



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 25 SEPTEMBER 2012 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 robust, diverse and sustainable economy

The outcomes we want to achieve:

A robust, prosperous economy which provides opportunities for business and investment.

- 1.1 Promote investment and assist the development of emergent industries and businesses.
- 1.2 Engage with regional, state and national stakeholders in the creation of a strong and resilient economy.
- 1.3 Increase the city's profile through marketing initiatives, the delivery of festivals and events and support for other community based activities.
- 1.4 Promote the city's distinctive physical character and strong sense of place and identity.

An integrated approach to long term planning which supports a growing city.

- 1.5 Develop an integrated approach to the long term provision of infrastructure.
- 1.6 Undertake city and regional planning to reflect the aspirations of the community and create an attractive place to live, work and visit.

Infrastructure that meets community needs.

- 1.7 Provide and maintain timely and sustainable infrastructure.
- 1.8 Provide asset management practices which reflect the community's expectations regarding service levels and its ability to pay.

Goal 2 - Environmental Sustainability. Our environment is valued, protected and healthy

The outcomes we want to achieve:

Effective management and protection of our natural and built environment through sustainable growth and development.

- 2.1 Provide strategic and integrated planning and policy development to sustain our environment.
- 2.2 Effective management, protection and conservation of our natural environment.
- 2.3 Preserve and protect places of natural and heritage significance.

Demonstrated environmental leadership.

- 2.4 Develop and implement an Integrated Water Management Strategy.
- 2.5 Develop and implement innovative waste management and recycling strategies.
- 2.6 Minimise greenhouse gas emissions from council's infrastructure, operations and services through sustainable energy practices.
- 2.7 Partner with the community and industry stakeholders to develop and promote environmental protection and sustainability initiatives.
- 2.8 Develop and implement environmental compliance programs and promote community awareness.

Climatic effects on our community, natural and built environment are minimised.

- 2.9 Mitigate and communicate the risks and effects of climate change.

Goal 3 - Social Sustainability - Enhancement of opportunities for social engagement and wellbeing

The outcomes we want to achieve:

A safe and healthy community.

- 3.1 Improve the safety and well-being of the community through the management of public health risks.
- 3.2 Plan for and provide active and healthy lifestyle opportunities.
- 3.3 Coordinate council's response to natural disasters to minimise the effects on the community.

A cohesive and self reliant community.

- 3.4 Foster the development of the city as a learning community.
- 3.5 Encourage and facilitate the participation and integration of residents into the community.
- 3.6 Strengthen community networks to collaboratively deliver community services.

A community with access to services and facilities.

- 3.7 Plan for community facilities and services to meet the community's current and future needs.
- 3.8 Provide community services and facilities to meet the needs of the community.
- 3.9 Provide community support services to meet the needs of the community.

A creative community.

- 3.10 Facilitate and showcase artistic learning and expression through performances, exhibitions, activities and programs.
- 3.11 Support community participation in cultural activities, programs and events.

Goal 4 - Responsible Governance - Responsible leadership where decisions are made in a considered and transparent manner

The outcomes we want to achieve:

Transparent and accountable local government.

- 4.1 Develop and implement council's Corporate Governance Framework to ensure strategic planning, compliance with all legislation, policies, Codes of Practice and Standards.
- 4.2 Implement robust risk management strategies.
- 4.3 Encourage community participation and ensure that the community is informed and educated about matters that impact their lives.

A competent, productive and contributing workforce.

- 4.4 Foster a culture of employee health, safety and well-being.
- 4.5 Implement human resource strategies to become an employer of choice.
- 4.6 Foster diversity, merit and equity, reward and recognition in the workplace.

Excellence in customer service delivery and organisational management.

- 4.7 Provide responsive and efficient systems to enable the delivery of council services.
- 4.8 Establish and manage long term financial planning to ensure the future sustainability of council.

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REPORT	COUNCIL MEETING
DATE	Tuesday 25 September 2012 at 9.00 AM
PRESENT	The Mayor, Councillor Jenny Hill Councillor Vern Veitch 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 Les Walker

Opening of Meeting and Announcement of Visitors

The Mayor, Councillor J Hill opened the meeting at 9.01 am.

Prayer

Reverend Ian Ness of the Uniting Church delivered the opening prayers.

Apologies and Leave of Absence

There were no apologies or leave of absences.

Confirmation of Minutes of Previous Meetings

Refer to page 5848 of the Ordinary Council minutes where Council resolved that the minutes of the Ordinary Council meeting held 28 August 2012 be confirmed.

Disclosure of Interests

- (i) Councillor T Roberts declared a perceived conflict of interest in regards to item 6 of the Ordinary Council agenda on behalf of himself and Councillors S Blom, R Gartrell, A Parsons, V Veitch, G Eddiehausen and J Lane as one of the tender submissions for the project was from Gabrielli Constructions who donated to the Townsville First election campaign.
- (ii) Councillor Ernst declared a perceived conflict of interest in regards to item 6 as one of the tender submissions for the project was from Gabrielli Constructions who donated to his election campaign.
- (iii) Councillor A Parsons declared a perceived conflict of interest on behalf of himself and Councillors S Blom, R Gartrell, T Roberts, V Veitch, G Eddiehausen and J Lane in regards to item 9 of the Ordinary Council agenda as Paradise Outdoor Advertising donated to the Townsville First election campaign.
- (iv) Councillor R Gartrell declared a perceived conflict of interest on behalf of himself and Councillors S Blom, T Roberts, A Parsons, V Veitch, G Eddiehausen and J Lane in regards to item 27 of the Ordinary Council agenda as NQ Excavations donated to the Townsville First election campaign.
- (v) Councillor R Gartrell declared a perceived conflict of interest on behalf of himself and Councillors S Blom, T Roberts, A Parsons, V Veitch, G Eddiehausen and J Lane in regards to item 30 of the Ordinary Council agenda as NQ Excavations and Gabrielli Constructions donated to the Townsville First election campaign.
- (vi) Councillor Ernst declared a perceived conflict of interest on behalf of himself in regards to item 30 of the Ordinary Council agenda as Gabrielli Constructions donated to his election campaign.

Correspondence

There was no correspondence.

Petitions

(i) Petition - Noise Pollution from Tony Ireland Stadium

PETITION

Date Tabled at Ordinary Council on 25 September 2012

Councillor P Ernst tabled a petition from Division 5 residents.

