



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 4 APRIL 2017 AT 1.03PM

Council Members >>

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

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

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

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

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

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

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

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

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

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

ACKNOWLEDGEMENT OF COUNTRY

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

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REPORT COUNCIL MEETING

DATE Tuesday 4 April 2017 at 1.03pm

ITEMS 1 TO 23

PRESENT The Mayor, Councillor J Hill
 Councillor R Cook
 Councillor V Coombe
 Councillor C Doyle
 Councillor A Greaney
 Councillor P Jacob
 Councillor M Molachino
 Councillor K Rehbein
 Councillor M Soars
 Councillor L Walker

Opening of Meeting and Announcement of Visitors

The Chair, the Mayor, Councillor J Hill opened the meeting at 1.03pm.

Acknowledgement to Country

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

Prayer

Reverend Clive Brookfield of the Anglican Church delivered the opening prayer.

Apologies and Leave of Absence

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

"that the apology from Councillor M Ryder be received and that for the purposes of Section 162(1)(e) of the *Local Government Act 2009*, Councillor M Ryder be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

Confirmation of Minutes of Previous Meeting

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

"that the minutes of the Ordinary Council meeting of 28 February 2017 be confirmed."

CARRIED UNANIMOUSLY

Disclosure of Interests

- (i) Governance and Finance Committee - Perceived conflict of interest – Item 16 – Councillor Soars is the Director of AFL Townsville which has a management overview of the Townsville Bulldogs Football Club Inc.
- (ii) Governance and Finance Committee - Perceived conflict of interest – Item 16 – The Mayor, Councillor J Hill is a patron of AFL Townsville.
- (iii) Townsville Water and Waste Committee - Perceived conflict of interest - Item 18 - The Mayor, Councillor J Hill, Councillors L Walker, M Soars, K Rehbein, M Molachino, P Jacob, A Greaney, C Doyle, V Coombe and R Cook - One of the tenders, JMAC Constructions Pty Ltd is a wholly owned subsidiary of BMD. BMD donated to the Team Hill election campaign.

Correspondence

There was no correspondence.

Petitions

There were no petitions.

Deputations

There were no deputations.

Notices of Motion

There were no notices of motion.

Presentations

There were no presentations.

Mayoral Minute

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

"Neil Harvey Weekes was born in Mackay on September 21, 1945. He was educated in Sarina and at St Brendan's College in Yeppoon before entering Teachers Training College at Kelvin Grove in Brisbane.

He was called up for national service on February 1, 1967.

At Kapooka he was selected for officer training and after graduating from the Officer Training Unit Scheyville on July 7, he was posted to 3 Platoon, A Company, 1 RAR.

He deployed to Vietnam with the battalion in March 1968, leading his platoon in the Battle of Coral on May 15-16, with his gallantry recognised by the awarding of the Military Cross.

He returned to Australia to be discharged at the end of his national service in December 1968 but was soon back in the army and 1RAR, serving with the battalion in Singapore and Malaysia during 1969-1971.

He also served in Papua New Guinea with 2 RPIR at Wewak, and attended the Malaysian Armed Forces Staff College at Kuala Lumpur.

He was a consummate infantryman, leader and instructor, holding many demanding staff, regimental and training postings, including at the Royal Military College, Duntroon.

From July 1985 to December 1987 he commanded NORFORCE, a regional surveillance unit with sub-units based throughout the Northern Territory and the Kimberley area of Western Australia. He was appointed a member of the Order of Australia (AM) for his leadership.

He returned to Townsville in December 1990 on promotion to colonel to command the district support unit, beginning 22 years in the city.

He retired from the regular Army in 1993 after 26 years' service, but would remain in the Army Reserve for a further five years, being promoted to brigadier and commanding 11 Brigade, Ares at Jezzine Barracks.

His civil employment was with James Cook University, where he was executive officer to the Vice-Chancellor until he retired in October 2003.

Retirement for Brigadier Weekes was relative as he was Townsville patron to the Vietnam Veterans Association, National Servicemen's Association and the RSL.

Brigadier Weekes played a critical role in coordinating and campaigning for the construction of the Eternal Flame at ANZAC Way at the entrance to ANZAC Park on The Strand. The significance of this cannot be underestimated as it is the only Eternal Flame outside of a capital city.

