



**ORDINARY COUNCIL**  
**PUBLIC MINUTES**  
TUESDAY 24 MAY 2016 AT 1.00PM

**Council Members >>**

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

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## Goals and Strategies of Townsville City Council >>

### Corporate Plan >>

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

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

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

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

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

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

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

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

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<b>REPORT</b>	<b>COUNCIL MEETING</b>
<b>DATE</b>	<b>Tuesday 24 May 2016 at 1.00pm</b>
<b>ITEMS</b>	<b>1 TO 29</b>

<b>PRESENT</b>	The Mayor, Councillor J Hill Councillor R Cook Councillor V Coombe Councillor C Doyle Councillor A Greaney Councillor P Jacob Councillor M Molachino Councillor K Rehbein Councillor M Ryder Councillor M Soars Councillor L Walker
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#### **Opening of Meeting and Announcement of Visitors**

The Chair, the Mayor, Councillor J Hill opened the meeting at 1.00pm.

#### **Prayer**

Father Dave Lancini of the Catholic Church delivered the opening prayer.

#### **Acknowledgement of Country**

The Mayor acknowledged the Wulgurukaba and Bindal people as the traditional owners of this land and recognised their culture and elders, past, present and future.

#### **Confirmation of Minutes of Previous Meeting:**

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

"that the minutes of the Ordinary Council meeting of 26 April 2016 be confirmed."

**CARRIED UNANIMOUSLY**

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

There were no apologies or leave of absence noted.

## Disclosure of Interests

- (i) Community and Cultural Development Committee - Perceived conflict of interest – Item 8 - Councillor V Coombe declared a conflict of interest in regards to item 8 as the president of University Hawks AFL Club is a friend of Councillor Coombe.
- (ii) Community and Cultural Development Committee - Perceived conflict of interest – Item 8 - Councillor R Cook declared a conflict of interest in regards to item 8 as a friend of Councillor Cook plays a significant role in the University AFL Hawks AFL Club.
- (iii) Perceived conflict of interest – Item 8 – the Mayor, Councillor J Hill declared a conflict of interest in regards to item 8 on the agenda as the Mayor is the patron of AFL Townsville.
- (iv) Perceived conflict of interest – Item 8 – Councillor M Soars declared a conflict of interest in regards to item 8 on the agenda as Councillor Soars is known to the executive of the JCU Hawks AFL club.
- (v) Perceived conflict of interest – Item 26 – Councillor L Walker declared a conflict of interest in regards to item 26 on the agenda as Councillor Walker's son plays for the Wulguru United Football Club Inc.
- (vi) Real conflict of interest – Item 26 – Councillor M Ryder declared a conflict of interest in regards to item 26 on the agenda as Councillor Ryder is president of Connecting Rainbows, one of the community grant applicants.
- (vii) Real conflict of interest – Item 29 – Councillor P Jacob declared a conflict of interest in regards to item 29 on the agenda as Councillor Jacob's son has an interest in one of the companies on the suppliers list.
- (viii) Perceived conflict of interest – Item 29 – Councillor M Ryder declared a conflict of interest in regards to item 29 on the agenda as Councillor Ryder's company is in the process of making a sponsorship proposal for the Julia Creek Dirt and Dust Festival with a supplier on the list.

## Correspondence

There was no correspondence.

## Petitions

- (i) **Petition to stop a person of Pankina Street Mt Louisa from making unnecessary complaints about neighbourhood dogs to Townsville City Council.**

## Overview

Councillor K Rehbein tabled a petition from residents of Mount Louisa and Kirwan to stop a person of Pankina Street Mt Louisa from making unnecessary complaints about neighbourhood dogs to Townsville City Council.

## Council Decision

That the petition be referred to the relevant staff and that a report come back to council.

**Deputations**

There were no deputations.

**Notices of Motion**

Nil

**Presentations**

There were no presentations.

**Mayoral Minute**

There was no Mayoral Minute.



## Committee Items

### Infrastructure Services Committee

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

*"that the committee recommendations to items 1 to 4 be adopted."*

**CARRIED UNANIMOUSLY**

#### **1 Engineering Services - Naming of Rollingstone Creek Bridge**

##### **Executive Summary**

The Rollingstone Creek Bridge deck is being replaced this year and two local Rollingstone groups are seeking the bridge to be named after a local pioneer in the Rollingstone area.

This report outlines a proposal to name the bridge, to be unveiled during its opening, after Isabella Gertrude Fitzpatrick.

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

That council agree to name the repaired Rollingstone Creek bridge as the 'Isabella Fitzpatrick Bridge'.

##### **Committee Recommendation**

That the officer's recommendation be adopted.

##### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 8805) where council resolved that the committee recommendation be adopted.**

#### **2 Engineering Services - Permanent Road Closure - Priarollo Road, Mutarnee**

##### **Executive Summary**

The Department of Natural Resources and Mines - State Land Asset Management Unit have requested, on behalf of an applicant, council to consider the permanent closure of a road reserve, area approximately 7.04 hectares, separating Lot 1 RP713823 and Lot 26 on SP186113 (Priarollo Road).

This report outlines the investigation into the request and identifies the impact on adjacent land use, council assets and the road networks in the area.

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

That council advise the Department of Natural Resources and Mines - State Land Asset Management Unit that it offers no objection to the permanent closure and sale of the road reserve separating Lot 1 on RP713823 and Lot 26 on SP186113 subject to the following condition:

1. that the newly created parcel of land not be created as a separate lot but rather is to be consolidated with either one of the adjoining properties.

##### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 8805) where council resolved that the committee recommendation be adopted.**

### **3 Engineering Services - Petition for Soft Fall in Flinders Street**

#### **Executive Summary**

Council has received an on-line petition consisting of 145 supporters requesting that council give consideration to mandating nightclubs and hotels in Flinders Street East to install rubber soft fall directly in front of their premises with a view to also contributing funds to install rubber soft fall in the servicing taxi rank. The grounds for this request is to attempt to eliminate injuries resulting from alcohol fuelled violence that tends to occur in the vicinity of nightclubs and hotels.

This report outlines the legislative changes along with the properties of soft fall and whether it is suitable in high pedestrian activity areas.

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

1. That council resolve that the use of soft fall on footpaths fronting nightclubs on Flinders Street East and at the Taxi Rank not be supported.
2. That council resolve that the lead petitioner be advised.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 8805) where council resolved that the committee recommendation be adopted.**

### **4 Infrastructure Services Committee Quarter 3 Corporate Performance Report 2015/16**

#### **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 Infrastructure section of the Corporate Performance Report, under separate cover, is presented.

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

That council receive the Infrastructure section of the Corporate Performance Report for the third quarter of 2015/16, being the period 1 July 2016 to 31 March 2016.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 1 of the council minutes (page 8805) where council resolved that the committee recommendation be adopted.**

## Community and Cultural Development Committee

**In accordance with section 173 of the Local Government Act 2009, Councillor V Coombe declared a perceived conflict of interest in regards to item 8.**

- (a) the name of the councillor who has the perceived conflict of interest:**  
Councillor V Coombe
- (b) the nature of the conflict of interest as described by the Councillor:**  
The president of University Hawks AFL Club is a friend of Councillor Coombe.
- (c) how the Councillor dealt with the perceived conflict of interest:**  
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**  
The Councillor voted as per the officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

**In accordance with section 173 of the Local Government Act 2009, Councillor R Cook declared a perceived conflict of interest in regards to item 8.**

- (a) the name of the councillor who has the real or perceived conflict of interest:**  
Councillor R Cook
- (b) the nature of the conflict of interest as described by the Councillor:**  
A friend of Councillor Cook plays a significant role in the University Hawks AFL Club.
- (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 officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

**In accordance with section 173 of the Local Government Act 2009, the Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 8.**

- (a) the name of the councillor who has the perceived conflict of interest:**  
The Mayor, Councillor J Hill
- (b) the nature of the conflict of interest as described by the Councillor:**  
The Mayor is patron of AFL Townsville
- (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 officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

**In accordance with section 173 of the Local Government Act 2009, Councillor M Soars declared a perceived conflict of interest in regards to item 8.**

**(a) the name of the councillor who has the perceived conflict of interest:**

*Councillor M Soars*

**(b) the nature of the conflict of interest as described by the Councillor:**

*Councillor Soars is known to the executive of the JCU Hawks AFL club.*

**(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 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 C Doyle, SECONDED by Councillor V Coombe:**

*"that the committee recommendations to items 5 to 10 be adopted."*

**CARRIED UNANIMOUSLY**

## **5 Community Services - Reconciliation Action Plan 2015-2017 - Quarterly Report January to March 2016**

### **Executive Summary**

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

### **Officer's Recommendation**

That council note the January to March 2016 Quarterly Report on the progress of the Townsville City Council Reconciliation Action Plan 2015 - 2017.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 5 of the council minutes (page 8808) where council resolved that the committee recommendation be adopted.**

## **6 Community and Cultural Development Committee Quarter 3 Corporate Performance Management Report 2015/16**

### **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 Community and Cultural Development section of the Corporate Performance Report, under separate cover, is presented.

### **Officer's Recommendation**

That council receive the Community and Cultural Development section of the Corporate Performance Report for the third quarter of 2015/16, being the period 1 July 2016 to 31 March 2016.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 5 of the council minutes (page 8808) where council resolved that the committee recommendation be adopted.**

## **7 Community Services - Railway Estate Community Garden Lease**

### **Executive Summary**

On 23 February 2016 Council endorsed the operational model for the Railway Estate Community Garden and authorised the negotiation of a lease arrangement between the Townsville City Council and the Townsville Community Garden Incorporation.

The Townsville Community Garden Incorporation wishes to take out a lease over 131 Robertson Street, Railway Estate (Lot 504 EP1878 and Lot 61 RP 703354).

### **Officer's Recommendation**

1. That council approve issuing of a lease to Townsville Community Garden Incorporation at 131 Robertson Street, Railway Estate (Lot 504 EP1878 and Lot 61 RP 703354) for the purpose of a community garden on the conditions that:
  - a) The expiry date will be 10 years from the commencement date of the lease;
  - b) A review of the performance of the lessee will occur after 3 years, with the outcome of inadequate performance being termination of the lease;
  - c) Rent payable is \$1.00 if and when requested;
  - d) The lessee will be responsible to ensure that all garden members comply with the applicable water restrictions and requirements; and
  - e) The lessee will be responsible for landscape maintenance of the leased area.
2. That council note that the Townsville Community Garden Incorporation will be responsible for: Maintenance, Repair, Replacement Obligations of Lessee
  - a) Minor maintenance (clause 6.6);
3. That council note that the Townsville City Council under the issued lease will:
  - a) Be responsible for undertaking a survey plan of the site;
  - b) Pay all water consumption charges;
  - c) Provide 50% of the cost of an on-site port-a-loo, 2 pink rubbish bin removals per year;
  - d) Provide maintenance to Council assets (including the external fence and notice boards, gravel on the internal road, water infrastructure and taps excluding washers, and the communal garden shed).

