



ORDINARY COUNCIL

MINUTES

TUESDAY 24 FEBRUARY 2015 AT 9.00 AM

Council Members >>

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

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

- Goal 1:** Economic Sustainability - A strong diverse economy which provides opportunities for business and investment with an integrated approach to long term planning where the city's assets meet the community needs.
- 1.1 Create economic opportunities for Townsville to drive community prosperity.
 - 1.2 Maximise opportunities through engagement and partnership with stakeholder achieve a strong resilient economy.
 - 1.3 Utilise the City Plan to inform the development of current and future infrastructure needs of Townsville.
 - 1.4 Promote and market Townsville as a vibrant destination for commerce, entertainment and lifestyle.
- Goal 2:** Environmental Sustainability - A sustainable future where our environment is valued through the protection and enhancement of our unique, natural and built environment with a commitment to reducing our environmental impact.
- 2.1 Effective management, protection and conservation of our environment to ensure a balance between built infrastructure and areas of environmental significance.
 - 2.2 Implement an effective integrated demand management approach to infrastructure planning and delivery.
 - 2.3 Preserve our natural environment through active management, education and compliance activities.
 - 2.4 Adopt urban design principles that create a distinct sense of place, enables and informs place creation, maximises efficiency, and enhances the built and natural environment.
 - 2.5 Research and implement environmental solutions utilising innovative smart technology and encourage behaviour change.
- Goal 3:** Social Sustainability - A vibrant community that is accessible, safe, healthy, creative and knowledgeable, where we embrace diversity and our sense of community.
- 3.1 Encourage active and healthy lifestyles through accessible public facilities and community initiatives.
 - 3.2 Support the community's access to and participation in a range of artistic, cultural and entertainment activities.
 - 3.3 Enhance wellbeing and safety in the community.
 - 3.4 Enhance a knowledgeable, inclusive and connected community that embraces growth and lifelong learning.
 - 3.5 Provide community infrastructure and services that support growth and meets community needs.
- Goal 4:** Responsible Governance - A well-managed, transparent and effective organisation that gives the community confidence, demonstrates financial sustainability, where our customers are satisfied with our services and our employees are proud to work here.
- 4.1 Undertake robust and accountable financial, resource and infrastructure planning and management to ensure affordable and sustainable outcomes for our community.
 - 4.2 Deliver best value customer service to our community.
 - 4.3 Enable innovation and technology capacity within council to drive organisational efficiencies.
 - 4.4 Engage with the community to inform council decision making processes.
 - 4.5 Provide inspirational leadership and contemporary management systems that drives a coordinated, motivated, highly effective and efficient organisation.
 - 4.6 Commit to open transparent and accountable governance to ensure community confidence and trust in council.
 - 4.7 Promote an organisational culture that values and empowers its workforce.

MINUTES

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REPORT	COUNCIL MEETING
DATE	Tuesday 24 February 2015 at 9.00am
ITEMS	1 TO 39
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

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

Prayer

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

Apologies and Leave of Absence

There were no apologies or leave of absence.

Request for Leave of Absence - Councillors G Eddiehausen, R Gartrell and V Veitch

Councillor G Eddiehausen requested leave of absence for the period 15 to 26 March 2015, Councillor Councillor R Gartrell requested leave of absence for the period 27 February to 10 March 2015 and Councillor Councillor V Veitch requested leave of absence for the period 19 to 24 March 2015.

It was MOVED by Councillor P Ernst, SECONDED by Councillor C Doyle

"that leave of absence be granted to Councillor G Eddiehausen for the period 15 to 26 March 2015, Councillor R Gartrell for the period 27 February to 10 March 2015 and Councillor V Veitch for the period 19 to 24 March 2015."

CARRIED

Confirmation of Minutes of Previous Meetings:

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor T Roberts

"that the minutes of the Ordinary Council of 27 January 2015 be confirmed."

CARRIED UNANIMOUSLY

Disclosure of Interests

- (i) Sports Recreation and Parks Committee - Perceived Conflict of Interest - Item 10 - Councillors A Parsons, R Gartrell, G Eddiehausen, J Lane, S Blom, T Roberts and V Veitch - Townsville First received a donation from Urbex, who are a wholly owned subsidiary of BMD, and J-MAC, who is a tenderer for item 10 and is also a wholly owned subsidiary of BMD.
- (ii) Governance and Finance Committee - Conflict of interest - Item 23 - Councillors J Lane, S Blom, G Eddiehausen, T Roberts, A Parsons, R Gartrell and V Veitch - Tony Ireland, Key Motors and Pickering's donated to the Townsville First Campaign.
- (iii) Governance and Finance Committee - Material personal interest – Item 23 – Councillor J Lane - in relation to the supplier Arts and Cultural Creative Professionals as her husband is a Townsville Artist that has an exhibition at the Perc Tucker Gallery in 2015.
- (iv) Governance and Finance Committee - Conflict of interests - Item 23 - Councillor V Veitch:
 - a) Councillor V Veitch declared a conflict of interest in Revere Projects as he sits on the board of Sustainable Townsville with the Director
 - b) Councillor V Veitch is a member of the Ergon Community Reference Group
 - c) Councillor V Veitch is an ex-employee of James Cook University
 - d) Councillor V Veitch has a close association with Professor Dr Sam Ham through Council's Integrated Sustainability Services department
 - e) Councillor V Veitch is a member of the Coastal Dry Tropics Landcare Inc. reference group
 - f) Councillor V Veitch declared a conflict of interest in Conservation Volunteers Australia as he has a close association with them on Natural Resources Management projects
 - g) Councillor V Veitch declared a conflict of interest in Tropical Energy Solutions as he on the board of Sustainable Townsville with the Director.
- (v) Governance and Finance Committee - Conflict of interest - Item 25 - Councillor V Veitch - as Councillor Veitch is a full member of the Townsville RSL.
- (vi) Governance and Finance committee - Perceived conflict of interest - Item 23 - Councillors T Roberts and R Gartrell are board members for Food Relief North Queensland.
- (vii) Officer's Report - Material Personal Interest - Item 39 - Councillor Roberts has a connection with the Crocodiles as a game caller for their home games.
- (viii) Officer's Report - Perceived conflict of interest - Item 39 - Councillor Eddiehausen is a season ticket holder for the Townsville Crocodiles Basketball Team.
- (ix) Officer's Report - Perceived conflict of interest - Item 34 - Councillor Doyle is the owner of a property in the CBD as well as a retail business within the same building.
- (x) Governance and Finance Committee - Perceived conflict of interest - Item 23 - Councillors Walker and Ernst own Telstra shares.
- (xi) Governance and Finance Committee - Perceived conflict of interest - Item 23 - The Mayor, Councillor Hill owns Telstra shares and has a family member who works for Agilent Technologies, one of council's suppliers.
- (xii) Officer's Report - Perceived conflict of interest - Item 34 - The Mayor, Councillor Hill has a half share in an apartment in the CBD incentives area.

Correspondence

There was no correspondence.

Petitions

There were no petitions.

Deputations

There were no deputations.

Mayoral Minute

There was no Mayoral Minute.

Committee Items

Infrastructure Committee

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

"that the committee recommendations to items 1 to 2 be adopted."

CARRIED UNANIMOUSLY

- 1 Strategic Planning - Lakeside Drive and Abbott Street Analysis request from Department of Transport and Main Roads to take ownership of Lakeside Drive**

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Strategic Planning
Date 30 January 2015

Executive Summary

The Department of Transport and Main Roads, in conjunction with the construction of the Southern Access Corridor (SAC) have made previous representations to council for the transfer of ownership of Lakeside Drive from the department to council. Council have previously declined this offer as the road provides no benefit to council and the department have previously provided no evidence to support the offer.

Following a number of discussions, meetings and workshops between the department and council it was concluded to collaboratively model the proposed new main road network and to be jointly convinced by this modelling that Lakeside Drive and Abbott Street will operate to the hierarchy that has been suggested by the Department of Transport and Main Roads.

The modelling and associated report has now been completed by AECOM, on behalf of the Department of Transport and Main Roads and council, which has been reviewed by Strategic Planning and recommendations provided.

Officer's Recommendation

1. That council receive the Modelling Study for Abbott Street and Abbott Street Deviation dated 31 October 2014 prepared by AECOM.
2. That council receive the Department of Transport and Main Roads letter dated 26 September 2014.
3. That council respectfully decline the Department of Transport and Main Roads offer to take ownership of Lakeside Drive.
4. That at an appropriate time in the future, council consider the ownership arrangements of Abbott Street subject to:-
 - Abbott Street becomes a cul-de-sac at its intersection with the Bruce Highway;
 - Realignment of the railway line at the (old) intersection of Abbott Street and the Bruce Highway to proceed eastbound towards the Townsville Port Access Road (TPAR) / Ron Maclean Drive; and
 - Decommissioning of the existing rail alignment adjacent to Abbott Street.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7851) where council resolved that the committee recommendation be adopted.

