



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 27 SEPTEMBER 2016 AT 1.03PM

Council Members >>

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

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

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

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

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

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

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

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

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

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

ACKNOWLEDGEMENT OF COUNTRY

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

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REPORT	COUNCIL MEETING
DATE	Tuesday 27 September 2016 at 1.03pm
ITEMS	1 TO 51
PRESENT	The Mayor, Councillor J Hill Councillor R Cook Councillor V Coombe Councillor C Doyle Councillor A Greaney Councillor P Jacob Councillor M Molachino Councillor K Rehbein Councillor M Ryder Councillor M Soars Councillor L Walker

Opening of Meeting and Announcement of Visitors

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

Prayer

Reverend Bruce Cornish of the Uniting Church delivered the opening prayer.

Acknowledgement to Country

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

Apologies and Leave of Absence

There were no apologies or leave of absence noted.

Request for leave of absence - Councillors A Greaney, M Molachino, P Jacob and M Soars

Councillor A Greaney requested leave for the period 14 to 21 October 2016;
Councillor M Molachino requested leave for the period 25 to 28 October 2016;
Councillor P Jacob requested leave for the period 3 to 9 October 2016; and
Councillor M Soars requested leave for the period 29 September to 12 October 2016.

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

"that leave of absence be granted to Councillor A Greaney for the period 14 to 21 October 2016, Councillor M Molachino for the period 25 to 28 October 2016, Councillor P Jacob for the period 3 to 9 October 2016; and Councillor M Soars for the period 29 September to 12 October 2016."

CARRIED UNANIMOUSLY

Confirmation of Minutes of Previous Meetings:

It was MOVED by Councillor V Coombe, SECONDED by Councillor M Molachino:

"that minutes of the Ordinary Council meeting of 23 August 2016 be confirmed."

CARRIED UNANIMOUSLY

Disclosure of Interests

- (i) Community and Cultural Development Committee - Perceived conflict of interest – Item 16 – The Mayor, Councillor J Hill - The Mayor is patron of AFL Townsville Inc.
- (ii) Perceived conflict of interest – Item 41 – Councillors R Cook, V Coombe, C Doyle, A Greaney, J Hill, P Jacob, M Molachino, K Rehbein, M Ryder, M Soars and L Walker – BMD Pty Ltd donated to the Team Hill election campaign.
- (iii) Perceived conflict of interest – Item 6 – Councillor C Doyle – the applicant was at the time a customer of Councillor Doyle's husband's business and had discussed the subject matter of the application with Councillor Doyle's husband and children.

Correspondence

There was no correspondence.

Petitions

There were no petitions.

Deputations

There were no deputations.

Notices of Motion

There were no notices of motion.

Presentations

There were no presentations.

Mayoral Minute

The Mayor delivered two Mayoral Minutes.

Mayoral Minute 1 - Honouring Mick Curtain

Today's Mayoral Minute is to honour a giant of the Townsville community, the late Sir Mick Curtain, who passed away on Sunday September 11 2016.

In 1979 Sir Mick brought his wife Jennifer and their five children Peter, Louise, David, Christopher and Sean to Townsville from Papua New Guinea after setting up Curtain Brothers Company in PNG in 1966.

Sir Mick saw Townsville as an ideal location to conduct his business and quickly set to work in becoming involved in large infrastructure projects in and around the city.

Curtain Brothers contributed greatly to Bluewater Park Estate, Burdekin Dam Road, Ross River bank restoration, The Lakes, Nelly Bay Harbour and of course his last project which was the Mount Moss iron ore mine.

Sir Mick's contributions didn't stop with his projects. He was deeply involved in our community and that included serving on the Mater Hospital Board, he supported countless charities, churches and other community organisation both here and in Papua New Guinea.

His roll up your sleeve and get the job done attitude highlighted his fearless work ethic and his commitment to fully realise the potential of every opportunity he came across.

Sir Mick was a man that if he shook your hand, the deal was done.

Despite all of Sir Mick's success he maintained a very much down to earth attitude and has left a lasting legacy not just in Townsville but in Papua New Guinea.

It is right that we should honour him today at the council meeting.

Mayoral Minute 2 - Organisational Review

Councillors, in April this year we voted unanimously to undertake an organisational review of Townsville City Council.

Today we will be presented with a complete review for our consideration.

When this agenda item is reached Mr Prins Ralston from the Nous Group will present an Executive Summary to the public.

Once the summary is completed all staff and observers will be required to leave the Chamber and during this time I will invite the Chief Executive Officer to remain and Mr Ralston to provide us with the full detail of the review.

Committee Items

Infrastructure Services Committee

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

"that the committee recommendations to items 1 to 3 be adopted."

CARRIED UNANIMOUSLY

1 Engineering Services - Request to Name Parks in Stockland's North Shore Burdell

Executive Summary

Council has received a request from the Urban Design Manager of RPS Australia Asian Pacific, on behalf of Stockland Development Pty Ltd, to name 10 parks in Stockland's North Shore, Burdell.

The parks proposed for naming are park areas that are identified under the approved Master Plan for North Shore.

This report provides information on the proposed names for the identified parks and council's recommendation.

Officer's Recommendation

That council endorse the names proposed for the parks in North Shore, as per the table below:

Proposed Park Name	Current TCC Name	Property Number	Park Address
Lady Musgrave Park	Lady Musgrave Park	539481	7 Lady Musgrave Circuit
Osterlund Park	Dampier Park	536444	0 Dampier Crescent - fronting Osterlund Place
Marquise Pocket Park	Marquise Park	542998	65 Marquise Circuit
Yalbira Reserve	Yalbira Dr Open Space	545648	25 Marquise Circuit - fronting Yalbira Avenue
Kahana Recreation Reserve	Kahana Park	544011	1 Iona Avenue - at the start of Kahana Avenue
Discovery Park	Discovery Park	550311	2 Trevalla Entrance – within the Discovery precinct
Mode Pocket Park	Mode Open Space	548697	8 Masthead Avenue - alongside Mode Way and within the Mode precinct
Ashmore Reserve	Ashmore Park	536444	0 Dampier Crescent - fronting Ashmore Crescent
Solaris Recreation Reserve	Cira-Sunhaven Park	547270 & 547269	2 Cira Way and 48 Waterway Drive
Sunhaven Park	Sunhaven Park	550059	84 Sunhaven Boulevard – within the Sunhaven precinct

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 9069) where council resolved that the committee recommendation be adopted.

2 Engineering Services- Stormwater Asset Management Plan 2016 - 2026

Executive Summary

Townsville City Council's Infrastructure Services Division is the custodian of council's stormwater-related assets, having a total replacement value in the order of \$1.3B.

To effectively and efficiently manage the services provided by these assets, a Stormwater Asset Management Plan (StAMP) has been developed for the period of 2016 to 2026.

This report provides a summary of the StAMP's development, along with attachment of the StAMP, and recommends the renewal budget requirements for the 2016 to 2026 period.

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 endorse the Stormwater Asset Management Plan 2016-2026.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 9069) where council resolved that the committee recommendation be adopted.

3 Maintenance Services - Citywide Contract Extension for Parks and Open Space Management to 30 June 2017

Executive Summary

Contract T6382 for Parks and Open Space Management is due to expire on 30 March 2017. This includes the two, one year extensions that were allowed for in Part 4 General Conditions of Contract Clause 4.3.

In order to facilitate the commencement of a new contract from 1 July 2017 it is necessary for an arrangement to be made to extend the current contract (T6382 - Citywide Services Solutions Pty Ltd) to cover the period between the current expiration date of 30 March 2017 and 30 June 2017, logically with the existing supplier.