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 5 of the council minutes (page 8808) where council resolved that the committee recommendation be adopted.**

## **8 Community Services - Licence to Occupy (LTO): JCU Hawks - Harold Phillips Park**

### **Executive Summary**

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

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

University Hawks AFL Club is seeking a Licence to Occupy a portion of Harold Phillips Park located at 4 Hugh Street, Garbutt (part of Lot 32 on EP1533) for a term of five years for the purpose of playing Australian Rules Football (AFL).

This land is currently used for this purpose by the University Hawks AFL Club, the LTO will formalise this agreement with council.

### **Officer's Recommendation**

That council approve the issuing of a Licence to Occupy (LTO) to the University Hawks AFL Club over a portion of Harold Phillips Park, 4 Hugh Street, Garbutt (part of Lot 32 on EP1533) for the purpose of playing Australian Rules Football (AFL).

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 5 of the council minutes (page 8808) where council resolved that the committee recommendation be adopted.**

## **9 Community Services - Expression of Interest - Green Park**

### **Executive Summary**

The Townsville City Council (TCC) through an expression of interest (EOI) process, would like to invite incorporated, not-for-profit community groups/organisations that are interested in occupying, on a leased basis, a sport & recreation facility (formerly the Valley's Tennis Club) that is located at 56 Ingham Rd, West End (Lot 35 on CP T117107). The building is constructed on gazetted crown land that is zoned for sport & recreation purposes.

### **Officer's Recommendation**

That council approve the implementation of a public expression of interest process in order to find a suitable occupant/s for the Green Park facility.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 5 of the council minutes (page 8808) where council resolved that the committee recommendation be adopted.**

**10 Community Services - Art Acquisition Working Group - February 2016 - Report**

**Executive Summary**

Attached to the Report to Council are the minutes of the Art Acquisition Working Group meeting held on 23 February 2016 for the information of the committee.

**Officer's Recommendation**

That council receive the minutes of the Art Acquisition Working Group meeting of 23 February 2016.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 5 of the council minutes (page 8808) where council resolved that the committee recommendation be adopted.**

## Community Health and Environment Committee

### 11 Community Health and Environment Committee Quarter 3 Corporate Performance Management Report 2015/16

#### REPORT TO COUNCIL

**Authorised by** Chief Executive Officer  
**Prepared by** Corporate Governance Project Officer  
**Department** Corporate Governance  
**Date** 22 April 2016

#### 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 Community Health and Environment section of the Corporate Performance Report, under separate cover, is presented.

#### Officer's Recommendation

That council receive the Community Health and Environment section of the Corporate Performance Report for the third quarter of 2015/16, being the period 1 July 2015 to 31 March 2016.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

***It was MOVED by Councillor A Greaney, SECONDED by Councillor P Jacob:***

*"that the committee recommendation be adopted."*

**CARRIED UNANIMOUSLY**



## Planning and Development Committee

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

*"that the committee recommendations to items 12 to 14 be adopted."*

**CARRIED UNANIMOUSLY**

### **12 Economic Development and Strategic Projects - 2016 Building Our Regions Grant Applications**

#### **Executive Summary**

The Queensland Government has opened the second funding round for the Building Our Regions Program, which supports critical infrastructure in local government areas. Councils may seek funding of \$250,000 up to a maximum of \$5 million per project. The first stage of the application process (Expression of Interest) closed on 29 April 2016. It is a program requirement that submitted Expressions of Interest (EOI) are supported by a council resolution.

Pending Townsville City Council's endorsement, EOIs for two infrastructure projects have been provisionally submitted for funding under the Building Our Regions Program in the following priority order: 1. Southern Suburbs Sewerage Main. 2. Stuart Waste Facility Upgrade (Resource Recovery and Transfer Station).

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

That council endorse the lodging of Expressions of Interest (EOI), under the Building Our Regions Program Round Two, for the following infrastructure projects:

- a. Priority One - Southern Suburbs Sewerage Main – the EOI will seek funding of \$5 million to contribute to a total project budget of \$24,289,050; and
- b. Priority Two - Stuart Waste Facility Upgrade (Resource Recovery and Transfer Station) - the EOI will seek funding of \$4,925,500 to contribute to a total project budget of \$9,851,000.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 12 of the council minutes (page 8813) where council resolved that the committee recommendation be adopted.**

**13 Outcome of Appeal Environ Enterprises Pty Ltd T/A Environ Project & Asset Management v TCC, 17 Thorn Street, Mount Louisa**

**Executive Summary**

An appeal was filed in the Planning and Environment Court in Townsville on 11 December 2015 against a decision made by council officers, under delegation of authority, to approve a development application for Reconfiguring a Lot, 2 into 28 Residential Lots and One Balance Lot, situated at 17 Thorn Street, Mount Louisa.

The appeal related to the imposition of conditions of approval requiring the balance lot to be dedicated to council. The appeal progressed to mediation on 9 February 2016 where, in order to resolve the appeal, council officers (under delegation of authority) agreed to amend the development conditions on the basis of a revised site plan submitted by the appellant.

**Officer's Recommendation**

That council receive this report and note the outcome of Appeal No 399 of 2015.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 12 of the council minutes (page 8813) where council resolved that the committee recommendation be adopted.**

**14 Planning and Development Committee Quarter 3 Corporate Performance Management Report 2015/16**

**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 Planning and Development section of the Corporate Performance Report, under separate cover, is presented.