2 Maintenance Services - Proposed Upgrade to TRAFF Software

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Maintenance Services
Date 28 January 2015

Executive Summary

The Department of Transport and Main Roads (TMR) have recently upgraded most of their signalised intersection controllers with the latest 'TRAFF' software.

TRAFF provides the following improvements / benefits:

- Improved bidirectional coordination;
- Traffic Management Centre (TMC) staff can instantly intervene and/or interrupt the phase cycles at an intersection to what they deem necessary based on traffic conditions on approaches or at the intersection; and
- Emergency Vehicle Priority (EVP) features will allow GPS tracking of vehicles and the provision of green signals at all signalised intersections they approach allowing emergency vehicles to travel quicker through these locations.

TMR funded the TRAFF installation and associated wiring modifications to six council intersections in late June 2014. At the same time council installed and funded the installation of TRAFF as part of the upgrade project at Bayswater Road and Hugh Street and also upgraded Bayswater Road and Kings Road at the request of TMR and TMC staff.

Additional funding of \$40,000 from TMR has been made available for a limited time and in consultation with TMR, it has been proposed that six Sturt Street sites (from Ingham Road to Stokes Street inclusive) can be upgraded.

To complete the works, an increase of \$30,000 is required to be funded from council. However, council did not make provisions for this in its budget and therefore requires additional funding, as requested, in order to undertake the upgrading works.

Officer's Recommendation

1. That council receive and acknowledge the report.
2. That council commit to the works for the proposed upgrade of six signalised intersections along Sturt Street (from Ingham Road to Stokes Street), in the current financial year and that an increased budget of \$30,000, be made at the next budget review.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7851) where council resolved that the committee recommendation be adopted.

Planning and Development Committee

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

"that the committee recommendations to items 3 to 4 be adopted."

CARRIED UNANIMOUSLY

3 MI14/0039 - MCU (Impact) Full Council - Hospital, Medical Centre and Shop, 136-172 Wills Street, Townsville

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment
Date	12 January 2015
Address	Lot 16 T 118524, 136-172 Wills Street Townsville City
Applicant/Owner	Health Care Australia, Department of Main Roads
Description	Material Change of Use (Impact) - Hospital, Medical Centre and Shop

Executive Summary

The proposal is for a Material Change of Use for a Hospital (Mental Health Care Facility), Medical Centre and Shop. The subject site is located at 136-172 Wills Street (the former Department of Transport and Main Roads administrative centre) and the site is approximately 4,050 square metres and located within District Code 1.

The proposal involves the redevelopment of the existing three storey commercial building into a private mental health clinic. This clinic will house low care patients specifically for adults to provide care for mental illnesses such as depression, anxiety, trauma, stress and treatable addictions. The redevelopment will primarily involve internal building modifications with minor external changes to the external building and grounds.

A medical centre and shop are exempt development where minor building work occurs which is the case with this proposal however the proposed hospital component is an impact assessable use in the CBD Business Core Precinct. As all uses are combined, the hospital is the core assessable component of this application and assessment.

The applicant has provided significant justification to support the use of the hospital in the proposed location in order to demonstrate compliance with the Overall Outcomes of District Code 1 – Townsville Central City. Furthermore, it is considered that the applicant has fully demonstrated an overall need for the development in this location.

The proposal has been lodged under the superseded City Plan 2005 and during the mandatory 15 day public notification period, one submission was received which was centred around the location of the use and the conflict with the planning scheme and the location of the proposal in identified medical hubs.

Under the new City Plan, the subject site has been included within the City Plan's Civic and Administration Precinct of the Principal centre (CBD) zone. The proposal for a hospital is also an Impact Assessable use; however, the proposal can achieve the high order Strategic Planning Framework and accordingly is supported.

In addition, strategic recommendations provided by the Townsville CBD Master Plan, which largely informed the strategic intent for the City Plan's CBD regulatory framework, are relevant. The CBD Master Plan was intended to guide future development and strategic investment in Townsville's CBD, reinforcing its role as a Principal Regional Activity Centre and the "Capital" of North Queensland.

The CBD Master Plan included the subject site within the Administration, Government and Education precinct, specifically intended to house 50% health and 50% education and training uses. The proposed development supports the intent, objectives and broad development principles contained within the Townsville CBD Master Plan in relation to the site.

It was identified in the assessment that council's existing sewer system has insufficient capacity to cope with development within this locality mainly during peak flow times. However, significant sewer upgrades are to occur during 2016 to address these problems with the existing sewer system. As an alternative solution the applicant proposes grey water reuse and off-peak discharge.

Blackwater will discharge directly to the sewer but greywater will be collected in 2 x 32,000L tanks located on the basement level. From there it will be stored, treated and then pumped/recirculated into the development. In addition to the reuse of the treated greywater, the developer proposes to discharge any residual / left over greywater from the tanks to the reticulated sewer system at off peak (eg 3am), so as to not overburden the system. A detailed strategy and design has been conditioned at compliance assessment stage for the detail design of this alternate solution.

In summary, despite the conflicts with the now superseded City Plan 2005 and New City Plan, the proposal can achieve the high order strategic outcomes sought by both planning schemes, reinforces council's strategic direction for the CBD, through the new City Plan, Townsville CBD Master Plan and Corporate Plan. Therefore the proposal is recommended for approval.

The committee also considered the verbal comments of Greg Campbell and Steve Motti provided at the meeting.

Officer's Recommendation

That the application MI14/0039 for a development permit for Hospital (Mental Health Care Facility), Medical Centre and Shop under the *Sustainable Planning Act 2009* on land described as Lot 16 T118524, more particularly 136-172 Wills Street Townsville City be approved subject to the following conditions -

MATERIAL CHANGE OF USE CONDITIONS HOSPITAL (MENTAL HEALTH CARE FACILITY), MEDICAL CENTRE AND SHOP

1. Site Layout

- a) The proposed development must generally comply with drawing(s) as referenced in the table below and attached as stamped "Approved Subject to Conditions", except as otherwise specified by any condition of this approval.

DRAWING NAME	DRAWING NO.	REVISION NO.	PLAN DATE
Cover Sheet/Index	DA-00	A	13/10/2014
Existing Site Plan	DA-01	-	26/09/2014
Proposed Site Plan	DA-02	B	20/11/2014
Basement Level Existing & Demolition Plan	DA-10	A	16/12/2014
Ground Floor Existing & Demolition Plan	DA-11	-	26/09/2014
Level 1 Existing & Demolition Plan	DA-12	-	26/09/2014
Level 2 Existing & Demolition Plan	DA13	-	26/09/2014
Proposed Basement Plan	DA-20	A	16/12/2014
Proposed Ground Floor Plan	DA-21	A	14/11/2014
Proposed Level 1 Plan	DA-22	A	14/11/2014
Proposed Level 2 Plan	DA-23	-	26/09/2014
Existing Elevations & Proposed Alterations Sheet 1	DA-30	A	14/11/2014
Existing Elevations & Proposed Alterations Sheet 2	DA-31	A	14/11/2014

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Amended Plans

The existing and proposed canopy located at the front of the building, as illustrated on approved drawing DA-22, must be extended into the Wills Street road reserve to cover the footpath. Amended plans must be submitted for Council approval as part of Compliance Assessment.

3. Defined Use

The use hereby permitted must be conducted at all times in conformity with the associated Planning Scheme definition.

4. Building Materials

All buildings and structures associated with the use must be constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective quality which does not cause excessive glare.

5. Signage

The developer must submit to Council for approval plans of any signage to be associated with the use as part of Compliance Assessment. Details must include the location of the signage, construction materials, size of the sign and graphic content. Approved signs must be maintained to the satisfaction of Council. To maintain amenity for adjoining properties, no illumination of the signage is to occur unless otherwise approved in writing by Council.

6. Street Fencing

Should a new fence be constructed or the existing fence be replaced along the Wills Street frontage it must allow the development to integrate with its streetscape. The developer must submit to Council for approval details of the fence prior to any fence replacement taking place.

7. Storage of Materials and Machinery

All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by Council.

8. Site Appearance

The site is to be kept in a clean and tidy condition at all times to the satisfaction of Council.

9. Lighting

- a) The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.
- b) Lighting must be provided in accordance with the *Australian/New Zealand Standard AS/NZS1158 Lighting for Roads and Public Spaces*.