Petition Request

1. That council monitor electronically amplified music from being played after 9pm at the Tony Ireland Stadium.
2. That council provide an officer to ensure that this and the other conditions of agreement between council and the Tony Ireland Stadium operators be complied with.

Council Decision

That the petition be referred to the Community and Environment Division for investigation and a report brought back to the Sports Recreation and Parks Committee.

Deputations

There were no deputations.

Presentations

There were no presentations.

Infrastructure Committee

It was MOVED by Councillor T Roberts, SECONDED by Councillor A Parsons:

- "1. that the committee recommendations to items 1 to 7 be adopted; and
2. that in respect to item 8:
 - a) a plan be prepared for the October 2012 Infrastructure Committee meeting for a short term solution to stabilise the riverbank at Bicentennial Park; and
 - b) that a long term plan for the stabilization of the river bank at Bicentennial Park be brought to a subsequent meeting of the Infrastructure Committee."

CARRIED

1 Technical Services - Currajong State School - School Crossing

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Infrastructure Services
Date 27 August 2012

Executive Summary

A petition was tabled at the council meeting held on 27 March 2012 by Councillor Jenny Hill from residents requesting council to "install a crossing in Tippett Street near the Currajong entry/exit" with the requisite safety refuges. In addition, the petition requested that council "contact the Department of Transport to provide a crossing supervisor at this location at the pertinent times of the day".

This agenda item considers the safety and traffic management issues perceived by the residents and parents caused by vehicles using the road during school opening and closing times and the joint funding arrangements with the Department of Transport and Main Roads (TMR).

Officer's Recommendation

That council advise the lead petitioner that it does not support the installation of a crossing in Tippett Street for the following reasons:

- the Department of Transport and Main Roads are currently not able to fund a trained crossing supervisor;
- the difficulty of providing a suitable location with the existing constraints; and
- the likelihood of the kindergarten being relocated in the near future.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5809) where Council resolved that the Committee Recommendation be adopted.

2 Technical Services - Proposed Permanent Road Closure - Cluden. Applicant - Toprise Australia Pty Ltd

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Infrastructure Services
Date 27 August 2012

Executive Summary

A developer is finalising the purchase of a number of parcels of land on the southern side of the Bruce Highway at Cluden and has applied to the Department of Natural Resources and Mines (DNRM) for the closure of four (4) unused road reserves to facilitate their development. DNRM have sought council's comments.

This report outlines council interest in the matter and recommends how they may be protected whilst still allowing the developer to submit their planning approval application.

Officer's Recommendation

1. That council advise the Department of Natural Resources and Mines (DNRM) that council has no objection to the permanent closure of the three (3) sections of road reserve shown on Queensland Government Plan DD2012/096 excluding the section of the Dolby Street road reserve requested by the applicant;
2. That council enter into an agreement with the applicant for access through their proposed development site by way of a planned new road reserve and a 10m wide services easement and a payment to council for the cost of the additional length of sewer required; and
3. That council on successful execution of the agreement, council advise DNRM it has no objection to the permanent closure of the section of the Dolby Street road reserve requested by the applicant.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5809) where Council resolved that the Committee Recommendation be adopted.

3 Technical Services - Pavement Repairs Corner of Mandalay Avenue and Barton Street

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Technical Services
Date 28 August 2012

Executive Summary

Council requested at its meeting of 24 April 2012, that a report be provided on the cause behind the pavement failure that occurred at the intersection of Mandalay Avenue and Barton Street (Nelly Bay).

The request followed concern that the failure occurred only four (4) months after works were carried out at the intersection in November 2011. This report considers the issues that have contributed to the failure.

Officer's Recommendation

That council note the report and its content.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5809) where Council resolved that the Committee Recommendation be adopted.

4 Technical Services - Tender 6746 Garbutt Operations Centre Control Room Operations

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Property Management
Date 27 August 2012

Executive Summary

Tender T6746 Operation of Garbutt Operations Control Room was advertised on 7 July 2012, closing on 1 August 2012 with five (5) submissions received. The proposed contract will be for a one (1) year term with a one (1) plus one (1) month option. The contractor will provide scheduled works as detailed within the contract twenty four (24) hours per day, seven (7) days a week and non scheduled works as required.

The term of the contract has been restricted to a period of twelve (12) months given current review of security services and alignment of expiry dates with the other security contracts.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender T6746 - Operation of Garbutt Operations Centre Control Room to G & T Security for an initial period of one (1) year at the value of \$348,555.16 excluding GST, with a month plus month extension option.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5809) where Council resolved that the Committee Recommendation be adopted.

5 Construction and Maintenance - Tender T6730 - Heavy Plant Replacement - Truck Mounted Vacuum Type Street Sweeper

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Construction and Maintenance
Date 22 August 2012

Executive Summary

Tender T6730 was called as part of the approved 2012/13 Heavy Plant Replacement Program. Tenders were invited for the supply and delivery of one (1) new Truck Mounted, vacuum Type Street Sweeper for allocation to Infrastructure Services Construction & Maintenance. The tender was advertised in the Courier Mail on Saturday 23 June 2013. Six (6) submissions were received for this Tender.

This report outlines the tender submissions received and council's recommendation for awarding the tender.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender No. 6730 – Supply and Delivery of one (1) Only Truck Mounted Vacuum Type Street Sweeper to MacDonald Johnston for one (1) only MacDonald Johnston VT605 Road Sweeper, at a quoted price of \$296,351.00 (excluding GST).

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5809) where Council resolved that the Committee Recommendation be adopted.

In accordance with section 173 of the *Local Government Act 2009* Councillor T Roberts declared a perceived conflict of interest in regards to item 6.

- (a) *the name of the Councillors who have the real or perceived conflict of interest:***
Councillor T Roberts declared a perceived conflict of interest on behalf of himself and Councillors S Blom, R Gartrell, A Parsons, V Veitch, G Eddiehausen and J Lane in regards to item 6.
- (b) *the nature of the conflict of interest as described by the Councillors:***
Gabielli Constructions Pty Ltd donated to the Townsville First Election campaign.
- (c) *how the Councillors dealt with the perceived conflict of interest:***
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of Item 6, 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 Councillor voted:***
That the Committee Recommendation be adopted.
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.***
That the Committee Recommendation be adopted.

In accordance with section 173 of the *Local Government Act 2009* Councillor P Ernst declared a perceived conflict of interest in regards to item 6.