Given the extent of the resources required by a supplier to provide the services and the significant establishment cost; and the cost and time to council of transitioning from the incumbent contractor, Citywide Services Solutions Pty Ltd (Citywide), to another supplier, Citywide is the only supplier who is reasonably within its means to supply the services between 30 March 2017 and 1 July 2017 and that the current contract should be extended accordingly.

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, pursuant to section 235(a) of the *Local Government Regulation 2012* (Qld), endorse the extension of the term of the current contract T6382 for Parks and Open Space Management to 30 June 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 9069) where council resolved that the committee recommendation be adopted.

Planning and Development Committee

In accordance with section 173 of the Local Government Act 2009, Councillor C Doyle declared a perceived conflict of interest in regards to item 6.

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

Councillor C Doyle

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

The applicant was at the time a customer of Councillor Doyle's husband's business and had discussed the subject matter of the application with Councillor Doyle's husband and children.

(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 vacated the Chambers during discussion and voting on this item.

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

The majority of persons entitled to vote at the meeting voted as per the council decision.

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

"that the committee recommendations to items 4, 5, 7 and 8 be adopted and that item 6 be dealt with separately."

CARRIED UNANIMOUSLY

Item 6 P & D Appeal No. 213 of 2016, Townsville Demolitions Pty Ltd v TCC, 142 Glenn Road, Woodstock

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

"1. that council resolve to defend the refusal of the development application in Planning and Environment Court Appeal No. 213 of 2016.

2. that council, under Section 257 (1)(b) of the Local Government Act 2009, resolve to delegate authority to the Chief Executive Officer to settle the Planning and Environment Court Appeal out of court."

4 MI14/0044 Report - MCU (Impact) Restaurant and Catering Shop, 1 Mariners Drive Townsville

Executive Summary

The development relates to a Material Change of Use for a two storey complex consisting of a 423sqm Catering Shop and a 570sqm Restaurant at 1 Mariners Drive, Townsville City. The development was assessed under the *Breakwater Island Casino Agreement Act 1984*, Schedule 3 – Surplus Casino Land Scheme, the *Sustainable Planning Act 2009* and the City Plan 2005. The site is situated within The Strand and is located close to Tobruk Pool, Townsville Sailing Club and Anzac Memorial Park. The site is situated in the Multiple Dwelling Sector of the Surplus Casino Land Scheme and was assessed against the Mandatory Provisions of the Scheme and nominated provisions of the superseded City Plan 2005.

The application was Impact Assessable, therefore required public notification. During the notification period 50 submissions were received opposing the development. The submissions raised a number of points such as the application not being properly made, inconsistency with the *Breakwater Island Casino Agreement Act 1984*, the City Plan 2005, increased impacts on traffic and pedestrian flows, insufficient car parking, noise impacts, odour impacts, safety concerns regarding the electrical substation, over-development, incompatible land uses, commercial viability and the effect on the

continued operations of the Sailing Club. All of these matters have been considered in this report and can be addressed by reasonable and relevant conditions.

In summary, the development is consistent with the Strategic intent of the *Breakwater Island Casino Agreement Act 1984* and the City Plan 2005. It is therefore recommended that the development be approved by council.

The committee also considered the verbal comments of Scott Marshall and Col Harkness provided at the meeting.

Officer's Recommendation

That council approve development permit MI14/0044 being an application for a Catering Shop and Restaurant under section 243 of the *Sustainable Planning Act 2009*. The land is described as Lot 5 SP 122663, more particularly 1 Mariners Drive, Townsville City and is to be approved subject to the following conditions –

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE (Catering Shop and Restaurant)

SCHEDULE OF CONDITIONS

1. Approved Plans and Supporting Documentation

Condition

- a) The development must generally comply with the plan(s) and supporting documentation referenced in the table below and attached as stamped "Approved Subject to Conditions" which forms part of this approval, unless otherwise specified by any condition of this approval.

Plan Name	Plan No.	Revision No.	Plan Date
Cover Page	A-01	925_SK	15/04/2015
Site Plan	A-03 (as amended in red)	925_SK	15/04/2015
Ground Floor Plan	A-04	925_SK	15/04/2015
First Floor Plan	A-05	925_SK	15/04/2015
Elevations	A-06	925_SK	15/04/2015
3D Perspective	A-08	925_SK	15/04/2015

- b) One full set of the most up to date approved plans and supporting documentation must be held on site and available for inspection for the duration of the construction phase.

Reason

The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.

Timing

During the operation and life of the development.

2. Building Materials

Condition

- a) A detailed plan must be submitted to council for approval demonstrating the architectural design elements/materials and colour schemes which will be used on the built form.
- b) All buildings and structures associated with the use must be painted or similarly treated with paint or pigment of a low reflective level which does not cause excessive glare.

Reason

Ensure all materials and painting is in accordance with 6.17 Minor Centres Code of the City Plan 2005.

Timing

To be submitted to council prior to the issuing of a development approval for building works and to be maintained for the life of the development.

3. Property Numbering

Condition

Legible property numbers must be erected at the premises and must be maintained.

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

Reason

To allow the general public, service and emergency service providers to effectively identify the property.

Timing

Prior to the commencement of the use and maintained for the life of the development.

4. Relocation of Services or facilities

Condition

Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to council.

Reason

To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.

Timing

Prior to the development achieving on maintenance or commencement of use.

5. Storage

Condition

Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties.

Reason

To ensure the development does not have a detrimental effect on the visual amenity of the surrounding land in accordance with relevant code/s and policy direction.

Timing

At all times following the commencement of the use.

6. Sewerage Reticulation**Condition**

The development must connect to council's reticulated sewer system. A sewer Master Plan report and engineering design for the connection in accordance with SC6.4 of the City Plan (2014) must be submitted to council for approval. Where it is determined a pressurised system is appropriate, all infrastructure will remain private and the owner will be responsible for all operation and maintenance requirements.

Reason

To ensure that the premises are appropriately serviced by council infrastructure where located in a service area for a sewerage service in accordance with relevant code/s and policy direction.

Timing

A Sewer Master Plan Report and a Sewer Detailed Design are to be submitted to council as part of an application for Compliance Assessment.

7. Water Supply**Condition**

The development must connect to council's reticulated water system. New connections to external mains must be within road and/or park reserve.

Reason

To ensure that the premises is appropriately serviced by reticulated water supply infrastructure in accordance with relevant code/s and policy direction.

Timing

Technical details to be submitted to council as part of an application for Compliance Assessment.

8. Dust Management**Condition**

During the construction phases of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.

Reason

To ensure that the use does not cause a dust nuisance to nearby sensitive receptors.

Timing

During all times of construction.

9. Electricity and Telecommunication**Condition**

Electricity and telecommunications must be provided in accordance with Part 9.4.7 Works code (City Plan 2014).

Reason

To provide an appropriate level of electricity and telecommunication services for the development in accordance with relevant code/s and policy direction.

Timing

Prior to the commencement of the use.

10. Electricity Infrastructure

Condition

Evidence must be provided to council, by way of a letter from Ergon, stating compliance with Advice Conditions 4 (a), (b), (c) and (d), to allow development works to commence.

Reason

To ensure an appropriate level of public safety is maintained onsite.

Timing

Prior to the commencement of development works.

11. Electricity Infrastructure

Condition

- a) A volumetric easement must be registered on the property, at no cost to council, in favour of Ergon Energy to accommodate the existing Electricity Substation.
- b) An easement for access and maintenance must be registered on the property, at no cost to council, in favour of Ergon Energy to accommodate access over the driveway and to the existing Electricity Substation.
- c) An easement for services, access and maintenance must be registered on the property, at no cost to council, in favour of Ergon Energy to accommodate the existing two (2) 11kV cables servicing the Breakwater Marina.