10. Property Numbering

Effective property numbers must be erected at the premises prior to the commencement of the use and be maintained to the satisfaction of the Council.

The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.

11. Screening of Plant and Utilities

Any additional plant and utilities including air-conditioners must not be visible from the street. Furthermore they must be provided with aesthetic screens prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

12. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Works Code. In particular,

- a) The approved waste storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The developer must provide a storage area that is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection, unless otherwise agreed to in writing by council.

or

- b) Where bulk refuse facilities are utilised, the bulk refuse facility must be:
- * a suitable enclosure with concrete slab floor, with dimensions which exceed the size of the nominated bin size by at least 300mm at the rear and both sides and 600mm at the front;
 - * within the curtilage of the premises in an accessible location to receive the service;
 - * graded and drained through an approved sediment/silt trap to a legal sewer connection, unless otherwise agreed to in writing by council;
 - * provided with a hose cock and hose in close proximity to the enclosure;
 - * enclosure must be screened and not visible from any street frontage.

The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.

If council will be required to collect refuse, when development is operational, please contact Environmental Health Services on 1300 878 001 to commence refuse service.

- c) The collection of putrescibles waste arising from activities undertaken on this development must be collected and removed at periods not exceeding seven days.
- d) The collection of waste is to be undertaken so as to minimize, so far as reasonably practicable excessive noise to neighboring occupants. The collection method must ensure that waste is adequately managed to prevent escape or contamination.
- e) This development has the potential to generate or handle clinical and regulated waste material. Clinical and medical related waste is to be handled in accordance with AS/NZS 3816:1998 "Australian Standard/New Zealand Standard – Management of Clinical and Related Wastes".

- f) Where practicable, all loading and unloading shall take place within the containment area (storage area). This area is to be constructed in such a way that any spills from loading or unloading are not permitted to escape to an area subject to storm water. No clinical and related wastes shall be disposed of via the storm water drainage system.
- g) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
- h) Access roads and driveways must be designed and constructed to accept vehicle loadings of not less than G.V.M. 33 tonnes.

13. Relocation of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

14. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- d) The developer must provide 44 car parking spaces including disabled parking plus one ambulance bay as indicated on the approved plans and in accordance with Australian/New Zealand Standard AS/NZ2890.
- e) All signage and line marking for off-street car parking and ambulance bay must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.

15. Stormwater Drainage

- a) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- b) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- c) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- d) all stormwater from awnings and the like must be piped and discharged to the lawful point of discharge, being Wills Street.

16. Soil Erosion Minimisation, Sediment Control and Dust Control

During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management.

17. Sewerage Reticulation

Unless otherwise agreed to by Council, the developer must ensure that there is no net increase in sewerage flows being discharged to council's reticulated sewerage network. Any work/upgrades required to achieve this must be in accordance with the Works code and approved sewerage strategy and design report. The strategy and design must be lodged to Council as part of Compliance Assessment and be approved prior to the issue of a Certificate of Compliance.

18. Landscaping

- a) A landscaping plan is required to be submitted to and be approved by Council as part of Compliance Assessment against the applicable Landscaping Code.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of Part 9.4.3 Landscape code of Townsville City Plan (2014). As part of the landscaping plan the following items are to be included:

- * Reconstruction of the Wills Street footpath in accordance with the Townsville City Plan (2014) Footpath Treatment Policy SC6.4.3.3 – Treatment P2 CBD Fringe.
 - * Mature street trees of a species selected for this section of road.
 - * An assessment of refurbishment/repairs required to existing landscaped areas, and refurbishment of the irrigation system, if required.
 - * Inclusion of additional seating facilities, if required in the outdoor space condition.
 - * Inclusion of shade trees, or shade structures to the carpark area.
- b) The landscape plans must be prepared by a suitably Qualified person who:
- * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer
- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within Part 9.4.3 Landscape code. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

19. Roadworks and Traffic

During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

20. Noise Attenuation Certificate

Prior to the commencement of the use, the applicant must, as part of compliance assessment, submit certification that the plant and equipment is adequately noise-attenuated and complies with the Environmental Protection Act (Noise), section 440u:

- Air Conditioners: noise no louder than 5dB(A) above background level between 7am and 10pm; and no noise of more than 3dB(A) above background level between 10pm and 7am.

ADVICE

1. Infrastructure Charges

An Adopted Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.

2. Further Approvals Required

a) Compliance Assessment

A Compliance Assessment application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council:

Condition 2 – Amended Plans
Condition 5 – Signage
Condition 6 – Street Fencing (if applicable)
Condition 14 – Car parking
Condition 17 – Sewerage Reticulation
Condition 18 – Landscaping
Condition 20 – Noise Attenuation Certificate

All engineering and landscaping designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experienced person.

b) Plumbing and Drainage Works

The developer must obtain a Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

c) Building Works

The developer must obtain a Development Permit for Building Works to carry out building works prior to works commencing on site.

3. Shop Fit Out

Prior to any fit out of the intended food premise, a separate application to fit out the premises must be submitted to Council's Environmental Health Services for the registration of the food premise. No fit out or construction may take place before approval is granted. A food premise is anywhere food or beverages are prepared, packed, stored, handled, serviced, supplied or delivered for sale. An application must also be made for a licence to operate a food premise.

4. Noise

The hours of audible noise associated with construction and building work on site must be limited to between the hours of–

- * 6.30 a.m. to 6.30 p.m. Monday to Saturday; with
- * No work on Sundays or Public Holidays.

5. Environmental Considerations

DEHP Requirements

Construction and operation of the use must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

6. Plumbing and Drainage Approval

A Compliance Permit under the *Plumbing and Drainage Act 2002* to seal off disused sanitary drains and water lines must be obtained prior to the removal of the existing dwelling.

7. Trade Waste Permit

The developer is advised that a Trade Waste Permit may be required and should confirm this with Council's Trade Waste Inspector.

8. Asbestos

All asbestos must be removed, transported and disposed in accordance with the *Public Health Regulation 2005*, *Work Health and Safety Regulation 2011 Chapter 8 Asbestos & How to Safely Remove Asbestos Code of Practice 2011*, *Environmental Protection Act 2004* and Regulations.

9. Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

- i. Completed Roadworks approval application form
- ii. Prescribed fee
- iii. Traffic Management Plan prepared by a suitably qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices Part 3 – Works on Roads.

If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required. This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to Council for a letter of no objection prior to applying to the Queensland Police Service for the permit. The Traffic Management Plan will need to be included with the application to Council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 3 of the council minutes (page 7854) where council resolved that the committee recommendation be adopted.

4 Outcome of Appeal No. 3117 of 2014, Dexus Wholesale Property Limited and Perpetual Trustee Company Limited v Townsville City Council, Stockland Development Pty Limited and Chief Executive Department of State Development, Infrastructure and Planning

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Governance
Date 22 January 2015

Executive Summary

A submitter appeal was filed in the Planning and Environment Court in Brisbane on 14 August 2014 by Dexus Wholesale Property Limited and Perpetual Trustee Company Limited against council's approval of a development application for a Development Permit for a Material Change of Use of Premises situated at 61-63 Elizabeth Street, 54-62 Patrick Street and 47-57 Alfred Street, Aitkenvale for Restaurant, Catering Shop, Indoor Recreation (Cinema and Gymnasium), Medical Centre and Car Park.

On 5 January 2015 the appellant filed a Notice of Discontinuance. No further objections were filed in the following 14 days and the matter is now at an end.

Officer's Recommendation

That council receive this report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 3 of the council minutes (page 7854) where council resolved that the committee recommendation be adopted.

Healthy and Safe City Committee

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

"that the committee recommendations to items 5 to 7 be adopted."

CARRIED UNANIMOUSLY

Councillor G Eddiehausen acknowledged the Vector Control Unit for their great work throughout the city of Townsville in targeting dengue mosquito breeding sites.

5 Community and Environmental Services - 2014 Proactive Urban Mosquito Response Program

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Environmental Health
Date 06 January 2015

Executive Summary

The Townsville Local Government area is in a dengue receptive area meaning that the dengue vector is prevalent and dengue outbreaks are common. Generally, Townsville receives local-acquired dengue cases annually resulting in multiple outbreaks. Therefore, it is vital that programs are prepared to respond and that community remains well informed and empowered to act.

The Vector Control Unit undertakes a three month proactive urban mosquito response program annually (Oct – Dec) to target dengue mosquito breeding sites in potentially high dengue transmission risk areas. The report outlines the results of the 2014 program.