As chair of the North Australian Military Heritage Association, he was instrumental in Jezzine Barracks being handed over to the Townsville community.

He was Townsville convener of the Order of Australia Association and an inaugural member of Ministerial Advisory Council on Ex-Service Matters.

For many years he was the radio voice of Townsville's Anzac Day march.

In recent years the passionate fisherman had lived on Bribie Island.

Brigadier Weekes is survived by his second wife Jo, children Marie, Mark and John and six grandchildren.

Brigadier Weekes' dedication and service to our city will long be remembered and we say goodbye to a dear friend of Townsville."

Council Decision

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

"that this Mayoral Minute be included into the minutes of the meeting."

CARRIED UNANIMOUSLY

Committee Items

Planning and Development Committee

It was *MOVED* by Councillor L Walker, *SECONDED* by Councillor A Greaney:

"that the committee recommendations to items 1 and 2 be adopted and that item 3 be dealt with separately."

CARRIED UNANIMOUSLY

Item 3 - Planning Services - Economic Development - Amended Lease Conditions - Commercial Properties

It was *MOVED* by Councillor L Walker, *SECONDED* by Councillor A Greaney:

"that item 3 be referred back to staff for further information."

CARRIED UNANIMOUSLY

(Note that Item 3 was considered by council after item 19.)

1 Planning Services - Planning - Townsville City Plan Amendment Package 2017/03

Executive Summary

This report proposes the next round of amendments (Amendment Package 2017/03) to the Townsville City Plan, in keeping with ongoing maintenance of the planning scheme to reflect modern standards and practices.

Proposed amendments (including administrative, minor and major amendments) are collectively addressed in the report in order to ensure a streamlined and efficient process of undertaking amendments to the Townsville City Plan.

The proposed major amendments to the Townsville City Plan relate to the updating of two zoning maps.

Officer's Recommendation

1. That, pursuant to section 117(1), Part 5, Chapter 3 of the *Sustainable Planning Act 2009*, council resolve to make, prepare and adopt the proposed administrative and minor amendments to the Townsville City Plan in accordance with this report.
2. That, pursuant to section 117(1), Part 5, Chapter 3 of the *Sustainable Planning Act 2009*, council resolve to make major amendments to the Townsville City Plan in accordance with this report.
3. That, pursuant to section 117(1), Part 5, Chapter 3 of the *Sustainable Planning Act 2009*, council resolve to write to the Minister advising of the decision to make major amendments to the Townsville City Plan and request confirmation of state interests.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 9345) where council resolved that the committee recommendation be adopted.

2 Planning Services - Eastern Alligator Creek Drainage Master Plan

Executive Summary

Following complaints from residents regarding flood and drainage issues in the Berrima Park estate, a Drainage Master Plan has been developed for the Eastern Alligator Creek area. These flood drainage issues, along with potential developments that could exacerbate flooding, are the drivers for the Drainage Master Plan. The Eastern Alligator Creek Drainage Master Plan identifies a coordinated approach for drainage works to facilitate rural-residential development proposed by numerous landholders.

Officer's Recommendation

1. That the Report / Attachments / Eastern Alligator Creek Drainage Master Plan 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 to adopt the Eastern Alligator Creek Drainage Master Plan.
3. That council commence consultation and engagement activities with developers/landholders about the key outcomes and strategies of the Eastern Alligator Creek Drainage Master Plan.
4. That the existing scenario flood modelling developed from the Eastern Alligator Creek Drainage Master Plan is used to update council's flood mapping to ensure future building and development adequately accounts for the flood hazard.
5. That council consider the works estimated at \$95,000 to reduce nuisance ponding issues within the future capital works program.

Committee Recommendation

1. That the Report 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 officer's recommendations 2 to 5 be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 9345) where council resolved that the committee recommendation be adopted.

3 Planning Services - Economic Development - Amended Lease Conditions - Commercial Properties

Executive Summary

Property assessment number 0404001, Belgian Gardens is a reserve designated for a Caravan Park. The lessee is proposing to carry out capital works on the property and buildings that are in addition to, and beyond the scope of council's planned capital works for the site. As part of the request a new lease term is being considered.

Section 235(b) of the *Local Government Regulation 2012* exempts the council from inviting tenders for large-sized contractual arrangements (\$200k+GST) if the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.