Reason

To ensure an appropriate level of public safety is maintained onsite.

Timing

Survey Plan and Easement documents to be submitted and approved by council prior to the commencement of use.

12. Roadworks and Traffic

Condition

- a) A raised pedestrian crossing, as notated in red on the approved plan A-03, connecting The Strand to Anzac Memorial Park must be constructed in accordance with the Manual of Uniform Traffic Control Devices and the Traffic and Road Use Management Manual.
- b) During the construction phase, any damages to the public or private road reserve (i.e. road/footpath/kerb and channel) must be replaced in accordance with council's standards at the developers' expense.

Reason

To provide development with access in accordance with council standards.

Timing

To be submitted to council as part of an application for Compliance Assessment.

13. Car Parking

Condition

- a) A minimum of **30** car parks are required for the development, except where varied by condition 13 b).

- b) In accordance with the City Plan 2005 Policy 3 – Contributions, section 4.2, the shortfall of **30** car parks for the development will require a cash contribution payable at a rate of \$9,345.00 per space.

Reason

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

Timing

To be paid prior to the commencement of use.

14. Stormwater Drainage

Condition

- a) An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage achieves the outcomes in accordance with Part 9.4.2 Healthy Waters Code (City Plan 2014).
- b) The DN375 stormwater conduit passing through the site must be reconstructed and realigned outside the property boundary. The new alignment and design, including any new pits, must be constructed in accordance with council's design and construction specifications as outlined in Planning Scheme Development Manual SC6.4 (City Plan 2014)

Reason

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.4.2 Healthy waters code.

Timing

To be submitted to council as part of an application for Compliance Assessment.

15. Screening of Plant and Utilities

Condition

Unless otherwise agreed to by council, all plant and utilities must be screened or located so as not to be visible from the street.

Reason

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

Timing

Prior to the commencement of the use and maintained for the life of the development.

16. Landscaping

Condition

Landscape and Irrigation Design Plans must be prepared in accordance with Part 9.4.3 Landscape code.

Landscape plans are to include, but not limited to:

- Landscape works to integrate the building into the existing landscaping in the adjacent parkland, including any required modifications to existing irrigation systems and adjacent pathways;
- The pedestrian promenade through the site is multi-use and must be suitable for use by bicycles and other wheeled recreation devices;
- The provision of directional (way-finding) signage to enhance the visitor experience and assist with pedestrian transition from The Strand Parklands

- to Anzac Memorial Park and the waterfall in accordance with SC6.4.6.18 Signage (City Plan 2014);
- The provision of additional planting to enhance the amenity of the site whilst addressing CPTED issues.

Note: The applicant is advised to have early discussions with council's landscape unit before proceeding with design work.

Reason

All works must be completed in accordance with the approved landscaping plan and constructed to a standard in accordance with relevant code/s and policy direction.

Timing

To be submitted to council as part of an application for Compliance Assessment and maintained for the life of the development.

17. Signage

Condition

- (a) Plans of any signage to be associated with the use that is deemed to be assessable development in accordance with the assessment table of Part 5.8.2 of the City Plan 2014 must be submitted to council for assessment;
- (b) Signs must be designed in accordance with Part 9.4.1 – Advertising Devices Code; and
- (c) To maintain the amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by council.

Note: Signage has been included as a Plan Right development type, see council's web site for a list of accredited consultants that can assist with the submission of an application.

Reason

Signage not approved with this Development Permit or deemed either Exempt or Self Assessable development requires a Code Assessable Operational works development application to be lodged with council in accordance with relevant code/s and policy direction.

Timing

Assessable signage to be submitted to council as part of an Operational Works application and maintained for the life of the development; otherwise prior to the commencement of the use.

18. Soil Erosion Minimisation, Sediment Control

Condition

Erosion and sediment control management must be installed and maintained in accordance with Part 9.4.2 Healthy Waters Code (City Plan 2014).

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with SC6.4.3.8.6 *Development manual planning scheme policy (City Plan 2014)*.

Reason

Development ensures that the receiving waters during construction are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.

Timing

Maintained at all times during the construction phase.

19. Acid Sulphate Soils Management**Condition**

Soil and groundwater investigations in accordance with 9.4.2 Healthy waters code (City Plan 2014) must be conducted to support the proposed earthworks should the soils and groundwater investigations reveal the presence of acid sulphate soils or potential acid sulphate soils.

Reason

To ensure potential adverse impacts on the natural and built environment, including infrastructure and human health as a result of acid sulphate soils are avoided in accordance with relevant code/s and policy direction.

Timing

To be submitted to council as part of an application for Compliance Assessment.

20. Refuse Facilities**Condition**

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Works Code and in particular:

- a) The waste storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The developer must provide a storage area that is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.
- b) A minimum overhead clearance of 4200mm must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- c) The owner/occupier of the premises is required to provide an adequate number of waste containers to manage the waste generated by the activities being undertaken onsite.
- d) The collection of putrescibles waste arising from activities undertaken on this development must be collected and removed at periods not exceeding seven days.
- e) All waste storage areas must be screened and not visible from any street frontage.

Reason

Ensure protection of matters of public health and amenity in accordance with relevant code/s and policy direction.

Timing

Prior to commencement of the use and to be maintained for the life of the development.

21. Public and Outdoor Lighting**Condition**

- a) Lighting must be provided in accordance with the *Australian/New Zealand*

Standard AS/NZS1158 Lighting for Roads and Public Spaces (or the current applicable standard).

- b) Lighting fixtures must be installed and maintained so that they do not emit glare or light above the levels stated in *Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting* (or the current applicable standard).

Reason

For public safety, enhancement of public amenity and to ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the Queensland Environmental Protection Act 1994 Section 440.

Timing

Prior to the commencement of the use and maintained for the like of the development.

22. Noise Management

Condition

A Noise Report must be submitted to council for approval demonstrating how the development will comply with SC6.4.3.15 of the City Plan 2014.

Reason

To ensure that the use does not cause a noise nuisance to nearby sensitive receptors in accordance with the Queensland Environmental Protection Act 1994 Section 440.

Timing

To be submitted to council as part of an application for Compliance Assessment.

23. Acoustic Post Construction Certification

Condition

A post construction certification must be submitted to council prior to the commencement of use. The certification must be provided by a suitably qualified acoustic consultant and must demonstrate that Condition 22 (relating to acceptable noise levels) has been achieved.

Reason

To ensure that the use does not cause a noise nuisance to nearby sensitive receptors in accordance with the Queensland Environmental Protection Act 1994 Section 440.

Timing

To be submitted to council prior to the commencement of use.

24. Odour Management

Condition

An Odour Management Plan must be submitted to council for approval, which includes but is not limited to the following:

- a) Identified odour sources and activities likely to cause an odour nuisance;
- b) Aims and objectives;
- c) Reference to the applicable legislation;
- d) Performance indicators;
- e) Actions required to minimise odour impacts;
- f) Responsible person(s) for achieving the plan aim; and
- g) A review schedule.

Reason

To ensure that the use does not cause an odour nuisance to nearby sensitive receptors.

Timing

To be submitted to council as part of an application for Compliance Assessment.

25. Service Delivery Vehicles**Condition**

Unless otherwise approved by council, the activities associated with the Service Delivery Vehicles must only be conducted between 7:00am to 7:00pm Monday to Saturday inclusive. No Service Delivery Vehicles are to operate on Sunday or Public Holidays.

Reason

To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.

Timing

At all times following the commencement of the use.

26. Access Easement**Condition**

An access easement, as marked in red on the approved plan A-03, must be registered on the property, at no cost to council, for the dedicated pathway/bicycle path in favour of council with a minimum width of 3 metres. The easement must include the required clearance from obstructions under the provisions of Part 6A: Pedestrian and Cyclists Paths of Austroads.