Officer's Recommendation

1. That council accept this report.
2. That council continue to support the annual proactive urban mosquito response program.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7863) where council resolved that the committee recommendation be adopted.

6 Community and Environmental Services - Townsville Local Disaster Management Group - Minutes of Members' Meeting 21 January 2015

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Emergency Management
Date 28 January 2015

Executive Summary

The Townsville Local Disaster Management Group (TLDMG) Members meet every second month with staff of the Townsville City Council, Queensland Fire and Emergency Services Area Coordinator – Emergency Management, State Emergency Service Local Controller and other agencies.

Attached to the Report to Council are the minutes of the meeting held on 21 January 2015.

At this meeting, the Local Disaster Coordinator, Allen Morris, tabled a report from the Office of the Inspector General Emergency Management (IGEM) following its review of the *Townsville Local Disaster Management Plan* and its Sub Plans in December 2014. In this report, the *Townsville Local Disaster Management Plan* scored 100% compliance in six out of eight categories. Areas requiring improvement have since been addressed.

At this meeting, the TLDMG:

- noted the Joint Council Memorandum of Understanding, which formalises the process for councils to support one another in the event of a disaster;
- noted the Debrief Report from the Heatley Public Cyclone Shelter Exercise “Operation 800” held 21-22 November 2014;
- accepted the 2014 Caravan Parks and Marinas Report;
- noted the IGEM Assessment Report for the *Townsville Local Disaster Management Plan*; and
- accepted the Outcome Report from the Local Disaster Coordination Centre Exercise “Data Storm” held on 4 December 2014.

Officer's Recommendation

1. That council endorse the minutes of the Townsville Local Disaster Management Group Members' Meeting held on 21 January 2015;
2. That council note the Joint Council Memorandum of Understanding, which formalises the process for councils to support one another in the event of a disaster;
3. That council note the Debrief Report from the Heatley Public Cyclone Shelter Exercise “Operation 800” held 21-22 November 2014;
4. That council endorse the Townsville Local Disaster Management Group's acceptance of the 2014 Caravan Parks and Marinas Report;
5. That council note the IGEM Assessment Report for the *Townsville Local Disaster Management Plan*; and
6. That council endorse the Townsville Local Disaster Management Group's acceptance of the Outcome Report from the Local Disaster Coordination Centre Exercise “Data Storm” held on 4 December 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7863) where council resolved that the committee recommendation be adopted.

7 Community and Environmental Services - Townsville Local Disaster Management Group - Minutes of Full Committee Meeting 26 November 2014

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Emergency Management
Date 29 January 2015

Executive Summary

The Townsville Local Disaster Management Group (TLDMG) Full Committee meets twice per year (usually June and November) with staff of the Townsville City Council, Queensland Fire and Emergency Services Area Coordinator – Emergency Management, State Emergency Service Local Controller and other agencies.

Attached to the Report to Council are the minutes of the meeting held on 26 November 2014.

At this meeting, the TLDMG:

- accepted the Member Status Reports from the TLDMG Working Groups;
- accepted the Member Status Report from Queensland Fire and Emergency Services;
- noted the Salvation Army Memorandum of Understanding for the provision of emergency catering for Evacuation Centres;
- accepted the Disaster Recovery Action Plans developed as part of 2014 Exercise "Townsville Tag Team"; and
- accepted the Disaster Recovery Communication and Media Strategy developed as part of 2014 Exercise "Townsville Tag Team".

Officer's Recommendation

1. That council endorse the minutes of the Townsville Local Disaster Management Group Full Committee Meeting held on 26 November 2014;
2. That council endorse the Townsville Local Disaster Management Group's acceptance of the Member Status Reports from the TLDMG Working Groups;
3. That council endorse the Townsville Local Disaster Management Group's acceptance of the Member Status Reports from Queensland Fire and Emergency Services;
4. That council note the Salvation Army Memorandum of Understanding for the provision of emergency catering for Evacuation Centres;
5. That council endorse the Townsville Local Disaster Management Group's acceptance of the Disaster Recovery Action Plans developed as part of 2014 Exercise "Townsville Tag Team"; and

6. That council endorse the Townsville Local Disaster Management Group's acceptance of the Disaster Recovery Communication and Media Strategy developed as part of 2014 Exercise "Townsville Tag Team".

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7863) where council resolved that the committee recommendation be adopted.

Smart City Sustainable Future Committee

8 Presentation - Horseshoe Bay Erosion

PRESENTATION

Authorised by Director Community and Environment
Department Integrated Sustainability Services
Committee Smart City Sustainable Futures
Date 12 February 2015

Executive Summary

Integrated Sustainability Services staff presented on coastal beach erosion at Horseshoe Bay.

Officer's Recommendation

That council note the presentation – Horseshoe Bay Erosion and consider future actions.

Committee Recommendation

1. That the officer's recommendation be adopted.
2. That the report 'Horseshoe Bay Coastal Erosion Mitigation Options' be used as a basis for a full shoreline erosion management plan.

Council Decision

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

"that the committee recommendation be adopted."

CARRIED UNANIMOUSLY

Sports Recreation and Parks Committee

In accordance with section 173 of the Local Government Act 2009, Councillors A Parsons, R Gartrell, G Eddiehausen, J Lane, S Blom, T Roberts and V Veitch declared a perceived conflict of interest in regards to item 10.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
Councillors A Parsons, R Gartrell, G Eddiehausen, J Lane, S Blom, T Roberts and V Veitch.
- (b) **the nature of the conflict of interest as described by the Councillors:**
Townsville First received a donation from Urbex, who are a wholly owned subsidiary of BMD, and J-MAC, who is a tenderer for item 10 and is also a wholly owned subsidiary of BMD.
- (c) **how the Councillors dealt with the real or 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 Ernst, SECONDED by Councillor L Walker:

"that the committee recommendations to items 9 to 11 be adopted."

CARRIED UNANIMOUSLY

9 Community Services - Licenses to Occupy - Bluewater Equestrian Facility

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Development
Date 2 February 2015

Executive Summary

It has been identified that a number of community sporting groups would like to gain the right to use the facilities at Bluewater Park, formerly known as the Bluewater Equestrian Centre (Lot 802 on SP241180) 25 Endeavour Rd, Bluewater. License to Occupy (LTO's) agreements are used to formalise the right to use of council controlled open spaces. This item seeks approval for the issuing of LTO's to a number of community sporting groups in order for the right to access this space to be established.

The identified community groups proposed to be issued with LTO's are as follows:

- North Queensland Equestrian Group;
- North Queensland Reining and Performance Horse Club Inc;
- Townsville Dressage;
- Townsville Endurance Riders and Arabian Horse Club;
- NQ Equitation; and
- Full Boar Archers.

The process of implementing LTO's will give these community sporting groups an understanding of their conditions of use, maintenance responsibilities and provide them with tenure so they are able to apply for grant funding to improve the current facilities.

Officer's Recommendation

That council approve entering into License to Occupy (LTO) agreements with the following community sporting groups for a period of up to 5 years;

- North Queensland Equestrian Group;
- North Queensland Reining and Performance Horse Club Inc;
- Townsville Dressage;
- Townsville Endurance Riders and Arabian Horse Club;
- NQ Equitation; and
- Full Boar Archers.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 7868) where council resolved that the committee recommendation be adopted.

10 Engineering Services - Tender TCW00102 Soroptimist Park Pathway Upgrade Stage 2 A

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 23 January 2015

Executive Summary

Stage 2 A Pathway Upgrade is the third package of works to be delivered under the Soroptimist and People's Place Parks Master Plan.

This report provides information on the tenders received and council's evaluation and recommendation for appointment for Tender TCW00102 – Soroptimist Parkland Pathway Upgrade Stage 2 A.

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 TCW00102 - Soroptimist Parkland Pathway Upgrade Stage 2 A to J Mac Pty Ltd for a lump sum price of \$ 347,496.92 (Excl GST and including contingency of \$30,000) for the tendered works.
3. That council delegate authority to the Chief Executive Officer or his delegate to approve variations not exceeding the approved project budget and provided the variations approved are for work under contract TCW00102.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 7868) where council resolved that the committee recommendation be adopted.

11 Maintenance Services - Contract T6832 for Parks and Open Space Management

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Maintenance Services
Date 12 January 2015

Executive Summary

Contract T6832 for Parks and Open Space Management has almost completed its first three years and will reach the first expiry milestone on 1 April 2015.

Part 4 General Conditions of Contract 4.3 allows the option to extend the contract a further two periods of 12 months, if mutually agreed by the contractor and council.

The current contractor has requested in writing council's consideration to extending their existing contract a further 12 months to 1 April 2016.

