieval, and Mail Courier requirements.

The duration of the successful contract will be three (3) years with an option of an additional one (1) plus one (1) year extension dependant on service delivery and performance.

### **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: PSA00030 – Storage and Retrieval of Council Records (Storage portion only); to Recall Information Management for a period of three (3) years with an option for Council to extend the contract by a further one (1) plus one (1) year dependent on service delivery and performance.
3. That council does not award the Mail Courier portion of this Tender and excludes this from the tender award provisions, as none of the submissions were compatible with Council's requirements.

### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **16 Finance Services - Procurement - PSA00031 Supply and Servicing of Lifting, Rigging and Height Safety Equipment**

### **Executive Summary**

Council issued tender number PSA00031 on 26 September 2015 for a Preferred Supplier Arrangement for the Supply and Servicing of Lifting, Rigging and Height Safety Equipment. The tender closed on 21 October 2015 and two submissions were received. The contract is for 12 months with an extension in line with council's Procurement Policy.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council delegate power under the *Local Government Act 2009* Section 257 (1) to the Chief Executive Officer and that the Chief Executive Officer be authorised to approve the awarding of contract PSA00031- Supply and Servicing of Lifting, Rigging and Height Safety Equipment following the completion of a tender evaluation process.

## **Council Decision**

**It was MOVED by Councillor V Veitch SECONDED by Councillor T Roberts:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **17 Finance Services - Procurement - PSA00033 Supply and Delivery of Corporate Clothing**

### **Executive Summary**

Council issued tender number PSA00033 on 13 October 2015 for a Preferred Supplier Arrangement for the supply and delivery of Corporate Clothing. The tender closed on 25 November 2015 and four submissions were received. The contract is for 12 months with the option for a further three 12 month periods. The value of the large-size contractual arrangement is estimated to be in excess of \$200,000 excluding GST per annum. The *Local Government Regulation 2012* requires tenders be called for large sized contractual arrangements.

### **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 PSA00033 - Preferred Supplier Arrangement for Supply and Delivery of Corporate Uniforms for the corporate range to Hip Pocket Workwear & Safety.
3. That council award PSA00033 - Preferred Supplier Arrangement for Supply and Delivery of the specialist polo range of clothing to Get Branded.
4. That council approve the contract term of 12 months with the option of three 12 month extensions.

## **Council Decision**

**It was MOVED by Councillor J Lane SECONDED by Councillor V Veitch:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **18 Engineering Services - ACL00009 - Approved Contractor List Supply and Installation of Irrigation Systems**

### **Executive Summary**

Council is currently due to renew the Approved Contractor List for Supply and Installation of Irrigation Systems. Council's current list, which comprises of two suppliers, is due to expire on 2 March 2016.

This report provides information on the Approved Contractor List, council's evaluation and recommendation for re-establishing the Approved Contractor List for Supply and Installation of Irrigation Systems.

### **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 establish the Approved Contractor List for Supply and Installation of Irrigation Systems with Contractors SNR Morgan, Aquaflow NQ Pty Ltd and Naturform Pty Ltd for a 12 month period, with the option of a further two 12 month periods.

### **Council Decision**

**It was MOVED by Councillor A Parsons SECONDED by Councillor S Blom:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**In accordance with section 173 of the *Local Government Act 2009*, Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell declared a perceived conflict of interest in regards to item 19.**

- (a) the name of the councillors who have the perceived conflict of interest:**  
Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell.
- (b) the nature of the conflict of interest as described by the Councillors:**  
Donation to Townsville First campaign by Urbex. Urbex is associated with BMD who also have an interest in JMac Constructions that are an applicant for this tender.
- (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 council decision.
- (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 council decision.

## 19 Engineering Services - TCW00121 Illich Park Precinct Upgrade Project

### Executive Summary

Illich Park is the highly used district sporting and local recreational park of Townsville's central suburbs whose existing amenities and infrastructure can no longer support the current and future levels of participation.

This project is being jointly funded by council and the Queensland State Government to improve park function, infrastructure and facilities whereby resulting in increased sporting and recreation uses, supporting event opportunities and reducing undesirable behaviour within the park.

This report provides information on the Evaluation Panel's assessment of tenderers and the recommendation to award the project to the most suitable tenderer.

### Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender TCW00121 - Illich Park Precinct Upgrade Project to RMS Engineering & Construction Pty Ltd, for their lump sum fee proposal of - \$2,162,647 excluding GST.

### Council Decision

**It was MOVED by the Mayor, Councillor J Hill SECONDED by Councillor P Ernst:**

1. "that the officer's recommendation be adopted; and
2. that council delegate authority to the Chief Executive Officer to approve variations and additions within the project budget."