Council will retain its usual control measures for contractors with respect to the scope and quality of works and level and timing of expenditure.

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 grant authority to the Chief Executive Officer to renegotiate the lease conditions for Property Assessment Number 0404001, Belgian Gardens, subject to favourable and commercial terms including a 20 year lease term with a further 10 year option.
3. That council resolve to apply the exemption set out in section 236(1)(c)(iii) of the *Local Government Regulation 2012* to the renewal of the lease for Property Assessment Number 0404001, Belgian Gardens being an exemption from the requirement to call for tenders.
4. That the council resolve to lease Property Assessment Number 0404001, Belgian Gardens subject to agreement being reached about the terms of each new lease and acceptance of rental payments at least of the amount determined by a market valuation performed by a registered valuer.

Committee Recommendation

That the officer's recommendation be adopted subject to the 'in principle' Deed of Agreement being approved by council.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 9345) where council resolved the following:

that item 3 be referred back to staff for further information.

Community and Cultural Development Committee

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

"that the committee recommendations to items 4 to 10 be adopted."

CARRIED UNANIMOUSLY

Councillor C Doyle referred to item 6 and highlighted that Townsville City Council has been successful in securing in excess of a \$1,000,000 to deliver an Arts and Cultural Festival during the Commonwealth Games in 2018. Councillor Doyle noted as a host city for the basketball games during this event, it will provide the Townsville Arts community and the Townsville community in general to showcase significant talents in this area.

Councillor V Coombe referred to item 4 and requested that staff communicate with the License to Occupy applicant Townsville Aeromodellers Society that it's due to no other factors than an internal review for Lease and License to Occupy and she doesn't want them to get the impression that taking it from five to one year is any reflection on them and their lease.

The Mayor, Councillor J Hill requested the Acting Director, Planning and Community Engagement note the Councillor's request.

4 Community Engagement - Renewal License to Occupy (LTO) Townsville Aeromodellers Society

Executive Summary

Council approval has previously been given for the establishment of a number of Licenses to Occupy (LTO) with community groups in order to formalise their use of council controlled spaces.

Licenses to Occupy formalise the conditions under which community groups are able to make use of these open spaces on non-exclusive basis.

Townsville Aeromodellers Society is seeking to renew its LTO over a portion of land on Old Flinders Highway, Oak Valley (part of Lot 2 on RP725611) for a period of 5 years for the purpose of activities associated with the club. See Attachment 1. The current LTO expires on 31 March 2017 and while council undertakes internal review of Leases and Licence to Occupy arrangements it is preferred to enter into a shorter term arrangement on this occasion.

Officer's Recommendation

That council approve the issuing of a License to Occupy (LTO) to the Townsville Aeromodellers Society over a portion of Lot 2 on RP725611, Old Flinders Highway, Oak Valley for 1 year for their club activities.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9348) where council resolved that the committee recommendation be adopted.

5 Community Engagement - Report of Inclusive Community Advisory Committee - 6 February 2017

Executive Summary

Attached to the Report to Council are the minutes of council's Inclusive Community Advisory Committee meeting held on 6 February 2017.

Officer's Recommendation

That council note the Report of the Inclusive Community Advisory Committee meeting of 6 February 2017 including the following recommendation:

that council give consideration to providing funding within 2017/18 budget for council auspice neighbourhood parties.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9348) where council resolved that the committee recommendation be adopted.

6 Community Engagement - Report of Arts and Culture Advisory Committee

Executive Summary

Attached to the Report to Council is the Report of council's Arts and Culture Advisory Committee meeting held on 7 February 2017

Officer's Recommendation

That council note the Report of the Arts and Culture Advisory Committee meeting held on 7 February 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9348) where council resolved that the committee recommendation be adopted.

7 Community Engagement-Townsville City Council Reconciliation Action Plan 2015-2017 Quarterly Report October to December 2016

Executive Summary

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

Officer's Recommendation

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9348) where council resolved that the committee recommendation be adopted.

8 Community Engagement - Finalisation of Inclusive Community Advisory Committee (ICAC) Terms of Reference (TOR)

Executive Summary

On 28 June 2016 Full Council endorsed the draft Terms of Reference for the Inclusive Community Advisory Committee (ICAC). Following, expressions of interest were sought for members of the committee. On 27 September 2016, Full Council endorsed the ICAC membership as well as an amended draft Terms of Reference for the Inclusive Community Advisory Committee (ICAC).