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 extension of Contract T6832 for Parks and Open Space Management to 1 April 2016.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 7868) where council resolved that the committee recommendation be adopted.

Community and Cultural Committee

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

"that the committee recommendations to items 12 to 21 be adopted."

CARRIED UNANIMOUSLY

12 Community Services - Replacement of Concert Grand Piano

REPORT TO COUNCIL

Authorised by Director Community and Environments

Department Community Services

Date 03 January 2015

Executive Summary

The purpose of this report is to seek approval for the replacement of council's concert grand piano at the Civic Theatre due to its age and deterioration.

Officer's Recommendation

1. That council approve the replacement of the 37 year old Steinway D Model concert grand piano located at the Civic Theatre with a new piano of the same make and specifications;
2. That council appoint Theme & Variations Piano Services, Sydney (the exclusive Australian dealer of Steinway & Sons pianos) as a sole supplier in terms of council's procurement policy;
3. That council determine that this asset acquisition, at an estimated net of trade-in cost of \$240,000 (ex GST), be treated as an additional capital expenditure to occur in the 2014-15 financial year due to the urgency resulting from the advanced age and deterioration of its existing piano; and
4. That council accept the offer of acclaimed international pianist, and Artistic Director of the Australian Festival of Chamber Music, Piers Lane to consult on the selection of the particular piano at the Hamburg factory, at no cost to council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

13 Mobile Library Schedule Review

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Library Services
Date 2 February 2015

Executive Summary

Presents changes to the Mobile Library Schedule.

On an annual basis, CityLibraries Townsville reviews the mobile library schedule in preparation for planning the yearly calendar. The review is designed to ensure that council achieves value-for-money and quality in the provision of an efficient and effective mobile library service to Townsville's outreach community. It takes into account developments in mobile library customer usage patterns, specific issues related to transportation, local community trends and Work Health and Safety aspects. Key changes reviewed were the cessation of service points with low visitation rates for Toomulla, Cungulla and Woodstock; the merging of service points to one centralised location each for Magnetic Island and the Southern run in Division Ten; and a change in time and potential change in day for Oak Valley.

Officer's Recommendation

That council approve the proposed new mobile library service schedule with a commencement date of 4 May 2015.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

14 Report on Lifelong Learning Strategic Action Plan 2014

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Library Services
Date 2 February 2015

Executive Summary

This report on the Lifelong Learning Strategic Action Plan 2014 contains an overview of lifelong learning programs delivered through the library during 2014.

Instrumental in advocating for the importance of lifelong learning has been the Learning Communities Leadership Group who have contributed to a number of the activities delivered in 2014. These have included the development of the Lifelong Learning Strategic Action Plan 2014-2017, the Australian Learning Communities Network Regional Conference in Townsville in May 2014 and the launch of the Learning Townsville Directory in December.

The Learning Communities Leadership Group is administered by CityLibraries Townsville who lead the learning community initiative within council. 2014 has been a big year for CityLibraries with the finalisation of CityLibraries Strategic Plan 2014-2017 as well as the delivery of May Month of Learning and the ongoing provision of 2,004 hours lifelong learning programs that focus on literacy, skills development and recreation. These programs have reached 28,006 participants.

The attached report highlights these programs and other significant activities undertaken in 2014.

Officer's Recommendation

That the Report on Lifelong Learning Strategic Action Plan 2014 be noted.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

15 Community Services - Townsville Youth Council - Meeting Minutes

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 3 February 2015

Executive Summary

The Townsville Youth Council (TYC) met on four occasions during the last quarter of 2014. The minutes of these meetings are presented for information.

Officer's Recommendation

That council note the minutes of the four Townsville Youth Council meetings held during the last quarter of 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

16 Community Services - Arts and Culture Public Working Group - Minutes

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 12 February 2015

Executive Summary

A meeting of the Arts and Culture Community Working Group was held on 20 November 2014. The minutes are presented for information.

A special meeting of the Arts and Culture Community Working Group was held on 15 December 2014. The minutes are presented for information.

Officer's Recommendation

That council note the minutes of the Arts and Culture Community Working Group of 20 November 2014, and the minutes of the Special Meeting of the Arts and Culture Working Group held on 15 December 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

17 Learning Communities Leadership Group Minutes 13 October and 1 December 2014

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Library Services
Date 2 February 2015

Executive Summary

The Learning Communities Leadership Group is a community forum of council. The Learning Communities Leadership Group meets bi-monthly.

The Learning Communities Leadership Group is a high-level reference group of dynamic and enthusiastic community leaders who are intent on providing access to lifelong learning opportunities and developing Townsville as a learning community. They are guided by the Lifelong Learning Strategic Action Plan which emphasises social inclusion and learning as an agent of social and economic sustainability.

Minutes of the 13 October and 1 December 2014 meeting are attached for information.

Officer's Recommendation

That the minutes of the Learning Communities Leadership Group meetings held on the 13 October and 1 December 2014 be noted.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

18 Community Services - Magnetic Island Mens Shed - lease - change of name

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 12 February 2015

Executive Summary

The Magnetic Island Men's Shed (MIMS) received approval from council on 24 July 2012 to lease the 6 metre x 6 metre shed on Lease E on Lot 13 Crown Plan E124292 adjacent to the existing Smart Lifestyle Centre, 64-88 Horseshoe Bay Road, Horseshoe Bay.

The current lease is under the name of the Magnetic Island Community Care Association Inc who were auspicing the Men's Shed prior to them acquiring incorporation. The Magnetic Island Men's Shed Inc seek consent to modify the lease.

Officer's Recommendation

That council approve the change in name to Magnetic Island Men's Shed Inc on the lease of the 6 metre x 6 metre shed on Lease E on Lot 13 on Crown Plan E124292, 64-88 Horseshoe Bay Road, Horseshoe Bay.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

**19 Community Services - JC Butler Building - North Queensland Prisoners Aid Society Inc
Lease Surrender**

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Planning and Development
Date 4 February 2015

Executive Summary

The North Queensland Prisoners Aid Society Inc. wish to relinquish their lease (Lease D) at the JC Butler Building – a portion of Lot 308 & 309 on T118101, as of the 31 March 2015. A letter acknowledging the surrender of lease was received on 6 January 2015.

Officer's Recommendation

That council approve the surrender of Lease D at the JC Butler Building – Lot 308 & 309 on T118101 for the North Queensland Prisoners Aid Society Inc. as from 31 March 2015.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

20 Community Services - St John Holdings Limited - lease renewal

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 12 February 2015

Executive Summary

St John Ambulance (St John Holdings Limited) has occupied the premises at 36 Fleming Street, Aitkenvale Park, Aitkenvale since 1995 and are seeking to renew their lease. The premises are owned by St John Holdings Limited, the building is situated on council land located on Lot 78 on Registered Plan 703555.

Officer's Recommendation

That council approve renewing the lease with St John Holdings Limited for the property located at Lot 78 on Registered Plan 703555, also known as 36 Fleming Street, Aitkenvale Park, Aitkenvale for a period of up to 10 years, at a rental of \$1 per year plus GST if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

21 Community Services - Pimlico Mundingburra Scout Group

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services

Department Community Services

Date 12 February 2015

Executive Summary

Pimlico Mundingburra Scout Group (The Scout Association of Australia Queensland Branch Inc) have occupied the premises at McIntyre Street, Arthur Fadden Park, Mundingburra since 1975 and are seeking to renew their lease. The building is owned by the Scouts Association and is situated on council land located on Lot 424 on EP1038 and Lot 30 on RP712387.

Officer's Recommendation

That council approve renewing the lease with The Scout Association of Australia Queensland Branch Inc for the property located at Lot 424 on EP1038 and Lot 30 on RP712387, also known as McIntyre Street, Arthur Fadden Park, Mundingburra for a period of up to 10 years, at a rental of \$1 per year plus GST if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7871) where council resolved that the committee recommendation be adopted.

Governance and Finance Committee

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

- (a) **the name of the Councillors who have the conflict of interest:**
Councillors J Lane, S Blom, G Eddiehausen, T Roberts, A Parsons, R Gartrell and V Veitch.
- (b) **the nature of the conflict of interest as described by the Councillors:**
Tony Ireland, Key Motors and Pickering's donated to the Townsville First Campaign.
- (c) **how the Councillors dealt with the real or 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 recommendation with the exception of Councillor J Lane not voting on line 49 only, of this item (Arts and Cultural Creative Professionals).
- (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 committee recommendation.

In accordance with section 173 of the Local Government Act 2009, Councillor V Veitch declared a perceived conflict of interest in regards to item 23.