Reason

To ensure the development is appropriately serviced for pedestrian/cycle access through the site in accordance with the Breakwater Island Casino Agreement Act 1984, Schedule 3 – Surplus Casino Land Scheme.

Timing

Survey Plan and Easement documents to be submitted and approved by council prior to the commencement of use.

Advice Agency – Ergon Energy

Pursuant to Section 292 of the *Sustainable Planning Act 2009*, Ergon Energy has provided an Advice Agency response, in accordance with the correspondence attached.

ADVICE**1. Infrastructure Charges****Condition**

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

2. Further Approvals Required**Condition****a) Compliance Assessment**

A Compliance Assessment application associated with the following conditions must be submitted to council for approval prior to the issue of a

Development Permit for Building Works, unless otherwise approved by council.

Condition 6 – Sewerage Reticulation
Condition 7 – Water Supply
Condition 12 – Roadworks and Traffic
Condition 14 – Stormwater Drainage
Condition 16 – Landscaping
Condition 19 – Acid Sulphate Soils Management
Condition 22 – Noise Management
Condition 24 – Odour Management

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

- b) **Plumbing and Drainage Works**
A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.
- c) **Building Works**
A Development Permit for Building Works to carry out building works prior to works commencing on site.
- d) **Road Works Permit**
A Roadworks permit for the construction of a driveway or access within the road reserve must be obtained.
- e) **Operational works - Signage**
A Development Permit for Operational works is required for signage deemed to be code assessable in accordance with the Planning Scheme.
- f) **Building Materials**
A detailed plan must be submitted to council for approval prior to the issuing of a development permit for building works.

3. Further Inspections Required

Compliance with Conditions

The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to the submission of a Development Application for a Compliance Permit.

Condition 3 – Property Numbering
Condition 15 – Screening Plant and Utilities
Condition 21 – Public and Outdoor Lighting

4. Electricity Infrastructure

Condition

In accordance with the Ergon Energy advice agency response, the following advice conditions are provided:

- a) A work method statement is prepared for approval by Ergon Energy (prior to the commencement of construction) outlining how construction works will be undertaken. It must demonstrate that the works will not interfere in any way with the assets contained within the building (or associated underground cables) and that supply continuity is not interrupted at any time;

- b) A management plan is prepared for approval by Ergon Energy outlining temporary supply arrangements to cover planned (or unplanned) outages that occur during construction;
- c) To address restrictions on Ergon Energy's access, a new door is installed to the substation building (dimensions to match (as minimum) the existing door width) at no cost to Ergon Energy (in the location shown on plan number 28962/001 E attached);
- d) The redundant door is removed and wall reinstated (once door removed) at no cost to Ergon Energy (in the location shown on plan number 28962/001 E attached);
- e) A new driveway (including crossover) is constructed to the standard of the existing driveway (at no cost to Ergon Energy) to a minimum width of 2.5 metres;
- f) An agreement is reached with Ergon Energy providing an appropriate bond for any costs associated with temporary supply and/or repairs to any damaged assets, which would be the responsibility of the developer; and
- g) In accordance with the easement conditions, Ergon Energy's written consent is sought prior to any works commencing within a registered easement.

5. Mechanical Plant

Condition

All refrigeration equipment, pumps, compressors, air conditioning units and mechanical ventilation systems must be located, designed and installed to achieve a maximum noise level (singular and/or combined in operational) of no more than LAeq(adj) 65dB at the development site property boundary being 1 Mariners Drive.

6. Outdoor Dining

Condition

If an outdoor dining area is to be incorporated, a separate Outdoor Dining Licence application is required under the Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011.

7. Connection to Council Water Supply

Condition

A copy of this permit and the approved water reticulation design must be submitted to council with the appropriate application form for connection to council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

8. Connection to Council Sewer

Condition

A copy of this permit and the approved sewer reticulation design must be submitted to council with the appropriate application form for connection to council's sewer supply. Council will respond to the application with a quotation for the work upon payment will schedule the works for connection.

9. Storage of Materials and Machinery

Condition

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

10. Building Work Noise

Condition

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

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

11. Specifications and Drawings

Condition

Details of council's specifications and standard drawings can be viewed on council's website.

12. Liquid Trade Waste Approval/Agreement

Condition

The developer is advised that a Trade Waste Approval/Agreement may be required under the *Water Supply (Safety and Reliability) Act 2008* and should confirm this with council's Environmental Health Services.

13. Food Business

Condition

Where a food business is required to be licensed under the *Food Act 2006* Section 49, a Food Licence Application must be made prior to construction of the food premises.

Please contact council's Environmental Health unit on 1300 878 001 for further information.

14. Compliance Assessment

Condition

The developer is advised that all Compliance Assessment referencing the City Plan (2014) is to ensure assessment is undertaken in accordance with the provisions in effect at time of the Compliance Assessment being submitted for approval.

Committee Recommendation

That the officer's recommendation be adopted subject to the parking strategy information being provided to Councillor A Greaney prior to the next Ordinary Council meeting.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9072) where council resolved that the committee recommendation be adopted.

5 MC16/0001 - Report - North Shore Hotel (Tavern) and Multiple Dwelling - Request to waive infrastructure charges - 37 Main Street, Burdell

Executive Summary

On 8 July 2016 council approved a Development Permit for a Material Change of Use (MC16/0001) for a Hotel (Tavern) and Multiple Dwelling (40 x 2 Bedroom Units), located at 37 Main Street, Burdell situated on Lot 872 on SP 263023. The development involves the construction of a 1,390 m² Hotel (Tavern) on the ground floor and 40 x 2 bedroom multiple dwelling units over two levels above the Tavern.

Council received a letter from Cardiff Law dated 26 July 2016 requesting that council consider waiving the infrastructure charges to the sum of \$919,200.00 associated with Development Permit MC16/0001 as an incentive to get the development moving forward. The request was based on the economic grounds in terms of the downturn in the property market rather than planning grounds under the *Sustainable Planning Act 2009*.

The infrastructure contributions identified in the Infrastructure Charges Notice are required to service new development and contribute to the provision of additional trunk infrastructure that will be required in the future. Under this Infrastructure Charges Resolution charges apply to all Material Change of Use (MCU) development which generates additional infrastructure demand.

The charges levied on this development (\$919,200.00) are required to ensure the trunk infrastructure in the locality can be delivered to service the area (i.e. water, sewerage and roads). The waiver of infrastructure contributions for this development is not supported and would impact on council's capital budget to upgrade trunk infrastructure for the local catchment and the wider community into the future.

Officer's Recommendation

That council refuse the request to waive the infrastructure charges to the sum of \$919,200.00 associated with Development Permit MC16/0001 on land described as Lot 872 on SP 263023, 37 Main Street, Burdell.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9072) where council resolved that the committee recommendation be adopted.

6 P & D Appeal No. 213 of 2016, Townsville Demolitions Pty Ltd v TCC, 142 Glenn Road, Woodstock

Executive Summary

An appeal was filed in the Planning and Environment Court in Townsville on 27 July 2016 against a decision made by council on 28 June 2016 to refuse a Development Application for Development Permit – Material Change of Use (Impact) (MI15/0025) Warehouse – Open Storage at 142 Glenn Road, Woodstock.

The appellants are seeking an order from the court that the development application be approved subject to appropriate conditions and that the respondent pay the appellant's cost of and incidental to the appeal.