**Officer's Recommendation**

That council receive the Planning and Development section of the Corporate Performance Report for the third quarter of 2015/16, being the period 1 July 2016 to 31 March 2016.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 12 of the council minutes (page 8813) where council resolved that the committee recommendation be adopted.**

## **Governance and Finance Committee**

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

*"that the committee recommendations to items 15 to 20 be adopted."*

**CARRIED UNANIMOUSLY**

### **15 Strategic Planning - Economic Development and Strategic Projects - Review of Community Markets**

#### **Executive Summary**

Community markets are widely recognised and used as important economic and community building instruments. If not managed and operated effectively, they can have significant negative impacts on the community, stallholders, market organisers and upon non-market retailers.

More than seven years ago council out-sourced the management and operation of key community markets within the city. Since this time, there has been a proliferation of community markets across the city with more than 15 community markets currently in existence.

Recently, significant concerns have been voiced by members of the community, stallholders, CBD retailers and market organisers in relation to the current management, operation and sustainability of markets.

It is timely that council consults with stakeholders and reviews the current operation and management of community markets across Townsville.

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

That council request the Chief Executive Officer to undertake community consultation and investigation into the management and operation of community markets in Townsville.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 15 of the council minutes (page 8815) where council resolved that the committee recommendation be adopted.**

### **16 Governance and Finance Committee Quarter 3 Corporate Performance Management Report 2015/16**

#### **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 Governance and Finance section of the Corporate Performance Report, under separate cover, is presented.

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

That council receive the Governance and Finance section of the Corporate Performance Report for the third quarter of 2015/16, being the period 1 July 2016 to 31 March 2016.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 15 of the council minutes (page 8815) where council resolved that the committee recommendation be adopted.**

## **17 Treasury Report - April 2016**

### **Executive Summary**

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

### **Officer's Recommendation**

That council note the treasury report for April 2016 and the information contained therein.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 15 of the council minutes (page 8815) where council resolved that the committee recommendation be adopted.**

## **18 Budget Variance Report - Whole of Council - April 2016**

### **Executive Summary**

On behalf of the Acting Chief Executive Officer, the Director Corporate Services presented and discussed the Budget Variance Report for the whole of council for April 2016, pursuant to section 204 of the *Local Government Regulation 2012*.

The Director Corporate Services circulated separately to the Agenda the Budget Variance Report for the whole of council for April 2016.

### **Officer's Recommendation**

That council note the financial report for April 2016 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 15 of the council minutes (page 8815) where council resolved that the committee recommendation be adopted.**

## **19 Bad Debts for Write Off**

### **Executive Summary**

Council arrears are monitored on a regular basis and pursued through standard collection processes. Continuing assessments are being made to ensure council is compliant with AASB 139 and receivables are impaired where objective evidence exists around their collectability.

A review of Townsville City Council accounts receivable has deemed commercial receivables of \$74,706.45 unrecoverable and it is recommended these balances are written off. As these receivables have been specifically provided for in prior periods the impact of their write-off will have no effect on Townsville City Council's current operating result.

### **Officer's Recommendation**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with the *Local Government Regulation 2012* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approve the write-off of \$74,706.45 in outstanding commercial receivables as detailed in the write-off list attached to the Report to Council.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 15 of the council minutes (page 8815) where council resolved that the committee recommendation be adopted.**

## 20 Notice of Intention to Sell Properties for Arrears of Rates

### Executive Summary

Fifty-nine properties listed have overdue rates which have remained outstanding for a period in excess of the period specified in the regulation and can now be sold by council to recover the outstanding rates and charges under Chapter 4 Part 12 Division 3 of the *Local Government Regulation 2012*.

### Officer's Recommendation

1. That the report be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That, pursuant to Chapter 4 Part 12 Division 3 of the *Local Government Regulation 2012*, council commence sale proceedings to recover outstanding rates and charges for the following properties :-

#### Property Numbers

69620	510163	529733	505316
97910	515229	529778	505332
117020	515641	530357	507655
158630	517620	531141	511340
177410	520752	532816	511804
183620	520999	537496	542006
189490	522589	60230	542007
267750	522677	199380	542008
190900	524346	84910	542009
192130	524499	94340	542010
196510	524733	107570	542011
503214	524834	535555	501829
225930	525553	270680	527859
279600	525627	273030	518039
505449	525628	504860	

3. That council delegate to the Chief Executive Officer the power to discontinue any sale proceedings commenced, pursuant to Chapter 4 Part 12 Division 3 of the *Local Government Regulation 2012*, in circumstances where the Chief Executive Officer or the delegated officer determines on the facts available to them at the time that it would not be in the best interests of council or would be unfair or unjust to the property owner to proceed with the sale or any auction of the property.

### Committee Recommendation

That the officer's recommendation be adopted.

### Council Decision

**Refer to resolution preceding item 15 of the council minutes (page 8815) where council resolved that the committee recommendation be adopted.**

## **Townsville Water and Waste Committee**

***It was MOVED by Councillor P Jacob , SECONDED by Councillor L Walker:***

*"that the committee recommendations to items 21 to 25 be adopted."*

**CARRIED UNANIMOUSLY**

### **21 Townsville Water & Waste - Cairns Townsville Mackay (CTM) Water Alliance meetings for 2016 - Councillor attendance**

#### **Executive Summary**

Townsville Water entered into a formal water alliance with Cairns and Mackay Regional Councils 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 2016 is to be hosted by Mackay Regional Council on 10 June 2016, with subsequent meetings being hosted by Cairns Regional Council and Townsville City Council later this year (dates yet to be determined).