At the inaugural meeting of the ICAC in December 2016, the draft Terms of Reference were provided for review and some changes recommended. The Terms of Reference are now ready to be endorsed as a final copy by council.

Officer's Recommendation

That council approve the Terms of Reference of the Inclusive Community Advisory Committee (ICAC).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9348) where council resolved that the committee recommendation be adopted.

9 Community Resources - Street Art Activation Working Group

Executive Summary

The Street Art Activation Working Group is a committee of council that provides information and advice pertaining to the activation of the city with Street Art related projects to inform council planning and decision-making. The working group undertakes much of the investigative and detailed work that will inform the development of a recommendation to council to enable an informed decision to be made.

The working group needs to be reappointed for the term of the current council and nominees are to be submitted for council's approval.

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

Officer's Recommendation

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

Committee Recommendation

1. That council approve the appointment of nominees to the Street Art Activation Working Group as recommended.
2. That council approve the Terms of Reference of the Street Art Activation Working Group with an addition to point 6 that the acquisition of new artwork is considered by the Arts Acquisition Working Group before being considered by council for endorsement.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9348) where council resolved that the committee recommendation be adopted.

10 Community Engagement - Magnetic Island Film Festival, Festival and Events Grant

Executive Summary

This report has been generated in response to a request for further consideration on the Great Barrier Reef Film Festival event grant. This grant application was considered at the November 2016 Ordinary Council meeting and at the request from the Mayor, a decision was made to hold over these grant applications for further discussion and review with the Chief Executive Officer.

At this meeting it was MOVED by Councillor M Ryder, SECONDED by Councillor V Coombe:

"that Item 1(d) Great Barrier Reef Film Festival, be referred back to the Chief Executive Officer and department for further consideration by staff and for a report to come back to council in regards to the amount of *budget*, the *projected numbers* for the event and council's *return on investment*."

- Community Engagement provides a high level business case supporting the Great Barrier Reef Film Festival application which anticipates 6,500 attendees (inclusive of tourists on the island, local island residents, and mainland residents)
- The amount requested for the event in financial year 2016/17 was \$79,365, with respective requests of \$65,000 and \$50,000 for 2017/2018 and 2018/2019. Community Engagement have supported a single year agreement of \$27,920 (Excl. GST) cash plus the waiver of venue hire fees up to the value of \$400 for Alma Bay and Geoffrey Bay for 2016/17.

- Further reduction in the amount of funding offered is likely to compromise the ability of the event to go ahead in 2017.
- Community Engagement have requested additional applications in future years to report on attendance statistics and economic impact so that appropriate support can be provided.
- The return on investment is anticipated through the development of a grass roots initiative which has the potential to develop into a feature event for a unique part of the Local Government Area. This will be considered to develop the identity of the island, raise the tourism profile, facilitate the growth of the film industry in Townsville, and localise economic opportunities.

During the discussion of this item it was noted that the total on the table '*Expenditure items to be funded in the 2016/17 financial year*' in the Agenda Item was incorrect due to an administrative error. The correct total should read \$27,920.

Officer's Recommendation

1. That council note the potential economic and social benefits associated with the grant application.
2. That council approve an 'in part' grant to the Magnetic Island Community Development Association of \$27,920 (Excl. GST) cash plus the waiver of venue hire fees up to the value of \$400 for Alma Bay and Geoffrey Bay for financial year 2016/17, and request separate funding applications for future events based on performance.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9348) where council resolved that the committee recommendation be adopted.

Governance and Finance Committee

In accordance with section 173 of the Local Government Act 2009, Councillor M Soars declared a perceived conflict of interest in regards to item 16.

- (a) *the name of the councillor who has the perceived conflict of interest:***
Councillor M Soars
- (b) *the nature of the conflict of interest as described by the Councillor:***
Councillor Soars is the Director of AFL Townsville which has a management overview of the Townsville Bulldogs Football Club Inc.
- (c) *how the Councillor dealt with the perceived conflict of interest:***
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter and left the meeting and did not participate in debate or voting on the matter.
- (d) *if the Councillor voted on the issue – how the Councillor voted:***
The councillor vacated the Chambers during discussion and voting on this item.
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.***
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

In accordance with section 173 of the Local Government Act 2009, Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 16.