Officer's Recommendation

1. That council resolve to defend the approval of the development application in Planning and Environment Court Appeal No. 213 of 2016.
2. That council, under *Section 257 (1)(b)* of the *Local Government Act 2009*, resolve to delegate authority to the Chief Executive Officer to settle the Planning and Environment Court Appeal, out of court, in the event that a mutually acceptable settlement emerges relating to the above matter.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9072) where council resolved the following:

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

- 1. that council resolve to defend the refusal of the development application in Planning and Environment Court Appeal No. 213 of 2016.**
 - 2. that council, under Section 257 (1)(b) of the Local Government Act 2009, resolve to delegate authority to the Chief Executive Officer to settle the Planning and Environment Court Appeal out of court.**
- 7 Strategic Planning - Infrastructure Charges - Resolution to commence public consultation on the Local Government Infrastructure Plan**

Executive Summary

The draft Local Government Infrastructure Plan has been approved by the Department of Infrastructure, Local Government and Planning to proceed with public consultation, which is proposed for the period 4 October and 14 November 2016. When finalised, the draft Local Government Infrastructure Plan will replace council's current Priority Infrastructure Plan and will ensure council meets updated statutory requirements for trunk infrastructure planning.

Officer's Recommendation

That further to section 982 of the *Sustainable Planning Act 2009*, council approve the draft Local Government Infrastructure Plan to proceed with public consultation.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9072) where council resolved that the committee recommendation be adopted.

8 Strategic Planning - City Planning - Townsville City Plan Amendment Package 2016/01

Executive Summary

This report proposes the third amendment package (Amendment Package 2016/01) to the Townsville City Plan, in keeping with the ongoing maintenance of the planning scheme and planning scheme policies to reflect modern standards and practices.

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

Major amendments to the City Plan include the provision of additional criteria to both the Medium and High density residential zone codes, the inclusion of two new overlay codes and maps (Loud noise

emitting uses and Regional infrastructure) and updates to both relevant zoning maps and the Flood hazard and Natural asset overlays.

Officer's Recommendation

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 4 of the council minutes (page 9072) where council resolved that the committee recommendation be adopted.

Community Health and Environment Committee

It was MOVED by Councillor A Greaney, SECONDED by Councillor K Rehbein:

"that the committee recommendations to items 9 to 12 be adopted."

CARRIED UNANIMOUSLY

9 Disaster Management Plan Assessment Results

Executive Summary

It is a requirement for local government, district groups and the Office of the Inspector General of Disaster Management (IGEM) to review the effectiveness of its disaster management plans at least once a year. The Townsville Local Disaster Management Plan was reviewed against the 14 components set out in the IGEM Emergency Management Assurance Framework. The review identified that plans are generally "well placed", where capability gaps have been identified and practical improvements are planned or underway, with capacity to achieve outcomes.

Officer's Recommendation

That the 2016-17 review of the Local Disaster Management Plan be accepted.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 9088) where council resolved that the committee recommendation be adopted.

10 Townsville City Council Energy and Carbon Management Report

Executive Summary

The purpose of this report is to confirm councils commitment to the reduction of energy consumption, greenhouse gas emissions and associated costs to enhance resilience and sustainability within council and to provide leadership to our community.

Substantial opportunities remain within council now to avoid energy consumption costs from electricity usage, fuel usage and to reduce our CO₂-e greenhouse gas emissions associated with that usage. Focusing on realising cost avoidance through the adoption of innovative and smart technology has the added benefit of creating new industries and jobs. Preparing our council and our community for the changing electricity models where carbon usage is likely to become more expensive for those who don't manage it. It is about creating resilience by improving the performance of our assets over their lifespan and moving beyond isolated thinking to emergent and optimising systems.

Officer's Recommendation

1. That council review the Integrated Energy and Carbon Framework (2015) and undertake a process for establishing new energy and carbon targets for:
 - Energy consumption reduction in both fuel and electricity usage
 - GHG emission reduction in line with the National target of 5% reduction (2000 levels by 2020)
 - Renewable Energy Generation and Energy Efficiency Capex for use in council operations.

2. That council continue to investigate opportunities for sustainability projects for energy cost reduction as business as usual (BAU) and continue to engage and actualise funding/offset opportunities with partners.
3. That council investigate a process where all business cases prepared in procurement activity consider a return on investment for cost saving in energy conservation/demand reduction projects.
4. That Councillors participate in an energy and carbon management workshop, that includes Enterprise Energy Management System (EEMS) and associated frameworks.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 9088) where council resolved that the committee recommendation be adopted.

11 Update: Soil Erosion and Sediment Control Impacts and Actions for Townsville

Executive Summary

Townsville City Council's Creek to Coral partnership is committed to protecting our waterways and wetlands, and the Great Barrier Reef from the effects of land based activities.

In Townsville construction activities associated with new development results in sediment loads in excess of 300 times that of undeveloped sites. This is due to the highly dispersive nature of our soils and high intensity rainfall typical of our wet season, with subsequent activation of nutrients/contaminants into our waterways. Therefore, effective Soil Erosion and Sediment Control practices is of critical importance to protect our receiving waters from these water quality impacts, but also for reducing ongoing maintenance and remediation costs borne by council and the community.

The three key areas that Councillors need to address are:

1. Policy (supporting outcomes);
2. Implementation (practices on ground); and
3. Regulation (active policing and controls).

A collaborative working group (*Soil Erosion and Sediment Control Strategic Working Group*) with approximately 25 key staff across 5 departments is undertaking a *Soil Erosion and Sediment Control Internal System Review*. The review evaluates on ground performances, internal processes, current knowledge gaps and future opportunities to provide a ranked 'Action Plan' for consideration. The ranked action plan is likely to lead to further policy development for future review by Council.

The presentation will introduce the operational and natural resource management impacts and associated costs of poor Soil Erosion and Sediment Control practices and update on the key findings from the internal systems review. It is important as we lead into the wet season for Councillors to have an appreciation of the complexity of natural resources management in developments and likely questions that may arise from residents and developers.

Officer's Recommendation

That Councillors note their future role in reviewing supporting policy, implementation, and regulation.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 9088) where council resolved that the committee recommendation be adopted.

12 Reef Guardian Council Steering Committee Friday 21 October 2016

Overview

Councillor A Greaney advised that Councillor K Rehbein will attend the next Reef Guardian Council Steering Committee to be held at the Gold Coast on Friday 21 October 2016 on her behalf.

Committee Recommendation

1. That council approve the attendance of Councillor K Rehbein to attend the Reef Guardian Council Steering Committee to be held at the Gold Coast on Friday 21 October 2016 on behalf of Councillor A Greaney.
2. That council approve travel and grant leave of absence in accordance with section 162(1)(e) of the *Local Government Act 2009* to Councillor K Rehbein to attend the Reef Guardian Council Steering Committee to be held at the Gold Coast on Friday 21 October 2016 on behalf of Councillor A Greaney.

Council Decision

That the committee recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 9088) 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, the Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 16.

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

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

"that the committee recommendations to items 13 to 22 be adopted."

CARRIED UNANIMOUSLY

13 Community Services - PRESENTATION - North Queensland Sports Foundation Wingate Properties Bursaries

Executive Summary

The North Queensland Sports Foundation (NQSF) offers the NQ Sports Development Bursary in partnership with Wingate Properties and Townsville City Council. This bursary is awarded to junior athletes (under 18 years of age) who are passionate and have the desire to achieve to a high level in their chosen sport. Athletes are nominated to receive a Development Bursary for their chosen sport. Two award recipients are selected each year and receive a NQSF embroidered sports jacket and cheque for \$650.

The 2015 NQ Sports Development Bursary recipients are Cameron McKiddie (Clay Target Shooting) and Presley Wilcox (Boxing).

The Bursary recipients will be in attendance as well as our NQSF elected member, Dan Jackson (NQSF), Stephen Farrell (CEO NQSF), and a representative from Wingate Properties.