**CARRIED UNANIMOUSLY**

**In accordance with section 173 of the *Local Government Act 2009*, Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell declared a perceived conflict of interest in regards to item 20.**

- (a) the name of the councillors who have the perceived conflict of interest:**  
Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell.
- (b) the nature of the conflict of interest as described by the Councillors:**  
Donation to Townsville First election campaign by UDP.
- (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.

In accordance with section 173 of the *Local Government Act 2009*, the Mayor, Councillor J Hill and Councillors L Walker and C Doyle declared a perceived conflict of interest in regards to item 20.

- (a) **the name of the councillors who have the perceived conflict of interest:**  
The Mayor, Councillor J Hill and Councillors L Walker and C Doyle.
- (b) **the nature of the conflict of interest as described by the Councillors:**  
UDP donated to the Team Hill election campaign.
- (c) **how the Councillors dealt with the perceived conflict of interest:**  
The Councillors determined that they could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered their position and were of the opinion that they could participate in debate and vote on the matter in the public interest.
- (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.

## **20 Engineering Services - TCW00142 North Shore Boulevard Duplication Concept and Detail Design and Construction Phase Services**

### **Executive Summary**

The purpose of this report is to award the tender for the concept design, detailed design and construction phase services for the duplication of North Shore Boulevard from a point 95 metres north of Erskine Place for approximately three kilometres.

This report provides information on the project and analysis and evaluation of the tenders submitted and council's recommendation for awarding TCW00142 – North Shore Boulevard Duplication Concept and Detail Design Tender.

### **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 adopt the overall project budget of \$759,565 (inclusive of GST), for the design of North Shore Boulevard Duplication inclusive of Concept Design, Detailed Design and Construction Phase Activities.
3. That council award tender TCW00142 to GHD Pty Ltd for the tender value of \$759,565 (inclusive of GST and contingencies).

### **Council Decision**

**It was MOVED by Councillor A Parsons SECONDED by Councillor S Blom:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **21 Engineering Services - Transport Asset Management Plan**

### **Executive Summary**

Infrastructure Services is the custodian of council's transport-related assets, having a total replacement value in the order of \$2.1B. To effectively and efficiently manage the services provided by these assets a Transport Asset Management Plan (TAMP) has been developed for the period of 2016 to 2026.

This report provides as summary of the TAMP's development, along with attachment of the TAMP, and recommends the renewal budget requirements for the 2016 to 2026 period.

### **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 endorse the Transport Asset Management Plan 2016-2026.
3. Upon endorsement, it is recommended that the Pathway Renewals program (PM) 10 Year Capital Plan Budget values are increased to \$3.2M per annum, to match the Transport Asset Management Plan.
4. That the 2016/17 Pathway Renewal Program (PM) capital budget value be increased to \$3.2M.

### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **22 Major Projects - Cleveland Bay Purification Plant Process Upgrade Project - Resolution to call for Expressions of Interest**

### **Executive Summary**

Council is progressing with the Cleveland Bay Purification Plant Process (CBPP) Upgrade Project as resolved by council on 22 September 2015. The purpose of the project is to increase the hydraulic treatment capacity of the existing membrane bioreactor treatment plant to ensure continued compliance with environmental license conditions. To develop efficient designs and avoid design rework the project will engage membrane system manufacturers or suppliers and construction tenderers to participate in the development of detailed design documentation by expression of interest.

In accordance with section 228(3)(a) of the *Local Government Regulation 2012*, council must decide by resolution that it is in the public interest to invite expressions of interest before inviting written tenders.

### **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 that, in accordance with section 228(3)(a) of the *Local Government Regulation 2012*, it is in the public interest to call for expressions of interest before inviting written tenders for:
  - a. manufacturer and suppliers of membrane systems for the Cleveland Bay Purification Plant Process Upgrade Project; and
  - b. construction contractors for early involvement in design development for the Cleveland Bay Purification Plant Process Upgrade Project.

### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**In accordance with section 173 of the *Local Government Act 2009*, Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell declared a perceived conflict of interest in regards to item 23.**

- (a) the name of the councillors who have the perceived conflict of interest:**  
Councillors V Veitch, T Roberts, S Blom, J Lane, G Eddiehausen, A Parsons and R Gartrell.
- (b) the nature of the conflict of interest as described by the Councillors:**  
Donation to Townsville First election campaign by a subsidiary of BMD
- (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.

## **23 Major Projects - Tender Evaluation - TCW00140 CBD Utilities Upgrade Project**

### **Executive Summary**

The purpose of this report is to seek endorsement for the appointment of a Construction Management Contractor to deliver the CBD Utilities Upgrade Project. This project will replace or upgrade approximately 20 km of water mains in the CBD that are up to 60 years old. The project will be delivered over four years and is expected to support approximately 100 jobs in the local economy during construction.