- (a) **the name of the Councillors who have the real or perceived conflict of interest:**
Councillor P Ernst declared the perceived conflict of interest on his own behalf.
- (b) **the nature of the conflict of interest as described by the Councillor:**
Gabrielli Constructions Pty Ltd donated to the his election campaign.
- (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, 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 Councillors voted on the issue – how the Councillor voted:**
That the Committee Recommendation be adopted.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
That the Committee Recommendation be adopted.

6 Construction and Maintenance - Flinders Street East Amenities Block

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Project Management Group, Construction & Maintenance
Date 31 August 2012

Executive Summary

As a result of the Flinders Street Redevelopment Project coming in under budget there are remaining funds available for works associated with the Ross Creek East Waterfront Improvement Project until 30 December 2012.

The State and Federal Governments have approved that these funds be utilised to construct public amenities facilities in the exciting car park in Flinders Street East between Bully's night club and Emanate lawyers, 168 Flinders Street.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That Tender T6676 –Flinders Street Amenities Block be awarded to Gilchrist Construction for the lump sum value of \$343,484.00 (excluding GST).

Committee Recommendation

1. That Officer's Recommendation no 1 be adopted.
2. That council resolve not to accept any tenders for contract no T6676 - Flinders Street Amenities Block, and that we delay any plans to build an amenities block in that area until the master plan is complete.
3. That a report on the purchase and use of portable toilets for Flinders Street East be prepared and forwarded to the Infrastructure Committee.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5809) where Council resolved that the Committee Recommendation be adopted.

7 Construction and Maintenance - Local Buy Process - Tender LGA6993 Design and Construct Captains Creek Pathway Bridge - Supplementary Information

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Construction and Maintenance
Date 30 August 2012

Executive Summary

At the Infrastructure Committee held on the 14 August 2012 a request was made for supplementary information relating to Tender LGA6693 – Design and Construct of Captains Creek Pathway Bridge.

This report provides the supplementary information requested, detailing the constraints and subsequent process used including the proponents invited to make submissions via Local Buy.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the report and its content.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5809) where Council resolved that the Committee Recommendation be adopted.

8 Request for plan - stabilisation of riverbank at Bicentennial Park

AD-HOC ITEM

Committee Infrastructure
Date 11 September 2012

Executive Summary

Councillor Vern Veitch advised the Committee that a section of the riverbank at Bicentennial Park had collapsed into Ross River. Councillor Veitch said that a report has been done on how to stabilise the riverbank but no discussion regarding funding the project had occurred.

As a result of the collapse of the riverbank rubbish is being released into the river (the site was previously a rubbish tip).

Committee Recommendation

That a plan be prepared for a long term fix to stabilise the riverbank at Bicentennial Park as soon as possible.

Councillor Veitch advised that the original recommendation had been to find a short term solution to this issue; and have a long term strategy developed.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5809) where Council resolved:

That in respect to item 8 (Request for plan - stabilisation of riverbank at Bicentennial Park):

- a) a plan be prepared for the October 2012 Infrastructure Committee meeting for a short term solution to stabilise the riverbank at Bicentennial Park; and***
- b) that a long term plan for the stabilization of the river bank at Bicentennial Park be brought to a subsequent meeting of the Infrastructure Committee."***

Planning and Development Committee

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

- "1. that the committee recommendations to item 10 be adopted; and
2. that the order of business be changed and item 9 be considered separately, after item 10".

CARRIED

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

"that committee recommendation to item 9 be adopted."

CARRIED

Councillor Walker requested that his dissent to this decision be noted in the minutes.

In accordance with section 173 of the *Local Government Act 2009* Councillor A Parsons declared a perceived conflict of interest in regards to item 9.

(a) *the name of the Councillors who have the real or perceived conflict of interest:*

Councillor A Parsons declared a perceived conflict of interest on behalf of himself and Councillors S Blom, R Gartrell, T Roberts, V Veitch, G Eddiehausen and J Lane in regards to item 9.

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

Paradise Outdoor Advertising donated to the Townsville First election campaign.

(c) *how the Councillors dealt with the perceived conflict of interest:*

The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of item 9, 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 Councillor voted:*

That the Committee Recommendation be adopted.

(e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.*

That the Committee Recommendation be adopted.

9 Strategic Planning - Economic Development and Strategic Projects - Welcome to Townsville Airport Sign

Refer to resolution preceding item 10 of the Council Minutes (page 5817) where Council resolved that the order of business be changed and item 9 be considered separately, after item 10.

Refer page 5819 of the Council Minutes for item 9 - Strategic Planning - Economic Development and Strategic Projects - Welcome to Townsville Airport Sign

10 Planning and Development Corporate Structure Review

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director, Planning and Development

Department Planning and Development

Date 3 September 2012

Executive Summary

Council is required under the *Local Government Act 2009* to approve the Corporate Structure of the organisation and any amendments to that structure. The Corporate Structure is the management structure to third level being the department manager level.

Following a review of the operations of the Planning and Development Division a restructure of the management arrangements is recommended resulting in a reduction from four to three departmental Managers in that Division. There will be three direct reports to the Director and two of these direct reports will be at Executive Manager level and one at Manager level.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That council endorse the amendment to the Corporate Structure in the Planning and Development Division which will see the vacant position of Executive Manager Development Assessment restructured and the position of Manager Development Infrastructure redundant.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 on the Council Minutes (page 5817) where Council resolved that the Committee Recommendation be adopted.

9 Strategic Planning - Economic Development and Strategic Projects - Welcome To Townsville Airport Sign

Refer to resolution preceding item 10 of the Council Minutes (page 5817) where Council resolved that the order of business be changed and item 9 be considered after item 10.

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 28 August 2012

Executive Summary

In response to Expressions of Interest T5706 - Billboard and Other Advertising in Public Spaces, council has received a proposal from a private operator to install a new 'Welcome to Townsville' sign on John Melton Black Drive at the entry/exit to Townsville Airport.

Officer's Recommendation

1. That council grant Paradise Outdoor Advertising a licence for 15 years to install and maintain a new illuminated sign at the location identified on John Melton Black Drive.
2. That council agree to forego rental income for the site, and in return accept advertising rights to one face of the new sign.
3. That council approve the expenditure in 2012-13 of up to \$15,000 plus GST for electricity installation and signage set up costs.
4. That the Marketing Communications Section investigate the purchase and/ or utilisation of the optional Electronic Message Centre as part a whole of organisation communication tool.

