



# **SPECIAL COUNCIL**

## **PUBLIC MINUTES**

**WEDNESDAY 2 SEPTEMBER 2015 AT 11.00 AM**

**Council Members >>**

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

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## Goals and Strategies of Townsville City Council >>

### Corporate Plan >>

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- Goal 1:** Economic Sustainability - A strong diverse economy which provides opportunities for business and investment with an integrated approach to long term planning where the city's assets meet the community needs.
- 1.1 Create economic opportunities for Townsville to drive 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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<b>REPORT</b>	<b>COUNCIL MEETING</b>
<b>DATE</b>	<b>Wednesday 02 September 2015 at 11.00am</b>
<b>ITEMS</b>	<b>1 TO 2</b>
<b>PRESENT</b>	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 11.05am.

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

There were no apologies or leave of absence noted.

### **Disclosure of Interests**

- (i) Perceived conflict of interest – Item 2 – Councillor C Doyle declared a conflict of interest as the owner of a building in the CBD but is of the belief that the decision will have no impact upon her property, which was and will continue to be rated as being within the Central Business District.
- (ii) Real conflict of interest – Item 2 - Councillors L Walker - Councillor L Walker is a financial member of the Australian Workers Union.
- (iii) Real conflict of interest – Item 2 – The Mayor Councillor J Hill, Councillor C Doyle and Councillor L Walker declared a conflict of interest in regards to Item 2 on the agenda as The Australian Workers Union contributed to the Team Hill election campaign.

## Officers Reports

### Planning and Development

#### 1 MI14/0011- Preliminary Approval for Development in accordance with a Plan of Development for Residential Land Use - 127 Allambie Lane Rasmussen

##### Executive Summary

At its meeting held on 23 June 2015, council signalled its intent to approve a development application for a Preliminary Approval for Development in accordance with a Plan of Development for residential land use pursuant to section 242 of the Sustainable Planning Act 2009 (Qld) on land described as Lot 61 on SP120855, situated at 127 Allambie Lane, Rasmussen.

The approval was subject to council receiving further advice in a report from council officers which:

- a) Confirms that an Infrastructure Agreement has been executed between council and the Developer;
- b) Confirms the sufficient grounds of approval, including but not limited to the attached draft grounds for approval; and
- c) Outlines what reasonable and relevant conditions are to be imposed by council on any approval that is issued.

Council officers are now in a position to advise council on these matters.

##### Officer's Recommendation

1. That advice from council officers that the *Wingate Communities Infrastructure Agreement* has been executed is noted;
2. That the *Wingate Communities Infrastructure Agreement* has been taken into account in the assessment of the development application MI14/0011;
3. That the application MI14/0011 involving a preliminary approval for development in accordance with a Plan of Development for residential land use pursuant to section 242 of the *Sustainable Planning Act 2009* (Qld) on land described as Lot 61 on SP 120855 and situated at 127 Allambie Lane, Rasmussen is approved:
  - a) subject to the conditions contained in attachment 3 and
  - b) on the basis of the grounds of approval contained in attachment 2 which council considers are sufficient grounds for the purpose of section 329(1)(b) of the *Sustainable Planning Act 2009* to justify its decision to approve the application despite conflicts with the planning scheme in force at the time of the lodgement of the development application.

##### Council Decision

It was **MOVED** by Councillor A Parsons, **SECONDED** by Councillor P Ernst:

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**Councillor A Parsons thanked all staff for their efforts to help this process be finalised expediently.**

**The Mayor also added her thanks to the staff involved for ensuring that the integrity of the Planning Scheme was maintained.**

## Confidential Items

In accordance with section 173 of the *Local Government Act 2009*, Councillor C Doyle declared a perceived conflict of interest in regards to item 2.

- (a) **the name of the councillor who has the perceived conflict of interest:**  
Councillor C Doyle
- (b) **the nature of the conflict of interest as described by the Councillor:**  
Councillor C Doyle is the owner of a building in the CBD but is of the belief that the decision will have no impact upon her property, which was and will continue to be rated as being within the Central Business District.
- (c) **how the Councillor dealt with the perceived conflict of interest:**  
The Councillor determined that she could reasonably be perceived to have a conflict of interest in a subsequent conflict of interest listed below and vacated 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 council decision.

In accordance with section 173 of the *Local Government Act 2009*, Councillor L Walker declared a real conflict of interest in regards to item 2.

- (a) **the name of the councillor who has the real conflict of interest:**  
Councillor L Walker
- (b) **the nature of the conflict of interest as described by the Councillor:**  
Councillor L Walker is a financial member of the Australian Workers Union.
- (c) **how the Councillor dealt with the real conflict of interest:**  
The Councillor determined that he had a real conflict of interest 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 council decision.

In accordance with section 173 of the *Local Government Act 2009*, The Mayor Councillor J Hill, Councillor C Doyle and Councillor L Walker declared a real conflict of interest in regards to item 2.

- (a) **the name of the councillors who have the real conflict of interest:**  
The Mayor Councillor J Hill, Councillor C Doyle and Councillor L Walker
- (b) **the nature of the conflict of interest as described by the Councillors:**  
The Australian Workers Union contributed to the Team Hill election campaign.
- (c) **how the Councillors dealt with the real conflict of interest:**  
The Councillors determined that they had a real conflict of interest and left the meeting and did not participate in debate or voting on the matter.
- (d) **if the Councillors voted on the issue – how the Councillors voted:**  
The councillors 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 council decision.

**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) (d) rating concessions.

**CARRIED**

**The Deputy Mayor, Councillor V Veitch assumed the position of Chair during the confidential discussion and voting of Item 2.**

The council discussed the items.

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

"that council RESOLVE to open the meeting."

**CARRIED**

## **2 Rating Concession**

### **Executive Summary**

The 2015/16 budget calculations were calculated to produce no more than a 3.96% general rates increase for properties in the Central Business District that were not rated at the minimum general rate.

When the rating categorisations were being developed it was not intended that changes to the identified boundaries of the CBD would result in 18 privately-owned properties being subject to rates increases of 56% or more.

It is recommended that the council grant rating concessions in respect of 18 of those properties.

### **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 pursuant to Section 120(1)(c) of the *Local Government Regulation 2012*, council resolve to grant rating concessions for the 2015/16 rating year in respect of those properties rated as being within the Central Business District and that are:
  - not owned by government-owned corporations, statutory authorities or subsidiaries of statutory authorities; and
  - not rated at the minimum general rate.The concession to be applied for each property being the amount of rates that is more than a 3.96% increase to the 2014/15 general rates for the property, and that amended rates notices that record the amount of concession provided be issued.

### **Council Decision**

**It was MOVED by Councillor T Roberts, SECONDED by Councillor R Gartrell:**

"that officer's recommendation 2 be adopted."

**CARRIED UNANIMOUSLY**



**The Mayor, Councillor J Hill resumed the Chair.**

**Close of Meeting**

The Chair, Mayor J Hill declared the meeting closed at 11.22 am.

**CONFIRMED this TWENTY- SECOND day of SEPTEMBER 2015**

**MAYOR**

**CHIEF EXECUTIVE OFFICER**