It is proposed that Councillor P Jacob, as the Chair of the Townsville Water and Waste Standing Committee, attend these meetings as he is Townsville City Council's representative on this group.

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

1. That council approve the attendance of Councillor P Jacob at the Cairns Townsville Mackay (CTM) Water Alliance Executive Committee meeting in Mackay on 10 June 2016 and future meetings in Cairns and Townsville.
2. That, in accordance with section 162(1)(e) of the *Local Government Act 2009*, council grant leave of absence to Councillor P Jacob to allow his attendance at the Cairns Townsville Mackay Water Alliance Executive Committee meeting on 10 June 2016 and a future meeting in Cairns later this year (date yet to be determined).

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 21 of the council minutes (page 8819) where council resolved that the committee recommendation be adopted.**

## **22 Townsville Water and Waste - Local Authority Waste Management Advisory Committee (LAWMAC) meetings for 2016 - Councillor attendance**

### **Executive Summary**

The Local Authority Waste Management Advisory Committee (LAWMAC) is an organisation of nineteen North Queensland local government councils dedicated to best practice waste management. The Committee aims to provide sustainable solutions through its regional forum and interactive participation across the LAWMAC region on current and future waste management practices and technologies. Townsville City Council is a member council on this committee.

LAWMAC general meetings are held quarterly with the annual general meeting (AGM) usually scheduled mid-year. A waste management conference is also held bi-annually. The next general meeting and workshop, to be hosted by Townsville City Council, is scheduled for 26 and 27 May 2016 with subsequent meetings and workshops to be held on 25 and 26 August 2016, hosted by Burdekin Shire Council (this will include the AGM) and 25 and 26 November 2016, hosted by Mareeba Shire Council.

It is proposed that Councillor P Jacob, as the Chair of the Townsville Water and Waste Standing Committee, attend these meetings as he is Townsville City Council's councillor representative on this group.

### **Officer's Recommendation**

1. That council approve the attendance of Councillor P Jacob at the Local Authority Waste Management Advisory Committee (LAWMAC) meeting and workshop to be hosted by Townsville City Council, scheduled for 26 and 27 May 2016 with subsequent meetings and workshops to be held on 25 and 26 August 2016 to be hosted by Burdekin Shire Council (this will include the AGM) and 25 and 26 November 2016 to be hosted by Mareeba Shire Council.
2. That, in accordance with *section 162(1)(e) of the Local Government Act 2009*, council grant leave of absence to Councillor P Jacob to allow his attendance at the Local Authority Waste Management Advisory Committee (LAWMAC) meeting and workshop to be held on 25 and 26 August 2016 with the Burdekin Shire (this will include the AGM) and on 25 and 26 November 2016 within the Mareeba Shire.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 21 of the council minutes (page 8819) where council resolved that the committee recommendation be adopted.**



**23 Business Management and Compliance - Customer Service Standard Report Cards  
Quarter 3, 2015/16**

**Executive Summary**

Townsville Water and Townsville Waste Services publish a Customer Service Standard Report Card each quarter to report their performance against their targeted service standards as identified in their Customer Service Standards. The results for Quarter 3, 2015/16 are available and ready to be published on council's website.

**Officer's Recommendation**

That council note the results of the Quarter 3, 2015/2016 Customer Service Standard Report Cards for Townsville Water and Townsville Waste Services.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 21 of the council minutes (page 8819) where council resolved that the committee recommendation be adopted.**

**24 Business Management and Compliance - Monthly Report Card - April 2016**

**Executive Summary**

Townsville Water and Townsville Waste's monthly report cards containing year to date operating results for 2015/16 are submitted for the month of April 2016.

**Officer's Recommendation**

That council note the report cards from Townsville Water and Townsville Waste for the month of April 2016.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 21 of the council minutes (page 8819) where council resolved that the committee recommendation be adopted.**

## **25 Corporate Services - Quarter 3 Corporate Performance Management Report 2015/16**

### **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 Townsville Water and Waste section of the Corporate Performance Report, under separate cover, is presented.

### **Officer's Recommendation**

That council receive the Townsville Water and Waste section of the Corporate Performance Report for the third quarter of 2015/16, being the period 1 July 2016 to 31 March 2016.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 21 of the council minutes (page 8819) where council resolved that the committee recommendation be adopted.**

## Officers Reports

### Community and Environment

In accordance with section 173 of the *Local Government Act 2009*, Councillor L Walker declared a perceived conflict of interest in regards to item 26.

- (a) **the name of the councillor who has the perceived conflict of interest:**  
Councillor L Walker
- (b) **the nature of the conflict of interest as described by the Councillor:**  
Councillor Walker's son is a Wulguru United Football Club Inc. team member.
- (c) **how the Councillor dealt with the perceived conflict of interest:**  
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter 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 council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the *Local Government Act 2009*, Councillor M Ryder declared a real conflict of interest in regards to item 26.

- (a) **the name of the councillor who has the real conflict of interest:**  
Councillor M Ryder
- (b) **the nature of the conflict of interest as described by the Councillor:**  
Councillor Ryder is president of Connecting Rainbows, one of the grant applicants.
- (c) **how the Councillor dealt with the real conflict of interest:**  
The Councillor determined that she 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.

## 26 Community Services - March 2016 Community Grants Program

### Executive Summary

Townsville City Council recognises the vital contribution that community organisations make to the social, economic, community and cultural wellbeing of the Townsville community. The council's Community Assistance Grants Program supports the creation, implementation and delivery of community initiatives that align with council's corporate and community priorities, and that contribute to the wellbeing of the Townsville community.