Officer's Recommendation

That council note this presentation of the 2016 Wingate Properties Bursaries to Cameron McKiddie & Presley Wilcox.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

14 CityLibraries - First 5 Forever Program

Executive Summary

CityLibraries provides a range of early childhood literacy programs to residents. The State Library of Queensland has provided funding through the First 5 Forever program to enable CityLibraries to increase and expand the delivery of early literacy programs.

In 2016 the CityLibraries First 5 Forever team commenced regular delivery of early literacy programs at the Townsville Women's Correctional Centre (TWCC).

A short video has been produced about this program.

Officer's Recommendation

That council note this First 5 Forever and Townsville Women's Correctional Centre presentation for information.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

15 Community Services Lease - Warrina Park Sports Association Inc.

Executive Summary

The Warrina Park Sports Association Inc. is seeking a lease involving the existing clubhouse and toilet block on a portion of Council owned land known as Warrina Park located at 18 – 34 Cambridge Street, Currajong (Lot 1 RP 718879 and Lot 2 RP 721839).

The Warrina Park Sports Association is best described as a joint management committee that will manage the facilities that previously were managed individually by the North Star Athletics Club and Teachers West Rugby Union Football Club.

Officer's Recommendation

That council approve the issuing of a community lease to Warrina Park Sports Association Inc. over a portion of Council owned land known as Warrina Park located at 18 – 34 Cambridge Street, Currajong (Lot 1 RP 718879 and Lot 2 RP 721839) for a term of 10 years, for a fee of \$1.00 per year, exclusive of GST, if requested.

1. That the lease provide for the Warrina Park Sports Association Inc. to be responsible for the following:
Maintenance, Repair, Replacement of:
 - a) Structural (Clause 6.1a)
 - b) Services/pipes/conduits (clause 6.1 (b))
 - c) Painting (clause 6.3)
 - d) Minor maintenance (clause 6.6)
 - e) Landscaping (clause 5.8)
2. That council resolve that the exception in section 236 (1)(b)(ii) of the Local Government Regulation 2012 applies to the disposal of the land included in this lease, because the disposal is to a community organisation.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

16 Community Services - Licences - Tony Ireland Stadium

Executive Summary

Council approval has previously been given for the establishment of non-exclusive License Agreements with community groups in order to enable their use of Council controlled spaces. License Agreements formalise the conditions under which community groups are able to make use of these spaces.

Tony Ireland Stadium has multiple community groups, and local and State sporting bodies, that are resident or regularly utilise the venue to deliver training and competition to the city's residents. These groups operate under License Agreements at Tony Ireland Stadium and it is intended that these arrangements continue.

Officer's Recommendation

That council approve the issuing of License Agreements at the Tony Ireland Stadium to enable the following sporting groups to continue to utilise the venue for a term of five years.

- Suburban Parks Cricket Club
- Thuringowa Bulldogs Australian Rules Football Club
- Townsville AFL (Australian Football League)
- Townsville Cricket (TCI)
- Queensland AFL (Australian Football League)
- Queensland Cricket
- North Queensland Cricket
- Western Suburbs Dragons Rugby Union

Committee Recommendation

That this item be deferred to a future committee meeting to ensure that fees identified within the licences are consistent.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

17 Community Services - Townsville Sailing Club - LTO - The Strand - 2016

Executive Summary

Council approval has previously been given for the establishment of non-exclusive Licenses to Occupy with community groups in order to enable their use of council controlled spaces.

Licenses to Occupy formalise the conditions under which community groups are able to make use of these spaces.

The Townsville Sailing Club trains and competes at The Strand and occupies a privately owned clubhouse adjacent to Tobruk Pool under lease from the owner. The club seeks to enter into a License to Occupy agreement over a section of the beach located at The Strand, in front of Tobruk Pool (Lot 3 on SP255434) for a term of one year in order to provide a space to locate and launch smaller sail boats during club activities.

Officer's Recommendation

That council approve the issuing of a License to Occupy agreement enabling the Townsville Sailing Club to utilise a section of The Strand in front of Tobruk Pool (involving a portion of Lot 3 on SP255434) for a term of one year.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

18 Community Services - Riverway 10th Anniversary Community Celebration

Executive Summary

The Riverway 10th Anniversary community celebration was held over the weekend of the 13th and 14th of August and involved 17 community groups doing activities on the main stage in Raintree Grove and more than 50 community groups conducting activities and setting up information marquees in the 'community village' that was set up in the Village Spine area.

Some of the notable activities over the weekend included the 1RAR band, La Luna Youth Arts performers, the Lux Lumin Magical Travel Box, Mixhaus activity container, the Waterski show on the Ross River, a number of fitness demonstrations on stage, AFL and cricket come and try activities, Riverway movie, and Artists Market hosted by the Galleries section.

Riverway hosts more than 1 million people each year through activities, recreation, leisure and functions and the estimated 10,000+ attendance over the 10th Anniversary weekend at the Riverway precinct only highlights its much loved place in the Townsville community.

Officer's Recommendation

That council note the Riverway 10th Anniversary Community Celebration report for information.

Committee Recommendation

That the officer's recommendation be adopted.

The Mayor stated that she believes that any events of significance such as this should be run through Townsville City Council's events team.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

19 Community Services - Cricket Quad series post event report

Executive Summary

Tony Ireland Stadium has hosted its tenth significant national or international cricket event / series during August with the staging of the '2016 Quadrangular A series'. The event involved Australia A, South Africa A, India A, and the NPS (Australian National Performance squad) teams.

Officer's Recommendation

That the Quad Series event report be noted for information.

Committee Recommendation

1. That the officer's recommendation be adopted.
2. That a report be prepared and provided to the Chief Executive Officer regarding numbers of attendees and live streaming location figures.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

20 Community Services - Percival Portrait Prize

Executive Summary

Gallery Services has successfully delivered the most acclaimed city-wide celebration of portraiture - The Percival portrait Prize (affectionately known as the "Percival's") to date, with 20,151 visitors to the exhibitions staged at Pinnacles Gallery and Perc Tucker Regional Gallery.

Whilst over 20,000 people visited the Percival's exhibitions proper, many more residents and tourists have accessed or been exposed to the Percival's through the various other platforms, namely: Animal Portraits, The People's Percival exhibition of Flinders Street flags, Flinders Street pavement stickers, Townsville Airport Stickers, Families of Townsville Paste-ups, Street Art commissions, bus promotion, education resources, activity booklets, floor talks and lectures, weekly workshops, guided tours for school groups and community members, marketing and media, and a significant online presence.

This report provides an overview for council on the outcomes of the Percival's 2016.

Officer's Recommendation

That council receives Gallery Services report on the outcomes of The Percival's 2016 as an information item.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

21 CityLibraries - Cafe Isabella and Project Booyah

Executive Summary

Café Isabella at Thuringowa Library is currently vacant. When operational, this café provides a valued service to library customers.

CityLibraries intends to conduct a formal expression of interest for the ongoing operation of Café Isabella, ideally as a social enterprise. In the meantime in order to provide continued service to customers and to support a program with significant community benefit, CityLibraries wishes to enter into a lease arrangement with Project Booyah to temporarily occupy and operate the café.

Project Booyah is a highly successful Queensland Police Service led early intervention program that has partnered with government, non-government and the private sector to connect at-risk young people with employment and vocational pathways.

Officer's Recommendation

1. That council approve issuing of a lease to Project Booyah for the space within Thuringowa Library known as Café Isabella for a period of 12 months, for the fee of \$1.00 per year, exclusive of GST.
2. That council note that the lease will provide the space and maintenance to structure and services only. Fit out requirements and maintenance of equipment will be undertaken by Project Booyah.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

22 Community Services - ICAC & ACAC Memberships and Amendments to Terms of Reference

Executive Summary

On 28 June 2016, council approved the draft Terms of Reference for the Inclusive Community Advisory Committee (ICAC) and the Arts and Culture Advisory Committee (ACAC).