Committee Recommendation

1. That the Officer's Recommendation be adopted.
2. That no political advertising be on the billboard.

Council Decision

Refer to resolution preceding item 10 on the Council Minutes (page 5817) where Council resolved that the Committee Recommendation be adopted.

Community and Cultural Committee

It was MOVED by Councillor S Blom, SECONDED by Councillor P Ernst:

"that the committee recommendations to items 11 to 12 be adopted"

CARRIED

11 Community Services - Festivals & Events Grant Program Recommendations

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community and Environment
Date 5 September 2012

Executive Summary

Council has received a number of applications for financial support through the Festivals & Events Grant Program. This program is part of the Community Grants and Sponsorships Scheme which sits under the Community Development Section of the Community Services Department.

The aim of council's Festivals and Events Grant Program is to support festivals, community events and celebrations which showcase Townsville's talent and enhance community identity and pride; and bring economic and tourism opportunities to the region.

The objectives of the Festivals & Events Grant Program are to:

- » Encourage opportunities for participation in community life by the diverse range of groups which comprise Townsville's community.
- » Support the development and sustainability of local events and festivals.
- » Encourage accessibility and community participation from all sectors of the community.
- » Positively contribute to the quality of life for the Townsville community.
- » To provide a contribution to the economic growth of Townsville (for corporate and feature events only).

Applications submitted through this program will be considered under the following five categories:

- » Corporate Events – Funding between \$1,000 and \$250,000
- » Feature Events – Funding between \$1,000 and \$100,000
- » Developing Events – Funding between \$1,000 and \$15,000
- » Community Events – Funding between \$1,000 and \$15,000
- » One –Off Events - Funding between \$1,000 and \$25,000

The following report outlines recommendations from the Financial Assistance & Events Group meeting held 4 September 2012. There were 3 applications submitted through this program during August 2012 and it is recommended council provide waived hire fees for 3 applications. No cash support is recommended.

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance and Events Group (FAEG) through the Festivals & Events Grant Program as detailed in the following table:

Organisation	Activity/Project	Recommendation (Ex GST)
Event Category: Community Event		
The Townsville Eisteddfod Inc	Towards the delivery of the 2012, 2013 and 2014 Juvenile Eisteddfod held at the Civic Theatre in September each year	2012/2013 2013/2014 2014/2015 Waiving of licence fees and equipment hire to the value of \$7,431.82 per year
Abigails Entertainment (auspiced by contact Youth Theatre Incorporated)	Waiver of associated hire fees for the 2013 Senior Superstar project to be held in Townsville from 1 February to 30 June 2013. Recommendation pending confirmation of use of council venue	Waive associated venue hire fees pending confirmation of council venue booking
Event Category: Corporate Event		
Royalty Pty Ltd - Food and Wine Festival	Waiver of hire fees and change of fountain settings for the Sensation Food & Wine Festival to be held on Victoria Bridge from 8 to 9 September 2012	\$976 waived hire fees – Victoria Bridge hire (\$800), change fountain settings (\$176)

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5820) where Council resolved that the Committee Recommendation be adopted.

12 Library Services - Learning Communities Leadership Group

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community and Environment
Date 4 September 2012

Executive Summary

Group is a community forum of council. It was established in 2006 and is a high level reference group of dynamic community leaders who are intent on providing access to lifelong learning opportunities and developing Townsville as a learning community. The overarching scope of the leadership group is to identify current and emerging trends in lifelong learning and advocate for the further development of Townsville as a learning community.

The roles and responsibilities and current membership of the group are as set out in the terms of reference attached. This report is to seek support from council to continue the work of the leadership group and to request ongoing councillor representation on the group.

Officer's Recommendation

That council support the re-establishment of the Learning Communities Leadership Group and provide a councillor representative for the committee.

Committee Recommendation

1. That council support the re-establishment of the Learning Communities Leadership Group; and
2. That Councillor S Blom be council's representative on the Learning Communities Leadership Group.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5820) where Council resolved that the Committee Recommendation be adopted.

Smart City Sustainable Future Committee

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

"that the committee recommendations to items 13 to 16 be adopted"

CARRIED

13 Land Protection function and resources and response to Woodstock Community Petition

REPORT TO COUNCIL

Authorised by	Director Community and Environmental Services
Department	Integrated Sustainability Services
Date	3 September 2012

Executive Summary

Woodstock Landcare have presented a 66 signature petition (Attachment 1) raising concerns they have regarding the level of pest management being conducted by Townsville City Council in their local area. The petition represents the majority of large holdings in the Woodstock/Majors Creek area. The petition calls for more funding to be allocated to the environment for controlling pests on council and other land.

Although council has reduced funding to land protection over the past four years we are responding to these challenges in integrated pest management and resourcing by seeking to integrate pest management functions within an overall framework of natural resources management and ecological tasking. It would be timely to revisit resourcing for pest management on Council properties and areas of management at Woodstock and other areas of Townsville, as well as increasing the limit for the pest management subsidy scheme for large properties over 250 ha (and within the existing budget allocation).

Officer's Recommendation

That council:

1. Undertake a review of pest management for all priority areas of Townsville including Woodstock and investigate renewed opportunities for resource support; and
2. Approve an increase the limit in the pest management scheme to \$ 1600 per financial year for properties over 250ha.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 on the Council Minutes (page 5823) where Council resolved that the Committee Recommendation be adopted.

14 Geoffrey Bay Coastcare Foreshore Bollarding

REPORT TO COUNCIL

Authorised by Acting Director, Community and Environment
Department Integrated Sustainability Services (ISS)
Date 5 September 2012

Executive Summary

ISS supported an application by Geoffrey Bay Coastcare (GBCC) that received funding from the federal government. Part of the funded activities included installation of bollards along the Geoffrey bay foreshore to protect Turtle nesting habitat, which has been met with both support and opposition from the local community.

Officer's Recommendation

That council conduct bollard installation along the foreshore of Geoffrey Bay opposite 18 to 42 Marine Parade from as per Geoffrey Bay Coastcare project application but amending: Bollard height to be reduced from 900 mm to 600 mm and alignment moved seaward an additional 4 meters (approximate).

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 on the Council Minutes (page 5823) where Council resolved that the Committee Recommendation be adopted.