- (a) *the name of the councillor who has the perceived conflict of interest:***
The Mayor, Councillor J Hill
- (b) *the nature of the conflict of interest as described by the Councillor:***
The Mayor, Councillor J Hill is a patron of AFL Townsville.
- (c) *how the Councillor dealt with the perceived conflict of interest:***
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter and left the meeting and did not participate in debate or voting on the matter.
- (d) *if the Councillor voted on the issue – how the Councillor voted:***
The councillor vacated the Chambers during discussion and voting on this item.
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.***
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

It was MOVED by Councillor V Coombe, SECONDED by Councillor P Jacob:

"that the committee recommendations to items 11 to 15 be adopted and that item 16 be dealt with separately."

CARRIED UNANIMOUSLY

The Deputy Mayor, Councillor L Walker assumed the position of Chair during discussion and voting of item 16.

Item 16 - Confidential Report - Assets and Fleet - Expression of Interest to Lease Riverway Cafe (EOI 00017)

It was MOVED by Councillor V Coombe, SECONDED by Councillor P Jacob:

"that the committee recommendation to item 16 be adopted."

CARRIED UNANIMOUSLY

Councillor V Coombe acknowledged staff for their work on the above item.

11 Finance Services - Budget Variance Report - Whole of Council - January 2017

Executive Summary

On behalf of the Chief Executive Officer, the Chief Financial Officer will present and discuss the Budget Variance Report for the whole of council for January 2017, pursuant to section 204 of the *Local Government Regulation 2012*.

Officer's Recommendation

That council note the financial report for January 2017 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation 2012*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9353) where council resolved that the committee recommendation be adopted.

12 Finance Services - Treasury Report - January 2017

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 January 2017 and the information contained therein.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9353) where council resolved that the committee recommendation be adopted.

13 Business Services - Corporate Plan 2014-2019 - Review March 2017

Executive Summary

The Corporate Plan 2014-2019 – Review March 2017 outlines our shared vision for Townsville as *the capital of Northern Australia; the city with opportunity and great lifestyle*.

This March 2017 update has refined the corporate plan goals to reflect the priorities of the new Council, the Nous Organisational Review project recommendations and the Townsville City Deal.

Progress against the Plan will be measured in quarterly performance reports and council's Annual Report. This will inform the community of our achievements, our successes and any challenges we might experience.

Adoption of the reviewed Corporate Plan will allow council to develop the 2017/18 Operational Plan and Budget.

Background context

The Corporate Plan guides the council's decision making into the future and informs the community of council's intent over the next five years, so it is critical that the relevance of the plan be preserved.

In order for council to pursue budget repair and meet the evolving needs of the community the Corporate Plan has been reviewed with a focus upon:

1. Townsville has been hit with a number of shocks that have affected the economy and community. To ensure Townsville remains a resilient city that continues to support local business and the community and encourage innovation, elected members developed policies to move our community forward past 2020. While council has delivered services in compliance with the *Local Government Act 2009*, specifically incorporating the policy commitments of elected officials into the Corporate Plan will ensure that service delivery is directed to achieving these key objectives.
2. In 2016 the council commissioned the Nous Group to undertake an organisational review to advise about opportunities for structural change and greater efficiency in service delivery. The transformational projects identified in the Nous report have been included in council's Corporate Plan.
3. On 9 December 2016, the Townsville City Council entered into Australia's first City Deal with the Commonwealth Government and the Queensland Government. The City Deal is a 15-year commitment between the three levels of government to collectively plan, reform and invest in the development of Townsville. The Townsville City Deal focuses upon improving the lives of Townsville residents through job creation, economic growth, investment in local infrastructure, a revitalised urban centre, and a more vibrant and liveable city. It is appropriate that the Corporate Plan address those aspects of the City Deal that are the direct responsibility of the council.

Officer's Recommendation

That council adopt the Corporate Plan 2014-2019 – Review March 2017 as shown in Attachment 1.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9353) where council resolved that the committee recommendation be adopted.

14 Legal Services - New Programmes - Changes to Operational Plan 2016/17

Executive Summary

This report recommends council adopt changes to the Operational Plan to incorporate the Works for Queensland Open Space Programme and the Works for Queensland Transport Network Programme.