This report presents for information the 2015-16 community grants that were signed-off by the Chief Executive Officer during the local government election caretaker period and outlines recommendations from the Financial Assistance and Events Group (FAEG) based on the following applications received through the March 2016 round:

- » 2016/2017, 2017/2018 and 2018/2019 applications received through the March 2016 round of the Community Assistance Grants Program; and
- » India Fest Townsville Inc. and Malayali Association of Townsville Inc. for the 2015/16 financial year, referred for discussion and approval by council for support from the Community Grants Program.

## Officer's Recommendation

1. That council note the minutes of the Financial Assistance and Events Group (FAEG) meeting held on 4 May and approve the issuing of Community Assistance Grants Program funding for 2016/17, 2017/18 and 2018/19 as detailed in the following table.
2. That council approve the issuing of Community Assistance Grants Program funding for India Fest Townsville Inc. and Malayali Association of Townsville Inc. for the 2015/16 financial year, as detailed in the following table:

<b>Recommendations for grant funding commencing in 2016/2017</b>			
<b>Organisation</b>	<b>Project title</b>	<b>Project Description</b>	<b>Recommendation (Excl. GST)</b>
<b>Grant Category: Community Capacity Building – Partnerships and Sponsorships</b>			
Hear and Say - Centre for Deaf Children Limited.	Townsville Social Skills.	Funding is towards Hear and Say Townsville's COMET social skills program helps to develop the confidence and socialisation skills of children with hearing loss aged 8-13 years.	2016/2017 \$7,000
La Luna Youth Arts Association Inc.	Financial Operational Support.	Funding is towards the operational expenses of La Luna Youth Arts Association Inc.	2016/2017 \$40,000  2017/2018 \$40,000  2018/2019 \$40,000
North Queensland Ensembles Inc.	Barrier Reef Orchestra Operational Support and Sponsorship.	Funding is towards the operational expenses of North Queensland Ensembles Inc.	2016/2017 \$20,000  2017/2018 \$20,000  2018/2019 \$20,000
Shakespeare Under the Stars Inc.(trading as Theatre iNQ).	Northern Theatre Life.	Funding is towards the staging of the annual artistic seasons (except Shakespeare Under the Stars); the development and delivery of ThiNQ Ed, a theatre in education project; and the day-to-day operational expenses of TheatreiNQ, including the increased expense of additional staff and expenses of renting a commercial property.	2016/2017 Total of \$41,150 consisting of: \$35,000 and Waiver of venue hire fees up to the value of \$6,150 (Queens Gardens - \$3,000, and Riverway Arts Centre - \$3,150).  2017/2018 Total of \$36,150 consisting of: \$30,000 and Waiver of venue hire fees up to the value of \$6,150 (Queens Gardens - \$3,000, and Riverway Arts Centre - \$3,150).  2018/2019 Total of \$36,150 consisting of:

			\$30,000 and Waiver of venue hire fees up to the value of \$6,150 (Queens Gardens - \$3,000, and Riverway Arts Centre - \$3,150).
Thuringowa Brass Band Inc.	Thuringowa Brass Band Operational Funding.	Funding is towards the operational expenses of the Thuringowa Brass Band Inc.	2016/2017 \$6,500  2017/2018 \$6,500  2018/2019 \$6,500
TOTTS Inc.	TOTTS Community Access.	Application is to waiver the venue hire fees for the Riverside Gardens Community Centre for the TOTTS Community Access program.	2016/2017 Waiver of venue hire fees up to the value of \$1,368 (Riverside Gardens Community Centre).
Townsville Community Broadcasting Company Limited.	Operational Expenses.	Funding is for operational expenses to assist the continuing operations of Community Radio TTT.	2016/2017 \$6,000
Townsville Community Music Centre Inc.	Townsville Community Music Centre.	Funding is towards the operational expenses of the Townsville Community Music Centre Inc.	2016/2017 \$30,000
Townsville Maritime Museum Limited.	Townsville Maritime Museum.	Funding is towards operational expenses to enable the advancement of education and culture by collecting, preserving and maintaining collections of maritime artefacts associated with Townsville and the North Queensland region.	2016/2017 \$20,000
Townsville Multicultural Support Group Inc.	Community Cultural Outreach Project.	Funding is towards the Community Cultural Outreach Project arranges for people of diverse cultures to exchange learning with children and young people in the Townsville community.	2016/2017 \$10,000  2017/2018 \$10,000
Umbrella Studio Association Inc.	Umbrella - Working Studio.	Funding is to support operational costs of Umbrella Studio's - Working Studio, which provides access to artists for workshops, residencies, community development, cultural development and the creation of artworks.	2016/2017 \$10,000  2017/2018 \$10,000  2018/2019 \$10,000
Volunteering North Queensland Inc.	Delivery a Volunteering Community Skilling/Training Program.	Funding is towards the delivery of the Community Skilling/Training Program which provides skilling/training and professional development opportunities to volunteers, managers of volunteers and their organisations.	2016/2017 \$23,500  2017/2018 \$23,500  2018/2019 \$23,500