15 VRM's Big Idea Project trial to test Fire Risk Reduction in Organic Waste

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Integrated Sustainability Services
Date 4 September 2012

Executive Summary

At the height of the post Cyclone Yasi clean up, Townsville City Council had up to 500,000 tonnes of green mulch stored in piles up to 10 meters high, which posed a significant fire risk. In response to this Council contracted a local company (VRM) to apply a biotech product to reduce the fire risk as well as treating leachate on-site. As a result of the success of this project the company was successful in being awarded \$44,000 from Queensland Government's Big Idea program to further evaluate and demonstrate the capability of the product (a photon composting inoculant) to manage and prevent fire risk in landfills and organics processing plants in two trial sites across Australia.

Zero Waste Australia has been engaged by VRM to undertake the research trials and TCC is providing minor in-kind support to the trial (provision of a trial location and daily collection of readings). The project is intended to generate accurate data about the temperatures, certain gas emissions and other variables over a twelve week period of the inoculated organic material. A report detailing the quantum and types of organic material successfully managed using the process will be provided. The monitoring process will include information regarding the total carbon management elements arising from the use of this process and detailing any indications of reduced or mitigated methane emission from accumulated organic matter dealt with in accordance with the methods tested for biological fire risk management.

Officer's Recommendation

That council note this information.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 on the Council Minutes (page 5823) where Council resolved that the Committee Recommendation be adopted.

16 Information: Townsville City Council Response to Draft Environmental Values and Water Quality Objectives for Townsville

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services

Department Integrated Sustainability Services

Date 6 September 2012

Executive Summary

Townsville City Council (TCC) through its Creek to Coral Healthy Waterways partnership was contracted by the Australian Government to develop the Black Ross (Townsville) Water Quality Improvement Plan (WQIP). The WQIP included taking into account the Department of Environment and Heritage Protection's (DEHP) process for developing *Draft Environmental Values and Water Quality Objectives – Townsville* with the intention of having the Townsville WQIP values adopted as a schedule under the *Environment Protection (Water) Policy 2009*. The Water Quality Improvement Plan was adopted by council through the then Environment and Sustainable Development Committee in December 2011 and the DEHP have subsequently put the values and objectives out for public consultation.

After an extensive 3 month consultation period involving numerous workshops and meetings to obtain comments from relevant departments across council (Planning and Development, Townsville Water and Waste, Infrastructure Services and Integrated Sustainability Services), we have now cooperatively prepared a submission on behalf of TCC responding to the values and objectives proposed.

Officer's Recommendation

That council be aware of the Townsville City Council response to the *Draft Environmental Values and Water Quality Objectives* including broader implications of the draft values to Council.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 on the Council Minutes (page 5823) 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 recommendation to item 17 be adopted"

CARRIED

17 Safety Needs Assessment Guide

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 4 September 2012

Executive Summary

A Safety Needs Assessment Guide has been developed to provide a consistent approach to the identification and implementation of appropriate safety and security solutions for proactive and preventative measures in identified areas of concern.

The keys steps for consideration in this strategy involve broad consultation with relevant internal and external stakeholders to identify responsive solutions. A collaborative consultation enables an accurate depiction of what is occurring in the area, the current use of the area, existing infrastructure, areas requiring improvement and all external influences impacting on the area.

The Safety Needs Assessment process will consider methods that are appropriate to meet the needs and requirements of an identified area. Various best practice principles will be applied to ascertain the most cost effective response that will improve the safety of local areas, public spaces, amenities, neighbourhoods and local areas in close proximity to the affected area. The assessment will address potential areas of vulnerability and provide recommendations for adopting a combination of security measures to reduce the risk of crime whilst promoting safety within the community.

It is anticipated that this guide will be utilised when undertaking safety audits of identified areas in consultation with community members, which will allow an objective, holistic and transparent assessment process.

Officer's Recommendation

That council approve the utilisation of the Safety Needs Assessment Guide as a consistent approach when assessing the safety and security requirements of an area, location or public space.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 17 on the Council Minutes (page 5827) where Council resolved that the Committee Recommendation be adopted.

Governance and Finance Committee

*It was **MOVED** by Councillor J Lane, **SECONDED** by Councillor C Doyle:*

"that the committee recommendations to items 18 to 20 be adopted "

CARRIED

18 Establishment of Working Capital Facility

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 12 September 2012

Executive Summary

Council wrote to the Department of Local Government on 15 August 2012 requesting approval for the establishment of a short-term working capital facility of \$20 million.

The Department of Local Government approved a working capital facility of \$13 million, reduced from \$20 million at council's request, on 30 August 2012.

Queensland Treasury Corporation's (QTC) offer of the working capital facility was accepted by council on 11 September 2012.

Council has drawn down the \$13 million working capital facility on 13 September 2012. With rates revenue coming in over the next month, the working capital facility will be repaid by 31 October 2012.

Officer's Recommendation

1. That council note the Department of Local Government's approval of a short-term working capital facility of \$13 million for the period 3 September 2012 to 31 October 2012.
2. That council note the facility was drawn down in the week ended 14 September 2012.
3. That council note the facility will be fully repaid on or before 31 October 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 on the Council Minutes (page 5828) where Council resolved that the Committee Recommendation be adopted.

19 Request to change date of Local Government elections

AD HOC ITEM

Committee Governance and Finance
Date 18 September 2012

Executive Summary

Councillor Blom requested that council approach the Local Government Association Queensland and suggest the timing of the Local Government elections be in October to avoid conflict with budget deliberations.

The Chief Executive Officer advised that this is a matter that can also be included in council's submission to the State Government in respect to the Local Government Amendment Bill.

Committee Recommendation

1. That council approach the Local Government Association Queensland and suggest the timing of the Local Government elections be moved to October.
2. That council include in its submission to State Government, in respect to the Local Government Amendment Bill, that the Local Government election date be moved to October.

Council Decision

Refer to resolution preceding item 18 on the Council Minutes (page 5828) where Council resolved that the Committee Recommendation be adopted.

20 Budget Variance Report - Whole of Council - August 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance
Date 7 September 2012

Executive Summary

On behalf of the Chief Executive Officer, the Executive Manager Finance will present and discuss the Budget Variance Report for the whole of council for August 2012, pursuant to section 152 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.