The new programmes have been created in the Financial System and Performance Planning and Reporting System. If changes to the Operational Plan are adopted, performance measures will be reported in Quarter 3 Corporate Performance Management Report. The report will be produced in accordance with the *Local Government Regulation 2012*.

Officer's Recommendation

That in accordance with section 174 of the *Local Government Regulation 2012* the council resolve to amend its Operational Plan to incorporate the Works for Queensland Open Space Programme and the Works for Queensland Transport Network Programme.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9353) where council resolved that the committee recommendation be adopted.

15 Confidential Report - Procurement - Additional Sole Suppliers - February 2017

Executive Summary

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

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

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

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

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

Officer's Recommendation

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9353) where council resolved that the committee recommendation be adopted.

16 Confidential Report - Assets and Fleet - Expression of Interest to Lease Riverway Cafe (EOI 00017)

Executive Summary

Located in Thuringowa Central, Riverway is one of Townsville's most exciting destinations, offering a dynamic combination of residential, commercial, cultural, sports and leisure activities. Townsville City Council currently has an opportunity to lease the existing café, to an incorporated, not for profit Community group. The facility has a floor area of approximately 206m² and is currently fitted out to an acceptable operational standard.

It is recommended to lease the existing café to a not for profit community group to

- » provide dining opportunities to patrons attending Riverway events
- » support our local community groups and youth employment
- » support the community needs and expectations

Expressions of Interest were called for a percentage based contract to lease a council facility. The Expression closed at 10am on 18 January 2017. Two (2) submissions were received.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approve the issuing of a lease to the Townsville Bulldogs Football Club Inc for the purpose of a café, for a period of 2 years, with an option of 1 year plus 1 year, with a commission based rental.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9353) where council resolved that the committee recommendation be adopted.

Townsville Water and Waste Committee

In accordance with section 173 of the Local Government Act 2009, Mayor, Councillor J Hill, Councillors L Walker, M Soars, K Rehbein, M Molachino, P Jacob, A Greaney, C Doyle, V Coombe and R Cook declared a perceived conflict of interest in regards to item 18.

- (a) **the name of the councillors who have the perceived conflict of interest:**
The Mayor, Councillor J Hill, Councillors L Walker, M Soars, K Rehbein, M Molachino, P Jacob, A Greaney, C Doyle, V Coombe and R Cook.
- (b) **the nature of the conflict of interest as described by the Councillors:**
One of the tenders, JMAC Constructions Pty Ltd is a wholly owned subsidiary of BMD. BMD donated to the Team Hill election campaign.
- (c) **how the Councillors dealt with the perceived conflict of interest:**
The councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of the item, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the Local Government Act 2009, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) **if the Councillors voted on the issue – how the Councillors voted:**
The councillors voted as per the officer's recommendation.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

It was MOVED by Councillor P Jacob, SECONDED by Councillor C Doyle:

"that the committee recommendations to items 17 to 19 be adopted."

CARRIED UNANIMOUSLY

Councillor P Jacob congratulated Townsville City Council Waste Services and the Project Team responsible for delivery of the project on winning the Transfer Stations Excellence Award for the Magnetic Island Transfer Station. Councillor Jacob noted the award was presented in Sydney with a total of 22 nominations from across the country were received over the three categories. Councillor P Jacob requested that the Director Infrastructure and Operations pass on this message to the relevant staff.

The Mayor and Council congratulated all staff involved.

Councillor L Walker commended staff for their support with moving forward on cleaning up the image of the Stuart Landfill which is part of the city image as a gateway to the southern entrance to the city and he looks forward to the brilliant outcome.

17 Townsville Water and Waste - Waste Management Facility Siting Study - Change of Shortlisted Sites

Executive Summary

Townsville Waste Services is responsible for the management of solid waste and recyclable resources, including the operation of three solid waste landfill sites and five transfer stations.

In council's Operational Plan and Budget 2013/14 the Townsville Waste Services Performance Plan identified regional growth as having a direct impact on demand for waste services, resulting in a need to increase infrastructure and manage demand.