A public Expression of Interest process seeking nominations from community members has occurred, with thirty-nine (39) nominations being received for ICAC, and twenty (20) for ACAC.

All applications were assessed by a panel of Councillors and council officers, the recommended outcome is presented for Community & Cultural Development Committee endorsement and approval by Council.

Officer's Recommendations

1. That council approve the appointment of the following individuals to the Inclusive Community Advisory Committee (ICAC);

No. (not rank)	Inclusive Community Advisory Committee Membership (ICAC)
1	Anita Berry - Volunteering North Queensland
2	Jeremy Audas - Mental Illness Fellowship NQ
3	Alison Fairleigh - Townsville Suicide Prevention Network
4	Sheree Bugden - Mission Australia
5	Madge Sceriha - Townsville Region Committee on the Ageing
6	Linda Blair - Community Information Centre
7	Rachel Baker - Defence Community Organisation
8	Reverend Bruce Cornish - Townsville Central City Mission
9	Julie Fraser - Diversicare
10	Susan Wilkinson - Inclusion Agency Queensland
11	Elizabeth King - Bushland Beach Medical Centre
12	Wilfred Reuben - Dept of Aboriginal and Torres Strait Islander Partnerships (DATSIP)
13	Lynne Derry - The Challenge Games/NQ Autism Support Group
14	Rachel Cook - The Youth Network
15	Peter Monaghan - Centacare North Queensland
16	Velma Gara - Torres Strait Islander community member
17	Sylvia Price - Primary Health Network NQ
18	Johanna Kodoatie - Townsville Multicultural Support Group
19	Kimberley Williams - KLP Family Law
20	Elizabeth Kutuzov - Willows State School Chaplain
21	Scott Stidston - Spinal Life Australia
22	Sandra Moore - Department of Communities, Child Safety and Disability Services
23	Tara Parish - Zonta Club of Townsville Metro Inc

2. That council approve the appointment of the following individuals to the Arts and Culture Advisory Committee (ACAC):

No. (not rank)	Arts and Culture Advisory Committee Membership (ACAC)
1	Deanna Smart - Dancenorth
2	Madonna Davies - Full Throttle
3	Lorna Hempstead AM - Professional Arts North Qld
4	Michelle Hall - Artspaced Inc, Mixhaus and La Luna arts
5	Jonathan McBurnie - Umbrella Studio Contemporary Arts
6	Justin Ankus - Australian Festival of Chamber Music
7	Hilary Martin - La Luna Youth Arts
8	Jeffery Nielsen - Townsville Eisteddfod Inc.
9	Terri Brabon - Theatre iNQ
10	Rod Wilson - Townsville Choral Society
11	Bjarne Ohlin - Townsville Creative Technologies College
12	Barbara Cheshire - visual arts educator
13	Dr Anneke Silver - Practicing Visual Arts
14	Carol Dall'Osto - Australian Concerto and Vocal Competition
15	Dr Sylvia Ditchburn - Practicing artists & art gallery owner
16	Judith Hunter - Barrier Reef Orchestra, NQ Opera and Music Theatre

3. That council approve the Draft Terms of Reference attached to this report for both the Inclusive Community Advisory Committee (ICAC), and the Arts and Culture Advisory Committee (ACAC).

Committee Recommendation

1. That the officer's recommendations 1, 2 and 3 be adopted.
2. That the Inclusive Community Advisory Committee (ICAC) and Arts and Culture Advisory Committee (ACAC) members where practicable mentor younger members of their organisations to attend and contribute to the ICAC and ACAC Advisory Committee meetings.
3. That a proactive recruitment process be implemented to increase representation from Aboriginal and Torres Strait Island community members on the Inclusive Community and Arts and Culture Advisory Committees.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 9091) where council resolved that the committee recommendation be adopted.

Governance and Finance Committee

It was MOVED by Councillor C Doyle, SECONDED by Councillor A Greaney:

"that the committee recommendations to items 23 to 36 be adopted."

CARRIED UNANIMOUSLY

23 Budget Variance Report - Whole of Council - August 2016

Executive Summary

On behalf of the Chief Executive Officer, the Director Corporate Services will present and discuss the Budget Variance Report for the whole of council for August 2016, pursuant to section 204 of the *Local Government Regulation 2012*.

Council's operating position at the end of August 2016 is \$1.5m weaker than the budgeted surplus of \$98.7M. The key contributors to this variance are:

- Reduced water consumption revenue reflecting the impact of current water restrictions;
- A reduction in pre-paid rates revenue received in August; and
- Higher than budgeted employee costs

Partially offsetting this variance are:

- The receipt of revenue for settlement of Ceremonial Avenue; and
- Lower than budget materials and services expenditure across council

Expenditure on council's capital program is \$1.4m above budget at the end of August 2016 with capital income streams below budget by \$1.9m.

Further information is provided in the body of this report.

Officer's Recommendation

That council note the financial report for August 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 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

24 Treasury Report - August 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 August 2016 and the information contained therein.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

25 Service Potential Report - Corporate Asset Management

Executive Summary

Service potential is the balance of performance, cost and risk in relation to the anticipated future benefits that can be obtained from an asset portfolio. The Service Potential Measures and Outcomes Report for Asset Management aims to identify areas of opportunity for improvement in maintenance of assets, capital works planning, delivery of services, and the cost of operating and maintaining assets.

The report is completed quarterly and compares current year and prior year results to determine trends and develop strategies for improvement in the above mentioned areas. The current results are for the 2015/16 final quarter.

Officer's Recommendation

That Council note the Corporate Asset Management – Service Potential Report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

26 Recommended 2016/2017 Christmas Close Down Period

Executive Summary

Each year council considers a close down period between Christmas and New Year. The intent of closedown of council operations has been communicated to the leadership team within council and consultation has occurred regarding which services need to remain operational, where and when during the proposed closedown period.

The input and result of that consultation with the leadership team is reflected in the table in this report. It is through this process that the recommendations have been generated in a transparent manner. The decision when made will be communicated to the community and staff.

Officer's Recommendation

That all areas of council (with the exception of those listed in the table in the attachment to "Report Information" section) participate in the Christmas/New Year closedown with council service points closing at 3.00pm on Friday 23 December 2016 and reopening on Tuesday 3 January 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

27 Quarterly Reporting People and Culture Metrics

Executive Summary

This report seeks to provide an overview of a selection of matters managed in the employee life cycle and to provide a snapshot through metrics to illustrate how performance is currently tracking with regard to them.

This report will provide insight into 5 employment lifecycle matters; metrics related to learning and development opportunities provided to employees; apprenticeship and trainee numbers and health and safety performance.

Officer's Recommendation

That the Quarterly People and Culture Metrics Report be provided for the information of council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

28 Related Party Disclosure Policy

Executive Summary

Council deferred adoption of the Related Party Disclosures policy at council's ordinary meeting on 23 August 2016 requesting further information to benchmark council's approach with other Queensland local governments.

The policy demonstrates council's commitment to comply with the Australian Accounting Standards and disclose material related party transactions in the annual financial statements. Council will implement a system and processes to identify, monitor and disclose related party transactions to manage the risk of non-compliance with the related party disclosure objectives of the Australian Accounting Standards.

The definition of key management personnel has been revised to include other persons that may be defined as having authority and responsibility for planning, directing and controlling the activities of council, directly or indirectly.