The August report is still being influenced by end of year processing for June 2012. While the end of year work continues, any further adjustments that may result in a change to the 2012/13 financial year will be processed in the current open period, September 2012.

The Executive Manager will circulate separately to the Agenda the Budget Variance Report for the whole of council for August 2012.

Officer's Recommendation

That council note the financial report for August 2012 and budget variance explanations, pursuant to section 152 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 on the Council Minutes (page 5828) 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 21 to 31 be adopted"

CARRIED

21 Verbal Presentation by Coordinator Business Operations - Townsville Waste Services - Expansion of the defined waste and recycling collection area

PRESENTATION

Committee	Townsville Water and Waste
Date	18 September 2012

Executive Summary

The Coordinator Business Operations, Townsville Waste Services provided a verbal presentation on the expansion of the defined waste and recycling collection area.

Committee Recommendation

That the verbal presentation provided by the Coordinator Business Operations on the expansion of the defined waste and recycling collection area be noted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

22 Townsville Waste Services - Notification of Local Authority Waste Management Advisory Committee Annual General Meeting

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Utility Services
Date 5 September 2012

Executive Summary

Townsville City Council is a member of the Local Authority Waste Management Advisory Committee (LAWMAC) to the North Queensland Local Government Association (NQLGA).

At the July 2012 LAWMAC meeting members discussed the need for member councils to arrange enduring proxies enabling officially nominated officers to attend and vote at LAWMAC meetings in the absence of their respective nominated councillor.

This not only provides each member council with a consistent single voting right on all issues raised at meetings but also enables the committee to maintain its quorum of seven voting councils at each meeting.

Officer's Recommendation

1. That council note the agenda for the upcoming Local Authority Waste Management Advisory Committee.
2. That council resolve to send notification to the Local Authority Waste Management Advisory Committee secretary authorising the Senior Waste Management Officer to exercise voting rights on behalf of the nominated elected official.

Committee Recommendation

1. That the Officer's Recommendation be adopted.
2. That council approve the attendance of Councillor R Gartrell at the Local Authority Waste Management Advisory Committee meeting in Mackay on 5 October 2012.
3. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor R Gartrell to allow his attendance at the Local Authority Waste Management Advisory Committee meeting in Mackay on 5 October 2012.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

23 Townsville Waste Services - Larger Recycling Bin Option

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Utility Services
Date 7 September 2012

Executive Summary

An opportunity exists to enhance the current recycling collection service by offering residents the option to increase the capacity of their recycling container (from 240 litres to 360 litres). This report examines that opportunity.

Officer's Recommendation

That council resolve to amend utility charges by adopting a system whereby:

- a. Customers bringing on new waste and recycling collection services have the choice of either:
 - i. the standard residential combination (240l waste / 240l recycling) for the annual utility charge of \$224; or
 - ii. the enhanced residential combination (240l waste / 360l recycling) for the annual utility charge of \$244;
- b. Customers with existing services can establish (or cancel) the enhanced recycling service for an establishment (or cancellation) fee of \$25.00 and the applicable annual utility charge.
- c. Non residential customers can receive a 360 litre recycling service for the annual utility charge of \$100.50 (for a fortnightly service).

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

24 Water Operations -Tender Evaluation for T6121 - Supply & Construction of Douglas Reservoir 1B

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Water Operations
Date 7 September 2012

Executive Summary

Tenders were called for and closed at 10 am on Wednesday 15 August 2012 for the Supply and Construction of a Steel Reservoir at Douglas (T6121). Eight contractors submitted tenders for the construction project. The contract is a lump sum contract for supply and construction under AS4000 – 1997.

This tender covers the supply and construction of a steel reservoir at Douglas with a capacity of 41 ML and associated works for the full function with cathodic protection.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award the tender for the Supply and Construction of Douglas Reservoir 1B (T6121) to Wulguru Steel Pty Ltd for a lump sum price of \$9,686,965.50 (including GST).
3. That council proceed with the projects and adjusts the Capital budget for 2012/2013 at the four month review.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

25 Wastewater Operations - Tender Evaluation - PSA6635 - Periodic Supply and Delivery of Bulk Chemicals

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 6 September 2012

Executive Summary

Tenders were called for and closed at 10 am on Wednesday 25 July 2012 for Periodic Supply and Delivery of Bulk Chemicals for a period of two years. Nine contractors submitted tenders for the supply of various chemicals. Contractors were asked to resubmit prices for the supply of aluminium sulphate due to a change in the quantity specified after the tender has closed. Contractors were given until 17 August 2012 to resubmit their offer.

Six contractors submitted tenders for the supply of aluminium sulphate to various water and sewage treatment plants. This report only addresses tenders for aluminium sulphate. The supply and delivery of other chemicals has been previously assessed and the recommendations presented to council at the August 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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award the tender for the Supply and Delivery of Aluminium Sulphate for a period of two years to Mount St John Treatment Plant to Bay Chemicals for a unit price of \$288.64 (including GST) per tonne, excluding fuel and carbon levies.
3. That council award Supply and Delivery of Aluminium Sulphate for a period of two years to Cleveland Bay Purification Plant to Bay Chemicals for a unit price of \$286.00 (including GST) per tonne, excluding fuel and carbon levies.
4. That council award Supply and Delivery of Aluminium Sulphate for a period of two years to the Magnetic Island sewage treatment plants to Bay Chemicals for \$351.81 (including GST) per tonne, excluding fuel and carbon levies.
5. That council award Supply and Delivery of Aluminium Sulphate for a period of two years to Giru Water Treatment Plant to Bay Chemicals for \$583 (including GST) per intermediate bulk container, excluding fuel and carbon levies.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

26 Wastewater Operations - Tender Evaluation - T6727 - Supply & Construction of Sewer Rehabilitation 2012/2013 - Relining of Reticulation and Trunk Sewers

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 7 September 2012

Executive Summary

Tenders were called for and closed at 10 am on Wednesday 15 August 2012 for Relining of Reticulation and Trunk Sewers (T6727). Four tenderers submitted offers.

The tender covers the relining of approximately 16km of gravity sewer pipes ranging in size from DN150 to DN700 at numerous locations around Townsville.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender 6727 for the Relining of Reticulation and Trunk Sewers to Kembla Watertech Pipeline Solutions for a total price extended from the schedule of rates of \$3,016,087.60 (including GST).