Townsville is due to expend all currently available landfill capacity by approximately 2036. Council, at its 22 November 2016 full council meeting, resolved to continue planning for a future waste management facility to meet the 2036 deadline by short-listing two sites for further investigation

during 2016/2017. One of these sites has been identified as being incompatible with landfilling due to nearby proposed residential development and needs to be replaced with the next most cost effective site, as per the recommendation in this report.

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 to replace Site 12 (Gumlow) with Site 5 (Bluewater) as one of the two shortlisted sites for further investigation as part of the Stage 1C Waste Management Facility (WMF) Siting Study.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 17 of the council minutes (page 9358) where council resolved that the committee recommendation be adopted.

18 Townsville Water and Waste - PSA00055 - Townsville Water and Waste Landscaping Maintenance

Executive Summary

Council's existing contracts, T6460 Townsville Water Landscaping Maintenance and RFQ000805 Landscaping Maintenance of Townsville Water and Waste Assets on Magnetic Island, expire on 1 March 2017. These contracts allow for the supply of grounds and irrigation maintenance services for water and wastewater infrastructure. Public tender PSA00055 Townsville Water and Waste Landscaping Maintenance was advertised following council procurement guidelines to select suitable service providers to undertake these works and closed on 25 January 2017. This report provides a summary of the outcomes of the tender evaluation and makes recommendations for the award of a two year service contract, with an option to extend for an additional year.

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 Contract PSA00055 to O and E Blacklock Pty Ltd trading as Ausfield Services for the delivery of grounds and irrigation maintenance services for the price of \$ 580,548.31 ex GST.
3. That council delegate authority to the Chief Executive Officer to approve an additional one year contract extension if determined to be in council's best interests.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 17 of the council minutes (page 9358) where council resolved that the committee recommendation be adopted.

19 Stuart Waste Facility

Councillor L Walker raised the issue of the degraded state of the vegetative screen at the Stuart Waste Facility

Committee Recommendation

It was moved by Councillor L Walker, seconded by Councillor M Molachino:

"that council allocate the unspent funds from (Aice ID WAS2050 "Hervey Range Landfill – Rehabilitation - Establishment of Vegetative Buffers" to the establishment of a vegetative buffer at the Stuart Waste Facility (Aice ID WAS0036(b)). The project will commence in 2016/2017 and conclude in 2017/2018 with unspent funds from WAS0036(b) being handed back in 2017/2018."

Council Decision

Refer to resolution preceding item 17 of the council minutes (page 9358) where council resolved that the committee recommendation be adopted.

Officers Reports

Infrastructure and Operations

20 Engineering Services - Permanent Road Closure - Road Reserve Adjacent to Long Beach, Cape Cleveland

Executive Summary

The Department of Natural Resources and Mines - State Land Asset Management Unit have requested, on behalf of an applicant, council to consider the permanent closure of an area of unnamed road reserve, approximately 6750 m2, adjoining Lot 1 on RP743031 and Lot 1 on RL207938 (unnamed road reserve at Long Beach, Cape Cleveland).

This report outlines the investigation into the request.

Officer's Recommendation

That council advise The Department of Natural Resources and Mines - State Land Asset Management Unit that it offers no objection to the permanent closure and sale of this lane subject to the following conditions:

- That the newly created parcel of land not be created as a separate lot, but rather the road reserve is to be consolidated with the adjoining property Lot 1 on RP743031.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Planning and Community Engagement

21 Planning Services - Economic Development - Delegation to China and Aus-Energy Power Pty Ltd

Executive Summary

In November 2016 Deputy Mayor Cr Les Walker participated in an Aus-Energy Power Pty Ltd and Townsville City Council delegation to southern China. This was a reciprocal visit following Chinese energy companies Golden Concord Limited and Hanergy visits to Townsville and a report (attached) was prepared.

Officer's Recommendation

That council note the report prepared by Trade and Invest Queensland titled Aus-Energy Power Pty Ltd and Golden Concord Ltd Business Mission to Guangzhou, Deyun and Huizhou South China.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

22 Planning Services - Economic Development - Delegation of Port Moresby and International flights

Executive Summary

Mayor Cr Jenny Hill to lead a Townsville business delegation to Port Moresby in conjunction with the Townsville Sister City program and the inaugural Air Niugini international flights to Townsville. This delegation will include meetings with Hon. Peter O'Neill CMG, MP Prime Minister of Papua New Guinea and Hon. Powes Parkop, MP Governor – National Capital District Commission of Port Moresby.