- (a) **the name of the Councillor who has the real or perceived conflict of interest:**
Councillor V Veitch
- (b) **the nature of the conflict of interest as described by the Councillor:**
 - a) Councillor V Veitch declared a conflict of interest in Revere Projects as he sits on the board of Sustainable Townsville with the Director
 - b) Councillor V Veitch is a member of the Ergon Community Reference Group
 - c) Councillor V Veitch is an ex-employee of James Cook University
 - d) Councillor V Veitch has a close association with Professor Dr Sam Ham through Council's Integrated Sustainability Services department
 - e) Councillor V Veitch is a member of the Coastal Dry Tropics Landcare Inc. reference group
 - f) Councillor V Veitch declared a conflict of interest in Conservation Volunteers Australia as he has a close association with them on Natural Resources Management projects
 - g) Councillor V Veitch declared a conflict of interest in Tropical Energy Solutions as he on the board of Sustainable Townsville with the Director.
- (c) **how the Councillor dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the 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 committee recommendation.

In accordance with section 173 of the Local Government Act 2009, Councillors T Roberts and R Gartrell declared a perceived conflict of interest in regards to item 23.

- (a) the name of the Councillors who have the real or perceived conflict of interest:**
Councillors T Roberts and R Gartrell
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillors T Roberts and R Gartrell are board members for Food Relief North Queensland.
- (c) how the Councillors dealt with the real or 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 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, Councillors L Walker and Ernst declared a perceived conflict of interest in regards to item 23.

- (a) the name of the Councillors who have the real or perceived conflict of interest:**
Councillors L Walker and P Ernst
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillors L Walker and P Ernst own Telstra shares
- (c) how the Councillors dealt with the real or 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 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 declared a perceived conflict of interest in regards to item 23.

- (a) the name of the Councillor who have the real or perceived conflict of interest:**
The Mayor, Councillor J Hill
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor Hill owns Telstra shares and a has a family member who works for Agilent Technologies, one of council's suppliers.
- (c) how the Councillor dealt with the real or perceived conflict of interest:**
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

In accordance with section 173 of the Local Government Act 2009, Councillor V Veitch declared a conflict of interest in regards to item 25.

- (a) **the name of the Councillor who has the conflict of interest:**
Councillor V Veitch
- (b) **the nature of the conflict of interest as described by the Councillor:**
Councillor Veitch is a member of the Townsville RSL.
- (c) **how the Councillor dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the 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 J Lane, SECONDED by Councillor P Ernst:

"that the committee recommendations to items 22 and 24 to 26 be adopted; and that item 23 be dealt with separately."

CARRIED UNANIMOUSLY

In accordance with section 172 of the *Local Government Act 2009*, Councillor J Lane declared a material personal interest in regards to item 23.

- (a) **the nature of the material personal interest as described by the Councillor:**
Councillor J Lane's husband is a Townsville Artist that has an exhibition at the Perc Tucker Gallery in 2015.
- (b) **how the Councillor dealt with the material personal interest:**
Councillor J Lane vacated the chambers during discussion in relation to the supplier Arts and Cultural Creative Professionals (line 49 on the sole supplier list) and voting on this item.

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

"that the committee recommendations to item 23 be adopted."

CARRIED

22 Budget Variance Report - Whole of Council - January 2015

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Financial Services
Date 10 February 2015

Executive Summary

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

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

Officer's Recommendation

That council note the financial report for January 2015 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 22 of the council minutes (page 7880) where council resolved that the committee recommendation be adopted.

23 Goods and Services where there is only one supplier

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 4 February 2015

Executive Summary

To meet operational requirements it has been identified that there are a number of suppliers who are the only reasonable option from which council can obtain goods and services. This has created difficulties in meeting councils procurement requirements as there are no alternative suppliers to provide competitive quotes.

Corporate Procurement has coordinated this report to enable a register of sole suppliers and suppliers of specialised or confidential services to be established and to ensure that legislative requirements are met.

Relevant Council officers have been asked to list and justify why this legislative exception should be considered for each nominated supplier and a summary of the supporting rationale is listed in Attachment 1.

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 2015 calendar year.

Committee 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 (excluding Arts

and Cultural Creative Professionals/line 49) are sole suppliers and/or suppliers of specialised or confidential services for the 2015 calendar year.

3. That council resolve in accordance with section 235(a) and (b) of the *Local Government Regulation 2012* that it is satisfied that Arts and Cultural Creative Professionals as listed in Attachment 1 is a sole supplier and/or supplier of specialised or confidential services for the 2015 calendar year.

Council Decision

Refer to resolution preceding item 22 of the council minutes (page 7880) where council resolved that the committee recommendation be adopted.

24 Request for Concession of General Rates - Property number 548967

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance
Date 05 February 2015

Executive Summary

A request has been received for a concession for the general rates on property number 548967. In accordance with Part 10, Section 119 of the *Local Government Regulation 2012*, council may grant a concession for rates or charges under certain eligibility criteria.

A Community Services lease has been granted to a non-profit community organisation for a period of ten years until December 2023. The association has recently made application to council for a concession in accordance with the *Local Government Regulation 2012* and meets the criteria for granting a concession, specifically in relation to a land parcel owned by an entity whose objects do not include making a profit.

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 a concession be granted for the general rates for the property number 548967 and that the concession include general rates from the date of effect as detailed on the valuation data when received.
3. That council resolve the concession will continue to be granted until such time that the land use changes, the lease expires or a change of ownership for the parcel is recorded.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 22 of the council minutes (page 7880) where council resolved that the committee recommendation be adopted.

25 Request for Concession of General Rates - Property number 112600

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance Department
Date 10/02/2015

Executive Summary

A request has been received for a concession for the general rates on property number 112600. In accordance with Part 10, Section 119 of the *Local Government Regulation 2012*, council may grant a concession for rates or charges under certain eligibility criteria.

The registered owner of the land has recently made application to council for a concession in accordance with the *Local Government Regulation 2012* and meets the criteria for granting a concession, specifically in relation to a land parcel owned by an entity whose objects do not include making a profit.

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 a concession be granted for the general rates for the property number 112600 and that the concession include general rates from the 1/7/2014.
3. That council resolve the concession will continue to be granted until such time that the land use changes, a change of ownership for the parcel is recorded or councils resolves otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 22 of the council minutes (page 7880) where council resolved that the committee recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance
Date 05 February 2015

Executive Summary

A request has been received for a concession for the general rates on property number 143870. In accordance with Part 10, Section 119 of the *Local Government Regulation 2012*, council may grant a concession for rates or charges under certain eligibility criteria.

The registered owner of the leased land parcel complies with the regulation and the criteria for granting a concession, specifically in relation to land owned by an entity whose objects do not include making a profit.

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 a concession be granted for the general rate for the property number 143870 and that the concession include general rates from the date of execution of the lease agreement.
3. That council resolve that the concession will continue to be granted until such time that the land use changes, the lease expires or a change of ownership for the property is recorded.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 22 of the council minutes (page 7880) where council resolved that the committee recommendation be adopted.

Townsville Water and Waste Committee

It was *MOVED* by Councillor R Gartrell, *SECONDED* by Councillor A Parsons:

"that the committee recommendations to items 27 to 32 be adopted."

CARRIED UNANIMOUSLY

27 Townsville Water & Waste - Cairns Townsville Mackay (CTM) Water Alliance Meetings - Councillor Attendance

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Water & Waste
Date 29 January 2015

Executive Summary

Townsville Water entered into a formal water alliance with Cairns and Mackay Regional Council's in December 2009. The objectives of the alliance are to achieve efficiencies, through a combined approach to improve service levels, share resources and jointly meet the challenges of reform within the water industry.

The Cairns Townsville Mackay (CTM) Water Alliance Executive Committee (AEC) meets three times a year. The first meeting for 2015 is to be hosted by Mackay Regional Council on 27 March 2014, with subsequent meetings being hosted by Cairns in July 2015 and Townsville in November 2015.

It is proposed that Councillor R Gartrell attend these meetings as he is council's councillor representative on this group.

Officer's Recommendation

1. That council approve the attendance of Councillor R Gartrell at the Cairns Townsville Mackay (CTM) Water Alliance meeting in Mackay on 27 March 2015 and the meeting in Cairns in July 2015.
2. That, in accordance with *section 162(1)(e) of the Local Government Act 2009*, council grant leave of absence to Councillor R Gartrell to allow his attendance at the CTM Water Alliance meeting in Mackay on 27 March 2015 and the meeting in Cairns in July 2015.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7885) where council resolved that the committee recommendation be adopted.