Committee Recommendation

1. That the Officer's Recommendation no 1 be adopted.
2. That council award Tender 6727 for the Relining of Reticulation and Trunk Sewers to Kembla Watertech Pipeline Solutions for a total price extended from the schedule of rates of \$3,016,087.60 (including GST) subject to confirmation from council's Legal Services that the tender from Kembla Watertech Pipeline Solutions conforms with the tender specifications.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

In accordance with section 173 of the *Local Government Act 2009*, Councillor R Gartrell declared a perceived conflict of interest in regards to item 27.

- (a) **the name of the Councillors who have the real or perceived conflict of interest:**
Councillor R Gartrell declared a perceived conflict of interest on behalf of himself and Councillors S Blom, T Roberts, A Parsons, V Veitch, G Eddiehausen and J Lane in regards to item 27.
- (b) **the nature of the conflict of interest as described by the Councillors:**
NQ Excavations Pty Ltd donated to the Townsville First election campaign.
- (c) **how the Councillors dealt with the perceived conflict of interest:**
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of item 27, 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 Councillor voted:**
That the Committee Recommendation be adopted.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
That the Committee Recommendation be adopted.

27 Wastewater Operations - Tender Evaluation - T6470 - Supply and Construction of Southern Suburbs Trunk Gravity Sewer

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 6 September 2012

Executive Summary

Tenders were called for and closed at 10 am on Wednesday 1 August 2012 for the Supply and Construction of the Southern Suburbs Trunk Gravity Sewer (T6470). Eight contractors submitted tenders for the construction project.

This tender covers the supply of materials and construction of a 862 m long DN450 trunk gravity sewer from the southern end of Abbott Street, along Racecourse Road and Dolby Street in Cluden and includes a bored crossing of the Bruce Highway.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award the tender for the Supply and Construction of the Southern Suburbs Trunk Gravity Sewer (T6470) to Celtic Construction and Utility Services Pty Ltd for a lump sum price of \$730,808.60 (including GST).

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Utility Services
Date 5 September 2012

Executive Summary

The collection and transport of waste and recyclables from wheelie bins on Magnetic Island is currently under contract until 31 January 2013. The cessation of the contract provides the opportunity to determine whether in-house labour (Townsville Waste Services) or an external contract is the more efficient collection and transport model for Magnetic Island.

Coffey Commercial Advisory (CCA) was engaged by Townsville Waste Services (TWS) to review the two collection and transport models (in-house and outsource) to determine the most cost effective method.

When compared to the current outsourced contract costs the analysis indicates that conducting the collection and transport of waste and recycling on Magnetic Island utilising TWS has the potential to deliver a saving of \$1.08M (nett present costs) over 5 years.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to extend the contract for collection and transport of waste and recyclables from wheelie bins on Magnetic Island with Magnetic Waste Management until 1 September 2013.
3. That council resolve to undertake waste and recycling collection services on Magnetic Island utilising Townsville Waste Services upon expiration of that extended contract.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

29 Utility Services - Laboratory Fees

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Utility Services
Date 6 September 2012

Executive Summary

This report details the Laboratory Services fees schedule approved by the Chief Executive Officer for implementation on and from 1 October 2012.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the approved fees schedule for Laboratory Services as detailed in the Officer's report.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

In accordance with section 173 of the *Local Government Act 2009* Councillor R Gartrell declared a perceived conflict of interest in regards to item 30.

- (a) *the name of the Councillors who have the real or perceived conflict of interest:***
Councillor R Gartrell declared a perceived conflict of interest on behalf of himself and Councillors S Blom, T Roberts, A Parsons, V Veitch, G Eddiehausen and J Lane in regards to item 30.
- (b) *the nature of the conflict of interest as described by the Councillors:***
Gabielli Constructions and NQ Excavations Pty Ltd donated to the Townsville First election campaign.
- (c) *how the Councillors dealt with the perceived conflict of interest:***
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of item 30, 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 Councillor voted:***
That the Committee Recommendation be adopted.
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.***
That the Committee Recommendation be adopted.

In accordance with section 173 of the *Local Government Act 2009* Councillor P Ernst declared a perceived conflict of interest in regards to item 30.

- (a) **the name of the Councillors who have the real or perceived conflict of interest:**
Councillor P Ernst declared the perceived conflict of interest on his own behalf.
- (b) **the nature of the conflict of interest as described by the Councillor:**
Gabielli Constructions Pty Ltd donated to the his election campaign.
- (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, 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 Councillors voted on the issue – how the Councillor voted:**
That the Committee Recommendation be adopted.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
That the Committee Recommendation be adopted.

30 Water Operations - Tender Evaluation - T6752 Bolger Bay Pipeline Stage 2

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Water & Waste
Date 10 September 2012

Executive Summary

Tenders for the construction of the Bolger Bay Pipeline Stage 2 were called for and closed at 10 am on Wednesday 29 August 2012. Contractors were invited to submit tenders for the project through a public tender process. Six Contractors submitted tenders with submissions being assessed on both price and non-price criteria.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Contract T6752 Bolger Bay Pipeline Stage 2 for the price of \$1,977,272.00 (inclusive of GST) to Rob Carr Pty Ltd.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

31 Commercial Performance - Monthly Report Card - August 2012

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Commercial Performance
Date 5 September 2012

Executive Summary

Townsville Water and Waste's monthly report card containing year to date operating results for 2012/2013 for the month of August 2012 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 (9) 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 month of August 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the Council Minutes (page 5831) where Council resolved that the Committee Recommendation be adopted.

Officers Reports

Corporate Services

32 Sale of Council land at Cluden to Toprise Australia Pty Ltd

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Legal Services – Corporate Governance
Date 18 September 2012

Executive Summary

Council is asked to approve the sale of council land at Cluden to Toprise Australia Pty Ltd.

There are five land parcels in the proposed sale. The land parcels are configured in a way that makes it unlikely that they will be developed except in conjunction with adjoining land that is in private ownership. If not developed with the private land, the five land parcels will almost certainly be converted to a road. Council would derive no value from the land if it is dedicated as a road.

The land has been valued by a professional valuer, and Toprise Australia Pty Ltd has offered to buy the land at its assessed value of \$660,000.00 (including GST).

Ministerial approval has been obtained authorising the sale without a public tender process.