Officer's Recommendation

That, Mayor Councillor Jenny Hill be approved and in accordance with section 162(1) (e) of the *Local Government Act 2009* provided a leave of absence to travel to Papua New Guinea during the period Tuesday 28 March 2017 till Friday 31 March.

Council Decision

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

"that, Mayor Councillor Jenny Hill and Chair of Sister Cities Committee, Councillor Ann-Maree Greaney's participation in a Townsville business delegation to Port Moresby be approved and in accordance with section 162(1) (e) of the *Local Government Act 2009* provided a leave of absence to travel to Papua New Guinea with dates to be confirmed."

CARRIED UNANIMOUSLY

23 Planning Services - Economic Development - 2017 Building Our Regions Applications

Executive Summary

In February 2017, council submitted Expressions of Interest (EOI) under the Queensland Government's Building Our Regions program for the following projects:

1. Townsville Airport Industrial Area (John Melton Black Drive) Water Main; and
2. Townsville University Road Community Path.

The Queensland Government has subsequently recommended that both projects proceed to the detailed application stage of the Building Our Regions program to proceed to the next stage, the Queensland Government requires formal endorsement from council. Accordingly, detailed applications for the Townsville Airport Water Main and University Road Community Path projects will then be submitted by the due date of 7 April 2017.

Funding available under the Building Our Regions program is capped at \$5 million per project. Both projects are included in council's capital works plan.

Officer's Recommendation

1. That council endorse the lodging of detailed applications, under the Building Our Regions Program Round Two, for the following infrastructure projects:

Priority One – Townsville Airport Industrial Area (John Melton Black Drive) Water Main – the detailed application will seek funding of \$1.15 million to contribute to a total project budget of \$2.3 million (council will contribute the remaining \$1.15 million); and

Priority Two – Townsville University Road Community Path – the detailed application will seek funding of \$350,000 to contribute to a total project budget of \$700,000 (council will contribute the remaining \$350,000).

2. That council confirm, in accordance with Building Our Regions Program requirements, that it is committed to the delivery of the Townsville Airport Industrial Area Water Main and University Road Community Path projects, and will provide funding contributions of \$1,150,000 and \$350,000 respectively.
3. That council confirm that it is committed to the management and costs associated with the ongoing operation and maintenance of these projects.

Council Decision

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

1. That council endorse the lodging of detailed applications, under the Building Our Regions Program Round Two, for the following infrastructure project:

Townsville Airport Industrial Area (John Melton Black Drive) Water Main – the detailed application will seek funding of \$1.15 million to contribute to a total project budget of \$2.3 million (council will contribute the remaining \$1.15 million).
2. That council confirm, in accordance with Building Our Regions Program requirements, that it is committed to the delivery of the Townsville Airport Industrial Area Water Main and will provide funding contribution of \$1,150,000.
3. That council confirm that it is committed to the management and costs associated with the ongoing operation and maintenance of this project.
4. That council note the Department of Main Roads is undertaking the construction of the Townsville University Road Community Path.

CARRIED UNANIMOUSLY

General Business

(i) Planning Institute Australia - Planning Congress

Councillor L Walker tabled information at the meeting on the Planning Institute of Australia's upcoming Planning Congress being held in Sydney from 3 to 5 May 2017.

Council Decision

It was MOVED by Councillor M Molachino, SECONDED by Councillor A Greaney:

- "1. that council approve Councillor L Walker and one additional councillor to attend the Planning Institute of Australia Planning Congress being held in Sydney from 3 to 5 May 2017; and
2. that in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor L Walker and one additional councillor to attend the Planning Institute of Australia Planning Congress being held in Sydney from 3 to 5 May 2017."

CARRIED UNANIMOUSLY

(ii) India - Trade delegation

The Mayor, Councillor J Hill referred to her recent trip to India.

Council Decision

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

"that the report to council on the Premier's trade delegation to India be held over to the next Ordinary Council meeting."

CARRIED UNANIMOUSLY

Close of Meeting

The Chair, Mayor Councillor J Hill, declared the meeting closed at 1.40pm.

CONFIRMED this TWENTY-SIXTH day of APRIL 2017

MAYOR

CHIEF EXECUTIVE OFFICER