28 Wastewater Operations - Systematic Inspection Program - Infiltration and Inflow Study of Sewers, Program 14 (L14A, M1, M2, M2B, M3, AM2A, AM4A, M4A, MB4, MA4A)

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 29 January 2015

Executive Summary

Townsville City Council resolved at its meeting of 26 August 2008 to undertake a Systematic Inspection Program, namely Infiltration and Inflow Study (I/I) of sewers and private house drains of all premises to identify illegal connections to council's sewerage system.

Townsville Water's Wastewater Operations section seeks approval to undertake program fourteen in the catchments L14A, M1, M2, M2B, M3, AM2A, AM4A, M4A, MB4, MA4A (Mt Louisa, Picnic Bay, Nelly Bay, Elena Street, Arcadia, Barton Street, Pandanus Drive, Corica Crescent, Gifford Street, Pacific Drive) pursuant to *section 134* of the *Local Government Act 2009*. The program is expected to commence on Wednesday 1 April 2015 and will be completed within a period of three months.

Council's approval is sought for the systematic inspection program to commence.

The Chief Executive Officer will authorise the relevant council staff to enter properties to undertake these inspections.

Officer's Recommendation

That council approve the undertaking of a systematic inspection program in the catchments L14A, M1, M2, M2B, M3, AM2A, AM4A, M4A, MB4, MA4A (Mt Louisa, Picnic Bay, Nelly Bay, Elena Street, Arcadia, Barton Street, Pandanus Drive, Corica Crescent, Gifford Street, Pacific Drive) during the three months following 1 April 2015 pursuant to *section 134* of the *Local Government Act 2009*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7885) where council resolved that the committee recommendation be adopted.

29 Wastewater Operations - Tender Assessment - TCW00099 - Refurbishment of Cleveland Bay Digester No. 2

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 5 February 2015

Executive Summary

Tenders were invited by council for Contract TCW00099 – Refurbishment of Cleveland Bay Digester No 2. This tender covers the remediation and coating of metal work associated with Cleveland Bay Purification Plant's (CBPP) No 2, 20 metre diameter floating steel digester lid. The tender was advertised in the Townsville Bulletin and the Courier Mail on 22 November and closed on 17 December 2014. Two late 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 remains confidential unless council decides otherwise by resolution.
2. That council award Contract TCW00099 for Refurbishment of Cleveland Bay Digester No 2 to Dawsons Engineering (NQ) PTY LTD for the price of \$449,586.52 (exclusive of GST).
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved budget provided variations are for the completion of the work under the contract.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7885) where council resolved that the committee recommendation be adopted.

30 Wastewater Operations - Tender Assessment - TCW00089 Upgrade of SCADA Systems at Three Wastewater Facilities

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 3 February 2015

Executive Summary

Tenders were invited by council for Contract TCW00089 - Upgrade of SCADA Systems at Three Wastewater Facilities. This tender covers the supply of software and engineering of the Supervisory Control and Data Acquisition (SCADA) systems for wastewater treatment plants at Cleveland Bay, Picnic Bay and Horseshoe Bay.

The tender was advertised in the Townsville Bulletin on 8 November and closed on 3 December 2014. Nine tender 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.
2. That council award Contract TCW00089 for the Upgrade of SCADA (Supervisory Control and Data Acquisition) Systems at Three Wastewater Facilities to SAFEgroup Pty Ltd for the price of \$329,098.00 (inclusive of GST).
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved budget provided the variations are for the completion of the work under the contract.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7885) where council resolved that the committee recommendation be adopted.

31 Business Compliance & Maintenance - Monthly Report Card - December 2014 and January 2015

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Business Management & Compliance
Date 29 January 2015

Executive Summary

Townsville Water and Waste's monthly report card containing year to date operating results for 2014/15 for the months of December 2014 and January 2015 was tabled at the meeting.

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 report card from Townsville Water and Waste for the months of December 2014 and January 2015.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7885) where council resolved that the committee recommendation be adopted.

32 Engineering Services -Tender Assessment - TCW00100 - Hervey Range and Stuart Landfills - Capping, Leachate, Stormwater, Green waste & Associated Upgrade Works

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Infrastructure Services
Date 11 February 2015

Executive Summary

Townsville Water & Waste identified a programme of works at the Hervey Range and Stuart landfill sites, with construction commencing in the 2014/2015 financial year. Suppliers submitted tenders for the works under the advertised RFT TCW00100. Five tenders were submitted. Works will be constructed in accordance with Department of Environment & Heritage Protection (DEHP) Permit requirements and to satisfy obligations required under the relevant Environmental Authority.

TCW00100 is a lump sum contract based on a schedule for the construction of capping, leachate, stormwater, green waste and associated works at both Hervey Range and Stuart Landfills.

Supplier tenders have been reviewed by the tender panel and this report outlines the evaluation of the tenders and the panel's recommendation.

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 accept the tender submitted by Shamrock Civil Engineering Pty Ltd, (recommended supplier) amounting to \$11,997,368.36 (excluding GST) including post tender clarifications.
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved budget provided the variations are for the completion of the work under the contract.
4. That council note this contract exceeds the current 2014/15 budget commitment and that the contract works will extend into the 2015/16 financial year and that Council refer the budget shortfall of \$2,550,841 to the Draft 2015/16 Capital Works budget for consideration.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7885) where council resolved that the committee recommendation be adopted.

Officers Reports

Planning and Development

33 Planning & Development - Economic Development Unit - Strategic Land Management Policy

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 29 January 2015

Executive Summary

Given its planning and development role, and significant land that council holds in its own right, council is uniquely placed to engage in strategic land dealings for the benefit of the community. To ensure an integrated approach to the management, acquisition and disposal of strategic land interests, the Strategic Land Management Policy has been developed.

Officer's Recommendation

That council adopt the Strategic Land Management Policy as attached.

Council Decision

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

"that the officer's recommendation be adopted with the following additions:

- (a) a further objective be added to policy item 6.2 as follows 'In the event that disposal of land may have an impact upon the community the proposed disposal is to be preceded by community engagement'.
- (b) the community engagement policy be added to Item 8 of the Associated Documents."

CARRIED UNANIMOUSLY

In accordance with section 173 of the Local Government Act 2009, The Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 34.

- (a) the name of the Councillor who has the real or 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 Hill has a half share in an apartment in the CBD incentives area.
- (c) how the Councillor dealt with the real or perceived conflict of interest:**
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

In accordance with section 173 of the Local Government Act 2009, Councillor C Doyle declared a perceived conflict of interest in regards to item 34.

- (a) the name of the Councillors who has the real or perceived conflict of interest:**
Councillor C Doyle
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor Doyle is the owner of a property in the CBD as well as a retail business within the same building.
- (c) how the Councillor dealt with the real or 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.

34 Planning and Development - Heritage and Urban Planning Unit - Townsville Jobs and Investment Package

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Heritage and Urban Planning Unit
Date 30 January 2015

Executive Summary

Over the course of the current CBD Development Incentives program, there has been limited change to market conditions within Townsville, with the market still being described as 'soft'. Without the continuation of a Jobs and Investment program led by council, there will be limited growth in development over the next 3 years and beyond. In fact, without support it would be reasonable to assume that market contraction could occur.

This report recommends that council adopts the Townsville Jobs and Investment Program, which provides both development incentives as well as a series of 'place-making' initiatives, projects and events to further stimulate private sector investment and jobs for the community.

The current CBD Development Incentives program seeks to positively influence development feasibility and in doing so bring forward and support preferred development in preferred locations. The development incentives provided by council under this program were capped at \$7.5 million dollars, and eligible projects were to be completed by 30 June 2015. Analysis of the original CBD Development Incentives program indicates that an estimated \$270 million of associated CBD development projects were completed or had commenced during the implementation of the CBD Development Incentives program. Those development projects that became viable as a result of the incentives program meant more jobs for our community at a time when we needed them most. These CBD projects would not have gone ahead without council being proactive in creating this investment program.

Moving forward, residential development will be critical in increasing the population density and economic activity in the CBD. More people living in the CBD will naturally stimulate demand for services such as retail outlets and hospitality, as well as increased employment opportunities and commercial activities close to this large population centre. For this reason, it is proposed that any future Jobs and Investment program be focussed on residential development (new and re-use of buildings). Certain retail uses will also be targeted for the Jobs and Investment package, as retail development will draw additional visitation to the city and supports the amenity of residential development. Commercial development, which is currently supported by the CBD Development Incentives program, is not proposed to be included in the Jobs and Investment program.

The Townsville Jobs and Investment package also looks to broaden its perspective beyond financial assistance in any effort to create long term sustainable jobs and economic development. It looks to do this by embracing 'Place Making Strategies' that address root cause issues that impact our on term prosperity and sustainability.