<b>Grant Category: Festivals and Events</b>			
Australian Festival of Chamber Music North Queensland Limited.	Australian Festival of Chamber Music.	Funding is towards the operational expenses of staging the Australian Festival of Chamber Music.	<p>2016/2017 Total of \$139,450 consisting of: \$100,000 and Waiver of venue hire fees up to the value of \$39,450 (Reid Park)</p> <p>2017/2018 Total of \$140,633 consisting of: \$100,000 and Waiver of venue hire fees up to the value of \$40,633 (Reid Park)</p> <p>2018/2019 Total of \$141,852 consisting of: \$100,000 and Waiver of venue hire fees up to the value of \$41,852 (Reid Park)</p>
Campervan and Motorhome Club of Australia Limited.	Motoco Dam Fine Rally.	Waiver of hire fees for Ross Dam Park for the Motoco Dam Fine Rally. This rally promotes Townsville and its environs by encouraging motorhomes to come and enjoy the local attractions.	<p>2016/2017 Waiver of venue hire fees up to the value of \$1,500 (Ross Dam Park).</p> <p>2017/2018 Waiver of venue hire fees up to the value of \$1,500 (Ross Dam Park).</p> <p>2018/2019 Waiver of venue hire fees up to the value of \$1,500 (Ross Dam Park)</p>
Filipino-Australian Affiliation of North Queensland Inc.	Filipino Festival.	Funding is towards operational costs for the Filipino Festival which will feature different Philippine Festivals and a series of activities. Cultural/religious presentation from the different regional festivals.	<p>2016/2017 Total of \$6,000 consisting of: \$5,000 and Waiver of venue hire fees up to the value of \$1,000 (Riverway)</p>
Foundation for Australian Literary Studies Limited.	T150 Commemorating Townsville and the Place of Australian Literature.	Funding is towards staging costs of an event which celebrates Townsville and part the Foundation for Australian Literary Studies has played in the promotion of knowledge about Australian literature, by reacquainting community with this proud heritage.	<p>2016/2017 \$12,935</p>
Kith and Kin Association Ltd.	Kith & Kin Community Garden Party.	Funding is towards holding a public Community Garden Party which will invite community members to help start the Kith and Kin Sustainable Garden.	<p>2016/2017 \$5,100</p>

Professional Bull Riders Australia Pty Ltd.	Iron Cowboy Townsville.	Funding is towards staging costs of the PBR Troy Dunn Invitational event - Real Men - Rank Bulls - Raw Sport.	2016/2017 \$25,000
Spirit of Africa Cultural Association Inc.	African Festival.	Funding is towards operational costs for African Festival which will showcase Africa, its cultures and traditions so that the Townsville community can better understand and welcome the African community to Townsville.	2016/2017 Total of \$10,300 Consisting of: \$10,000 and Waiver of venue hire fees up to the value of \$300 (Riverway)
The Townsville Motor Boat & Yacht Club Limited.	Sail Townsville / Magnetic Island Race Week.	Funding is towards staging the Magnetic Island Race Week which is a six day regatta for cruising and racing yachts.	2016/2017 Total of \$21,150 Consisting of: \$21,100 and Waiver of venue hire fees up to the value of \$50 (Picnic Bay Mall and foreshore).  2017/2018 Total of \$15,050 Consisting of: \$15,000 and Waiver of venue hire fees up to the value of \$50 (Picnic Bay Mall and foreshore).  2018/2019 Total of \$10,050 Consisting of: \$10,000 and Waiver of venue hire fees up to the value of \$50 (Picnic Bay Mall and foreshore).
Townsville Chess Club Inc.	North Queensland Open Chess Championship.	Funding is towards the costs of hosting the North Queensland Open Chess Championship. This is an annual feature chess tournament and one of the largest in North Queensland. Entry is open to all chess players Australia wide.	2016/2017 \$2,400

Please note: The Magnetic Island Community Development Association officially withdrew their Festivals and Events application on 6 May 2016.

**Recommendations applications for grant funding in 2015/2016:**

Organisation	Project title	Project description	Moderating Panel Recommendation (Excl. GST)	FAEG Recommendation (Excl. GST)
<b>Grant Category: Festivals and Events</b>				
India Fest Townsville Inc.	India Fest Townsville.	Funding is towards operational costs for India Fest Townsville. India Fest Townsville is a visual and astronomical treat that displays the depth of the cultural diversity of India.	2015/2016 Total of \$16,000 consisting of: \$15,000 and Waiver of venue hire fees up to the value of \$1,000 (Riverway).	2015/2016 Total of \$8,500 consisting of: \$7,500 and Waiver of venue hire fees up to the value of \$1,000 (Riverway).

Malayali Association of Townsville Inc.	India Fest NQ.	Funding is towards operational costs for India Fest Townsville which showcases the culture, heritage and diversity of India to the larger community as well as engaging and integrating the different cultures of the diverse community of Townsville.	2015/2016 Total of \$16,500 consisting of: \$15,000 and Waiver of venue hire fees up to the value of \$1,500 (Riverway).	2015/2016 Total of \$9,000 consisting of: \$7,500 and Waiver of venue hire fees up to the value of \$1,500 (Riverway).
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### Council Decision

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

- "1. that officer's recommendation 1 be adopted; and
2. that officer's recommendation 2 be referred back to the June Ordinary Council meeting."

**CARRIED UNANIMOUSLY**

### Corporate Services

#### 27 Quarter 3 Corporate Performance Report 2015/16

#### 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.

The standing committees received the relevant sections of the Quarter 3 report relating to their committee and the purpose of this report is to adopt the Quarter 3 Corporate Performance Management Report in accordance with the *Local Government Regulation 2012*.

#### Officer's Recommendation

That, in accordance with section 174 of the *Local Government Regulation 2012*, council adopt the Corporate Performance Report for the third quarter of 2015/16, being the period from 1 July 2015 to 31 March 2016 (attachment 1) including minor amendments following councillor feedback at Standing Committees.

### Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**



## Confidential Items

**It was MOVED by Councillor C Doyle, SECONDED by Councillor K Rehbein:**

"that council RESOLVE to close the meeting in accordance with Section 275 (1)(e) 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) (e) contracts proposed to be made by it."