Council is seeking to appoint a suitably qualified contractor with the necessary skills, staff and experience to construction manage the project to undertake this work. This report outlines council's recommendation for awarding Tender TCW00140 – CBD Utilities Upgrade Project, Construction Management Contractor.

### **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 appoint BMD Constructions as preferred contractor for the CBD Utilities Upgrade Project.
3. That the Chief Executive Officer be delegated authority for the awarding of this contract following final commercial negotiations up to the value \$46,303,166 (excluding GST) contained in this report.
4. That council adopt the project budget valued at \$55,303,166 (excluding GST).

### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**Councillor Veitch thanked staff for their work on the above item.**

## **24 Programs & Technical Support - Tender Evaluation - RPS00019 - Pre-qualified Suppliers for the Provision of Sewer Relining, Maintenance Hole Rehabilitation and Other associated Works**

### **Executive Summary**

Townsville City Council is proceeding with the establishment of a panel of prequalified suppliers for provision of pipeline and maintenance hole rehabilitation and associated works, as per *Section 232: Exception for register of pre-qualified suppliers of Local Government Regulation 2012*. The panel duration is for a two year term, with an option to extend for a further two years.

The works include pipe relining using trenchless technology methods, rehabilitation of maintenance holes through coatings or structural quality linings. Tenders were called for the panel, which is a Schedule of Rates contract for supply and construction under the *General Conditions of Contract AS4000 – 1997*. The tender closed at 10am on Wednesday 14 October 2015.

This report provides an analysis and evaluation of the tenders received for this panel.

### **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, pursuant to Section 232 3(b) and 3(d) of the *Local Government Regulation 2012*, resolve to create a Register of Pre-qualified Suppliers for the Provision of Sewer Relining, Maintenance Hole Rehabilitation and Other Associated Works for Townsville Water and Waste, with the following tenderers appointed, and accept rates as tendered and negotiated in post tender correspondence:
  - a. pipeline relining and associated works:
    - i. Abergeldie Watertech Pty Ltd
    - ii. Insituform Pacific Pty Ltd
    - iii. Interflow Pty Ltd
  - b. maintenance hole rehabilitation and associated works:
    - i. FlowPro Pty Ltd
    - ii. Insituform Pacific Pty Ltd
    - iii. Interflow Pty Ltd
    - iv. JDP Applications Pty Ltd

### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

### **25 Wastewater Operations - Tender Evaluation - TOW00045 Biosolids Management at Townsville Water's wastewater treatment plants**

#### **Executive Summary**

Each of Townsville Water's wastewater treatment plants generates biosolids which are rich in nutrients that are highly suitable as a plant fertiliser. Currently Arkwood Organic Recycling (Arkwood) provides a service, under contract T6340, to remove and beneficially reuse these biosolids. That contract expires on 5 February 2016. To allow for the continued reuse of biosolids, tenders were invited by council for TOW00045 Biosolids Management at Townsville Water's wastewater treatment plants.

These tenders were assessed in accordance with the specified selection criteria and this report provides an analysis and evaluation of the tenders received.

### **Officer's Recommendation**

1. 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 approve the awarding of contract TOW00045 Biosolids Management at Townsville Water's wastewater treatment plants to Conhur Pty Ltd for a period of three years, based on the offered schedule of rates, for an estimated total price of \$4,316,600 (excluding GST) with an option to extend the contract for another 12 months, subject to Conhur gaining all required approvals and sufficient available reuse area by 30 March 2016.
3. That council delegate to the Chief Executive Officer the awarding of contract TOW00045 Biosolids Management at Townsville Water's wastewater treatment plants to Arkwood Organic Recycling for a period of three years based on the offered schedule of rates, for a total estimated price of \$4,735,610 (excluding GST) with an option to extend the contract for another 12 months, in the event that Conhur fails to meet their contract conditions regarding regulatory approval and/or sufficient land for biosolids reuse.
4. That council delegate the Chief Executive Officer to negotiate an extension of the current contract T6340 with Arkwood Organic Recycling to streamline the process of transition between the current and new biosolids contracts.

### **Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## **26 Water Operations - Tender Evaluation - TCW00145 - Register of Pre-qualified Suppliers for Water Service Replacement**

### **Executive Summary**

A budget allocation has previously been established for the 2015/2016 financial year for replacement of deteriorating water reticulation services as part of Townsville Water's ongoing renewal program. The volume of water reticulation services which require replacement is greater than what can reasonably be delivered utilising the existing Townsville Water maintenance teams. It is proposed to establish a panel of providers with the capability of performing prescribed packages, and hence provide Townsville Water with the capability to deliver the budgeted works.

Council invited Tenders for a Register of Pre-qualified Suppliers of Water Service Replacement (TWC00145) and eight submissions were received on 22 December 2015. This report provides an analysis and evaluation of these submissions.