Officer's Recommendation

That council resolve to sell land described as:

- Lot 3 on EP 1100,
- Lot 188 on EP 1839,
- Lot 19 on 705929,
- Lot 2 on SP 115200 and
- Lot 23 on SP 105729

to Toprise Australia Pty Ltd, for \$660,000 (including GST) on terms acceptable to the Chief Executive Officer and in compliance with the conditions of the Ministerial Approval to sell the land without a public tender process.

The Chief Executive Officer advised that a copy of the Valuation Report would be provided to the councillors.

Council Decision

It was MOVED by Councillor A Parsons, SECONDED by Councillor T Roberts:

“That the Officer’s Recommendation be adopted.”

CARRIED

Councillor Doyle and Councillor Walker voted in dissent of this decision.

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 14 September 2012

Executive Summary

Council resolved at its meeting 28 August 2012 to prepare four motions to submit to the Local Government Association of Queensland Annual Conference. Motions were due 3 September and Council requested they be submitted and reported back to Council at the next meeting for adoption.

Officer's Recommendation

1. That council adopt the following motions to the Local Government Association Queensland for consideration at the Annual Conference 2012:
 - a) That the Local government Association of Queensland lobby the State Government to maintain and strengthen resources in North Queensland to reduce the threat of biosecurity risks.
 - b) That the Local Government Association of Queensland lobby the Queensland Government for the establishment of a Local Government Register of building certifiers: under which certifiers licensed by the Building Services Authority must register with the relevant local government authority when practicing within its respective jurisdiction.
 - c) That the Local government Association Queensland work with Queensland Health to develop a clear pathway, with legislative amendments, if necessary, to manage the procedure for notification of clandestine laboratory sites with appropriate advice on what remediation methods are required and which tier of government or agency is responsible for these measures. This will ensure appropriate public health outcomes for existing and future occupants of these sites.
2. That council note the withdrawal of the proposed motion relating to dangerous dogs that will be covered by the North Queensland Local Government Association motion from the Burdekin Regional Council.

Council Decision

It was MOVED by Councillor J Lane, SECONDED by Councillor C Doyle:

That the Officer's Recommendation be adopted.

CARRIED

34 Corporate Governance - Community Score Card 2011/12

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 17 September 2012

Executive Summary

Every year for the last three years council has produced a Community Score Card to complement the Annual Report. This year the score card presents information in a new format to provide some analysis and commentary on the data and what this year's score means in relation to the two previous years.

The purpose of this report is for council to note the publication of the Community Score Card for 2011/12.

Officer's Recommendation

That council note the Community Score Card 2011/12.

Council Decision

It was MOVED by Councillor S Blom, SECONDED by Councillor V Veitch:

That the Officer's Recommendation be adopted.

CARRIED

35 Corporate Governance - Developing Northern Australia Summit in Cairns on Tuesday 20 - 21 November 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 12 September 2012

Executive Summary

The Mayor, Councillor Jenny Hill has been invited to join a Mayors panel discussion on the topic of **Regional challenges and opportunities for growth** at the inaugural Developing Northern Australia Summit in Cairns on Tuesday 20 - 21 November 2012.

Officer's Recommendation

1. that in accordance with section 162(1)(e) of the *Local Government Act 2009*, council grant leave of absence for the Mayor, Councillor J Hill for 20 - 21 November 2012 and approve travel to allow her attendance in Cairns for the Developing Northern Australia Summit.

Council Decision

It was MOVED by Councillor J Lane, SECONDED by Councillor R Gartrell:

That the Officer's Recommendation be adopted.

CARRIED

36 Corporate Governance - Submission to the Local Government Remuneration and Discipline Tribunal

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 19 September 2012

Executive Summary

The *Local Government (Operations) Regulation 2010* (the Regulation) requires the Local Government Remuneration and Discipline Tribunal (the Tribunal) to determine by 1 December each year the remuneration to be paid in the following calendar year to Mayors, Deputy Mayors and Councillors for all Councils in Queensland (except Brisbane City Council).

As part of this year's review process the Tribunal has requested submissions on both remuneration and classification categories of council.

Officer's Recommendation

That council forwards a submission to the Remuneration and Discipline Tribunal requesting consideration of the change of the councillor remuneration period to a financial year as opposed to a calendar year; and responding to the Tribunal's criteria used to determine the classification category of Townsville City Council.

Council Decision

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

That council forward a submission to the Remuneration and Discipline Tribunal requesting consideration of the change of the councillor remuneration period to a financial year as opposed to a calendar year.

CARRIED

Addendum

37 MI11/0045 Material Change of Use - Application for Refund of Fees

REPORT TO COUNCIL - PLANNING APPLICATION	
Authorised by	Director Planning and Development
Department	Planning and Development
Date	19 September 2012
Address	61 Grosvenor Street, Gulliver
Applicant/Owner	Townsville Area Woodturners Association Inc.
Description	Application for refund of fees under the Financial Assistance Policy

Executive Summary

The applicant, Townsville Area Woodturners Association Inc., seeks a refund of application fees for Material Change of Use - Indoor Recreation (Woodturner's Workshop) (MI11/0045) on Lot 121 RP 703503 situated at 61 Grosvenor Street, Gulliver pursuant to the Financial Assistance Policy.

Officer's Recommendation

That council approve the refund of \$760.00 being the full application fee remitted to council associated with the Development Approval MI11/0045 for Material Change of Use - Indoor Recreation (Woodturner's Workshop).

Council Decision

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

"That the Officer's Recommendation be adopted."

CARRIED

Confirmation of Minutes of Previous Meetings:

It was MOVED by Councillor J Lane, SECONDED by Councillor S Blom:

“That the minutes of the Ordinary Council meeting held 28 August 2012 be confirmed.”

CARRIED

Motions of which previous notice has been given

There were no motions.

General Business

- (i) **Request for Update - Home Services Funding Arrangements with State and Commonwealth Government**

REQUEST FOR UPDATE

Raised by	Councillor C Doyle
Meeting	Ordinary Council
Date	25 September 2012

Overview

A report was put through the Infrastructure Committee to Ordinary Council on 28 August 2012 named '*Construction and Maintenance - Home Services Funding Arrangements with State and Commonwealth Government*'. The Director Infrastructure Services provided a progress report on the Home Services Funding Arrangements to council.

Close of Meeting

There being no further items of business the Mayor, Councillor J Hill, closed the meeting at 10.05am.

CONFIRMED this

day of

2012

MAYOR

CHIEF EXECUTIVE OFFICER