**CARRIED UNANIMOUSLY**

The council discussed the items.

**It was MOVED by Councillor C Doyle, SECONDED by Councillor K Rehbein:**

"that council RESOLVE to open the meeting."

**CARRIED UNANIMOUSLY**

## 28 Townsville City Council Smart Buildings Analytics and IBM Research

### Executive Summary

A significant amount of council's electricity costs are consumed by its buildings. This programmed and budgeted project (15-16 FY) builds on our existing energy management success.

This collaboration between council and IBM Research Labs pioneered innovative Smart Buildings Analytics via a shared cost, mutual benefit project that includes up-skilling Townsville City Council staff. This project now builds on key learnings of the first project and the project remains a first of a kind.

The two key administration buildings (103-143 Walker St) in the CBD are the targeted sites.

Crucial benefits of this project will include:

1. up-skilling of council officers to deliver this to all of council's buildings across the City, which would significantly reduce costs to council even further;
2. reduce the electricity costs of the two administration buildings by \$10– \$15 k per year;
3. strengthen Townsville City Council's relationship with IBM Research Labs; and
4. create a product that can be applied across other council resources e.g. water, waste, fuel.

### 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, pursuant to Section 235 (b) of the *Local Government Regulation 2012*, to appoint IBM Research for price of \$40,000 USD to collaborate, up-skill and customise specialist (research) analytics, under a trial utilising a Software License Agreement on council's two CBD administration buildings (103 and 143 Walker Street).
3. That council commit to continued collaboration with IBM Research in order to continue subject to funding arrangements with the extension of the Smart Building Analytics in order to reduce energy and maintenance costs as part of implementing the Townsville City Council Energy and Resource Management Framework Roadmap (2014).

## Council Decision

It was **MOVED** by Councillor A Greaney , **SECONDED** by Councillor M Soars :

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**In accordance with section 173 of the *Local Government Act 2009*, Councillor P Jacob declared a real conflict of interest in regards to item 29.**

- (a) the name of the councillor who has the real conflict of interest:**  
Councillor P Jacob
- (b) the nature of the conflict of interest as described by the Councillor:**  
Councillor Jacob's son has an interest in one of the companies on the suppliers list.
- (c) how the Councillors dealt with the real or perceived 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*, Councillor M Ryder declared a perceived conflict of interest in regards to item 29.**

- (a) the name of the councillors who has the perceived conflict of interest:**  
Councillor M Ryder
- (b) the nature of the conflict of interest as described by the Councillor:**  
Councillor Ryder's company is in the process of making a sponsorship proposal for the Julia Creek Dirt and Dust Festival with a supplier on the list.
- (c) how the Councillor dealt with the real conflict of interest:**  
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter and vacated the meeting 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.

## **29 Additional sole suppliers and/or suppliers of specialised or confidential services for the 2016 calendar year**

### **Executive Summary**

Council resolved at an ordinary council meeting on the 15 December 2015 that it was satisfied with a list of identified suppliers, as being suppliers who are sole suppliers and/or suppliers of specialised or confidential services for the 2016 calendar year. The executive summary in relation to the supporting report read (in part):

It is a requirement of the *Local Government Regulation 2012* to invite written quotations or tenders where the carrying out of works or the supply of goods and services involves costs greater than \$15,000 or \$200,000 respectively. Additionally Council's Procurement Policy contains provisions regarding obtaining quotations for amounts less than \$15,000.

The Regulation acknowledges that there are instances where it will not always be possible to meet these criteria and provides a number of exceptions to manage these instances, including the following:

### **235 Other exceptions**

*A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders*

*if—*

*(a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or*

*(b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders;*

Since the resolution has been adopted, Maintenance Services, Engineering Services, Environmental Health, Community Services / Community Development, Library Services, and Integrated Sustainability Services have identified additional suppliers that they believe should be added to the existing list to allow them to meet operational requirements as it has been identified that these additional suppliers are the only reasonable option from which Council can obtain goods and services.

The report for the additional sole suppliers was not progressed at the council meeting on the 26 April 2016, as the councillors felt that they needed more detailed information to make an informed decision. Corporate Procurement has coordinated with the relevant Council officers and requested further information related to the description around the actual goods and/or services being sought and the justification comments for same. A summary of the supporting rationale is listed in Attachment 1.

The list has also been reviewed and approved by the relevant Director prior to this report being drafted.

### **Council Decision**

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

- "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; and
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 the amended Attachment 1 are additional sole suppliers and/or suppliers of specialised or confidential services for the 2016 calendar year."

**CARRIED UNANIMOUSLY**

## **General Business**

### **(i) Perc Tucker Gallery's Percival's Portraits and Photographic Awards**

Councillor C Doyle requested that council's appreciation and thanks be given to the Manager Gallery Services, Shane Fitzgerald, and staff, for the work involved with the Percival Portrait and Photographic Awards.

### **(ii) Leave of Absence for Councillor L Walker**

**It was MOVED by Councillor L Walker, SECONDED by Councillor P Jacob:**

"that Councillor L Walker be granted leave of absence for the period of 4 July 2016 to 15 July 2016 inclusive."

**CARRIED UNANIMOUSLY**

**Close of Meeting**

The Chair, Mayor Councillor J Hill, declared the meeting closed at 2.05pm.

**CONFIRMED this TWENTY EIGHTH day of JUNE 2016**

**MAYOR**

**ACTING CHIEF EXECUTIVE OFFICER**