### **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 approve the establishment of a panel of pre-qualified suppliers for Water Service Replacement contractors. The panel would consist of the following companies. ITS Pipe Tech Pty Ltd, SPD Group Pty Ltd, GNM Group Qld Pty Ltd, JPMI No.1 Pty Ltd, CES Civil Pty Ltd, and Northern Civil Services Pty Ltd. The panel shall remain in place until 30 June 2017 with an option for extension for 12 months.

## Council Decision

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

"that the officer's recommendation be adopted."

**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 Hill	Councillor Walker
Councillor Veitch	
Councillor Blom	
Councillor Doyle	
Councillor Eddiehausen	
Councillor Ernst	
Councillor Gartrell	
Councillor Lane	
Councillor Parsons	
Councillor Roberts	

### Reasons Against

Councillor Walker - Due to lack of information of the impacts on council's workforce.

## 27 Major Projects - Tender Evaluation -TCW00154 - Cleveland Bay Purification Plant - Principal Design Consultant

### Executive Summary

Council is progressing with the Cleveland Bay Purification Plant Process (CBPP) Upgrade Project as resolved by council on 22 September 2015. The purpose of the project is to increase the hydraulic treatment capacity of the existing plant to ensure continued compliance with environmental license conditions.

Tenders were invited by public advertisement in the Townsville Bulletin on 21 November 2015 for the provision of engineering and design services under contract TCW00154, 2.10.3 Principal Design Consultant over multiple years, from 2016 to 2022. The tender period closed on 23 December 2015 and three submissions were received. The report attached to the Report to Council provides a synopsis of the evaluation process and the outcomes form the basis for the recommendations.

### 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 commencement of clarifications with preferred tenderers as recommended in the report attached to the Report to Council.
3. That council delegate authority to the Chief Executive Officer to award the contract TCW00154, 2.10.3 Principal Design Consultant.
4. That council delegate authority to the Chief Executive Officer, or his delegate, to approve contract variations associated with contract TCW00154, 2.10.3 Principal Design Consultant where those variations arise from time to time and remain within the allocated budget.

## **Council Decision**

**It was MOVED by Councillor R Gartrell SECONDED by Councillor V Veitch:**

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

### **28 Water Operations - Townsville Water Security**

**Refer to resolution following item 30 of the Council Minutes (page 8617) where council resolved that item 28 be considered in open session (after item 30).**

**Refer to page 8617 of the Council Minutes for item 28 - Water Operations - Townsville Water Security**

### **29 P&D - Strategic Planning Report - Economic Development & Strategic Projects - Thuringowa Civic Centre Invitation for Offers**

**Refer to resolution following item 13 of the Council Minutes (page 8615) where council resolved that the order of business be changed and item 29 be considered after item 13.**

**Refer to page 8615 of the Council Minutes for item 29 - P&D - Strategic Planning Report - Economic Development & Strategic Projects - Thuringowa Civic Centre Invitation for Offers**

### **30 Four Month Budget Review 2015/16**

**Refer to resolution following item 13 of the Council Minutes (page 8615) where council resolved that the order of business be changed and item 30 be considered after item 29.**

**Refer to page 8616 of the Council Minutes for item 30 - Four Month Budget Review 2015/16**

## **General Business**

### **(i) Correspondence Sister City Partners - Queensland Nickel Industries Community Buy Back Fighting Fund**

The Chief Executive Officer tabled correspondence from Sister City Partners requesting \$180,000 from four of the region's councils for the Queensland Nickel Industries Community Buy Back Fighting Fund.

#### **Council Decision**

The Chief Executive Officer is to write to Sister City Partners advising of the legislative restrictions applicable to council in respect to a contribution of this nature and that council declines the offer.

### **(ii) Dingo Park Road - Dust problem**

Councillor L Walker referred to concerns received from residents regarding a dust problem on Dingo Park Road as a result of road trains operating in the area. Councillor Walker requested council to address the dust issues and the road train operations that are occurring in this area with regards to the Planning Scheme and also the conditions that are placed on the operations with regards to the Traffic Management Scheme. Councillor Walker provided photographs of the activities occurring and indicated that information needs to be provided back to the residents.

### **(iii) Traffic issues - Bruce Highway and Dingo Park Road**

Councillor T Roberts advised that there are traffic issues on the Bruce Highway in connection to Dingo Park Road. Councillor Roberts expressed concern at vehicles exiting Dingo Park Road and entering the Bruce Highway posing a significant risk to users of the highway.

## **Close of Meeting**

The Chair, Mayor J Hill declared the meeting closed at 11.45am.

**CONFIRMED this TWENTY THIRD day of FEBRUARY 2016**

**MAYOR**

**CHIEF EXECUTIVE OFFICER**