Officer's Recommendation

1. That council adopt the Townsville Jobs and Investment Program for three years for eligible developments having a construction value greater than \$3 million.
2. That the council monetary allocation for the Townsville Jobs and Investment Program be capped at \$5 million, commencing on 1 July 2015 and ceasing on the 30 June, 2018.

Council Decision

It was MOVED by The Mayor, Councillor J Hill SECONDED by Councillor A Parsons:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Corporate Services

35 Electoral Boundaries 2016

REPORT TO COUNCIL

Authorised by Chief Executive Officer
Department Corporate Governance
Date 9/2/2015

Executive Summary

The Electoral Commission (ECQ) have requested council review whether each of its divisions has a reasonable proportion of electors and advise the ECQ before 1 March 2015. A review of divisions has been undertaken based on number of electors per division as at 30 January 2015, as supplied by the ECQ. The purpose of this report is to recommend minor Divisional boundary changes to ensure that all divisions remain within quota (within plus or minus 10% of the average voter numbers per Division).

Officer's Recommendation

1. That council advise the Electoral Commission of Queensland that Divisions 1 and 8 are outside the quota of voter numbers as at 30 January 2015.
2. That council recommend to the Electoral Commission of Queensland the following minor Divisional boundary changes to Divisions 1, 2 and 8 to bring voter numbers within the quota in accordance with the Local Government Act 2009.

Summary Report of Electoral Division Enrolment Figures									
Division	ECQ Number of Electors as at 30 Jan 2015	Change Oct 2014 to Jan 2015	Variation (%)	Recommendation	Change	Revised Number	Variation (%)	In / Out	Community of Interest
Division 1	14,079	414	18.61	Remove balance of Deeragun/Jensen (-1,039) from Division 1 to Division 2	reduce by 1,039	13,040	9.86	In	Retains Northern section of LGA and Northern Beaches Community Bruce Highway and the Black and Bohle Rivers provide a logical boundary
Division 2	12,473	194	5.08	Add balance of Deeragun/Jensen (+1039); Remove Garbutt to Division 8 (-619)	increase by 420	12,893	8.62	In	Gains balance of Deeragun and Jensen removing existing split of suburbs; Major roads provide a logical boundary
Division 3	12,337	160	3.93			12,337	3.93	In	
Division 4	11,743	149	-1.07			11,743	-1.07	In	
Division 5	11,238	16	-5.33			11,238	-5.32	In	
Division 6	12,196	-31	2.74			12,196	2.75	In	
Division 7	11,175	100	-5.86			11,175	-5.86	In	
Division 8	10,592	69	-10.77	Add Garbutt from Division 2 (+619)	increase by 619	11,211	-5.55	In	Gains Garbutt; Major roads and Ross River provide logical boundaries
Division 9	10,835	104	-8.72			10,835	-8.72	In	

Division 10	12,035	216	1.39			12,035	1.39	In	
Total	118,703	1,391				118,703			
Average 11,870									

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED

36 TCC Quarter 2 Corporate Performance Report 2014/15

REPORT TO COUNCIL

Authorised by Chief Executive Officer
Prepared by Corporate Governance Project Officer
Department Corporate Governance
Date 2 February 2015

Executive Summary

The Chief Executive Officer is required to provide a written assessment of council's Corporate and Operational Plans on a quarterly basis. The Corporate Performance Report, under separate cover, provides an assessment of council's progress towards implementing council's Corporate and Operational Plans.

Officer's Recommendation

That in accordance with section 174 of the *Local Government Regulation 2012*:

1. council adopt the Corporate Performance Report for the second quarter of 2014/15, being the period from 1 July 2014 to 31 December 2014 (attachment 1); and
2. council note the change made to the Operational Plan in the second quarter as outlined in attachment 2.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 2 February 2015

Executive Summary

Section 165 (3) of the **Local Government Regulation 2012** states that a local government may, by resolution, amend its 5 Year Corporate Plan at any time. In March 2014, council adopted the Corporate Plan 2014 – 2019. For the past five years, council has maintained the practice of reviewing its Corporate Plan annually, in sufficient time to be finalised before the Operational Planning and Budgeting process commences.

As the Corporate Plan 2014 – 2019 was adopted less than a year ago, significant changes to the Plan are not required. However, the *Queensland Plan Act 2014*, came into effect in November 2014, and places additional requirements on local governments in relation to corporate planning and reporting, which have been addressed in this review.

Officer's Recommendation

That council adopt the following changes to be made to the 2014 – 2019 Corporate Plan:

- a) Inclusion of a Traditional Owner Acknowledgement (page 2)
- b) Inclusion of an overview of the alignment between the council's Corporate Plan Strategies and the Queensland Plan Goals (page 7)
- c) A table detailing the relationship between the above two plans (page 30)
- d) Various (non-material changes) to document names to ensure consistency (various pages)

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 13 February 2015

Executive Summary

The LGAQ/QTC Finance Summit is to be held in Brisbane on 21 & 22 April 2015.

The conference theme is "Governing for Success" and will focus on achieving greater productivity, improved efficiency and new innovations – amidst a climate of reduced state and federal funding.

Officer's Recommendation

1. That council approve the attendance and associated travel costs of the Mayor, Cr Jenny Hill or Councillor representative to attend the LGAQ/QTC Finance Summit on 21 & 22 April 2015 in Brisbane.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Cr Jenny Hill or Councillor representative to allow attendance at the LGAQ/QTC Finance Summit on 21 & 22 April 2015.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Confidential Items

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

"that council RESOLVE to close the meeting in accordance with Section 275 of the *Local Government Regulation 2012* which permits the meeting to be closed to the public for business relating to the following:

Section 275(1) (c) the local government's budget.

CARRIED

The council discussed the items.

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

"that council RESOLVE to open the meeting."

CARRIED UNANIMOUSLY

In accordance with section 173 of the Local Government Act 2009, Councillor G Eddiehausen declared a perceived conflict of interest in regards to item 39.

- (a) the name of the councillors who have the real or perceived conflict of interest:**
Councillor G Eddiehausen
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor Eddiehausen is a season ticket holder for the Townsville Crocodiles Basketball Team.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The councillor voted as per the 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 172 of the *Local Government Act 2009*, Councillor T Roberts declared a material personal interest in regards to item.

- (a) the nature of the material personal interest as described by the Councillor:**
Councillor Roberts has a connection with the Crocodiles as a game caller for their home games.
- (b) how the Councillor dealt with the material personal interest:**
Councillor T Roberts vacated the chambers during discussion and voting on the item.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Chief Executive Officer
Department CEO Unit
Date 18 February 2015

Executive Summary

Council is requested to consider upon the options for the purchase of a new sports floor at the Townsville Entertainment and Convention Centre (TECC). There are three imperatives driving the need for a new sports floor:

- a. The current floor is understood to be beyond its useful and economic life
- b. The TECC is to host a number of Commonwealth Games basketball events in the 2018
- c. The Townsville Crocs are seeking to return to the TECC for its home games in 2015/16 season.

Council is in the final stages of approval for the Federal Government grant for \$5 million stage one upgrade of the TECC. Stage one will include works to make good the concrete floor at the TECC but does not include a new sports floor – this was removed from Stage One and placed in Stage Two of the upgrade following prioritisation at the time of the necessary upgrade works.

There are good reasons why the new sports floor should be brought forward as an addition to the Stage One works.

Officer's Recommendation

That council proceed to purchase a new sports floor for the Townsville Entertainment and Convention Centre subject to registration of The Townsville Crocs for the 2015/16 NBL Season.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

General Business

(i) Carer's Queensland Walk to Work Day - Monday 2 March 2015

GENERAL BUSINESS ITEM

Raised by Councillor G Eddiehausen
Committee Ordinary Council
Date 24 February 2014

Overview

Councillor G Eddiehausen noted that he will be taking part in the Walk to Work Day on Monday 2 March 2015 with the walk finishing at council's forecourt.

Councillor Eddiehausen added that he is participating to raise awareness of and to raise funds for Carers Queensland North Queensland branch.

(ii) Acknowledgement of the departing Community Development and Community Services staff

GENERAL BUSINESS ITEM

Raised by Councillor C Doyle
Committee Ordinary Council
Date 24 February 2015

Overview

Councillor C Doyle acknowledged the departing Community Development and Community Services staff and thanked them for the many years of dedicated service to the Townsville Community.

Close of Meeting

The Chair, Mayor J Hill declared the meeting closed at 11.07am

CONFIRMED this

day of

2015

MAYOR

CHIEF EXECUTIVE OFFICER