Officer's Recommendation

That council adopt the Related Party Disclosure policy.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

29 City Image Advisory Committee Amended Terms of Reference

Executive Summary

Council resolved to establish a City Image Advisory Committee at its post-election meeting on 8 April 2016 and elected Mayor Jenny Hill as the Chair. The terms of reference were adopted by council on 26 July 2016 citing Cr Ann-Maree Greaney as Chair and the purpose of this report is to amend the terms of reference to reflect the correct Chair.

Officer's Recommendation

That the amended Terms of Reference for the City Image Advisory Committee be adopted.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

30 Progress Update Cloud19 Strategy

Executive Summary

The Cloud19 Strategy represents a transformational strategy for council. This Cloud19 Update report is provided for information and to confirm the ongoing value and importance of this endeavour.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the progress of the Cloud19 Strategy and continue to support ongoing implementation.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

31 Addition to Sole Supplier List - Procurement, Finance

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 2016 Calendar year sole suppliers and/or suppliers of specialised or confidential services list was resolved by council the following suppliers have been identified as suppliers which require adding to the current list:

Townsville Bulletin – The Townsville Bulletin has been identified as a supplier that requires to be added to the current list because on certain campaigns councils objective is to reach a mass audience within Townsville through the use of press advertising to promote upcoming events and drive traffic to our website; the Townsville Bulletin is the only supplier able to provide this product/reach.

Arts and cultural performing professionals – The 2016 – 2018 Performing Arts and Events Strategy provides details of the upcoming events for Townsville City Council. The suppliers/performers of these events are unique and are the only suppliers/performers that can perform these events.

Visual arts professionals – The 2013-2016 Visual Arts Strategy provides details of the upcoming visual art exhibitions/activity programs/initiatives delivered by Townsville City Council. The suppliers/artists involved in these activities are unique and are the only suppliers/artists that can deliver these activities.

This report has been reviewed and approved by the relevant Director and Governance and Finance Committee prior to being submitted to council.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve in accordance with section 235(a) and (b) of the *Local Government Regulation 2012* that it is satisfied that the Townsville Bulletin, Arts and cultural performing

professionals, and Visual arts professionals are additional sole suppliers and/or supplier of specialised or confidential services for the 2016 calendar year.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

32 PSA00045 - Supply and Delivery of Bulk Petroleum Products - Procurement, Finance

Executive Summary

The procurement sections of the councils represented in the NQROC (Townsville City Council, Burdekin Shire Council, Charters Towers Regional Council, and Hinchinbrook Shire Council) meet on a quarterly basis to discuss procurement issues and to identify any process or cost saving opportunities that may exist at a regional level.

One opportunity identified is to run coordinated tenders for the supply and delivery of common high use goods and services across the region. By implementing coordinated regional tenders the following will be achieved:

- NQROC usage can be aggregated to increase contract estimated usage.
- Reduce the number of tenders called in the region for the same product/s.
- Reduce the administration cost associated for individual councils in relation to tender management.
- Simplify the process and cost of submitting responses for potential tenderers.

The Local Government Regulations 2012 stipulates a local government cannot enter into a large-sized contractual arrangement unless the local government first invites written tenders for the contract.

A large-sized contractual arrangement is a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, \$200,000 or more in a financial year, or over the proposed term of the contractual arrangement.

To simplify the procurement process and to potentially improve contract savings the NQROC decided to combine the Supply and Delivery of Bulk Petroleum Products under one contractual arrangement accessible to all NQROC councils.

To meet these requirements and to ensure all local suppliers were given equal opportunity a public tender was called for the Supply and Delivery of Bulk Petroleum Products.

As part of the approval process each council will be required to approve the acceptance of the evaluation team recommendations in accordance with each council's specific requirements.

The recommended contract is for 12 months with the option of a further three 12 month extension options available at the principal's discretion.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA00045 – Preferred Supplier Arrangement the Supply and Delivery of Bulk Petroleum Products to Puma Energy (Australia) Fuels Pty Ltd, ABN 34 009 644 151.
3. That council award PSA00045 for 12 months with the option of three extension periods of 12 months.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

33 Finance Services - Procurement - PSA00041 Auctioneering Services

Executive Summary

Council invited tenders for PSA00041 – Auctioneering Services invitations were made by public advertisement in the Townsville Bulletin on Saturday 7th May 2016. The contract is for twelve (12) months with the option for a further three (3) twelve (12) month periods. For an estimated spend of \$34,000 per annum.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA00041 – Preferred Supplier Arrangement for Auctioneering Services for 12 months to Pickles Auctions Pty. Limited (ABN – 32003417650)
3. That council award PSA00041 for 12 months with the option of a further three 12 month extensions.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

34 Finance Services - Procurement - PSA00042 Supply and Delivery of Milk

Executive Summary

Council invited tenders for PSA00042 – Supply and Delivery of Milk invitations were made by public advertisement in the Townsville Bulletin on Saturday 18th June 2016. The contract is for twelve (12) months with the option for a further four (4) twelve (12) month periods. For an estimated spend of \$50,000 per annum.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA00042 – Preferred Supplier Arrangement for the Supply and Delivery of Milk for 12 months to Parmalat Australia Ltd (ABN - 56072928879)
3. That council award PSA00042 for 12 months with the option of a further four 12 month extensions.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

35 RPS00029 Register of Pre-qualified Suppliers of Valuation Services

Executive Summary

Council issued Tender RPS00029 for a Register of Pre-Qualified Suppliers for Valuation Services. The tender closed on 8 June 2016 and seven submissions were received.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to form a Register of Pre-Qualified Suppliers for Valuation Services, consisting of;
 1. KF Townsville Pty Ltd t/as Knight Frank Townsville;
 2. Opteon (North Qld) Pty Ltd; and
 3. Pickles Auctions Pty Ltd.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

36 Minor Changes to the Operational Plan 2016/17

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 Quarter 1 will be produced in October and will provide an assessment of council's progress towards implementing council's Corporate and Operational Plans.

The purpose of this report is to adopt minor changes to programme performance measures that will be reported in the Quarter 1 Corporate Performance Management Report. The report will be produced in accordance with the *Local Government Regulation 2012*.

Officer's Recommendation

That in accordance with section 174 of the *Local Government Regulation 2012* council note the changes to be made to the Operational Plan as outlined in attachment 1.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 9099) where council resolved that the committee recommendation be adopted.

Townsville Water and Waste Committee

In accordance with section 173 of the Local Government Act 2009, Councillors R Cook, V Coombe, C Doyle, A Greaney, J Hill, P Jacob, M Molachino, K Rehbein, M Ryder, M Soars and L Walker declared a perceived conflict of interest in regards to item 41.

- (a) *the name of the Councillors who have the perceived conflict of interest:***
Councillors R Cook, V Coombe, C Doyle, A Greaney, J Hill, P Jacob, M Molachino, K Rehbein, M Ryder, M Soars and L Walker.
- (b) *the nature of the conflict of interest as described by the Councillors:***
BMD Pty Ltd donated to the Team Hill election campaign.
- (c) *how the Councillors dealt with the perceived conflict of interest:***
The Councillors determined that they could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered their position and were of the opinion that they could participate in debate and vote on the matter in the public interest.
- (d) *if the Councillors voted on the issue – how the Councillors voted:***
The Councillors voted as per the recommendation.
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.***
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

It was MOVED by Councillor P Jacob, SECONDED by Councillor R Cook:

"that the committee recommendations to items 37 to 43 be adopted."

CARRIED UNANIMOUSLY

37 Townsville Waste Services - Free Dumping Weekend - October 2016

Executive Summary

Council has budgeted to hold a free dumping weekend during the 2016/17 financial year. This report recommends a date to hold that event. This weekend provides an opportunity for residents to clean up their properties prior to cyclone season by disposing of domestic waste, including green waste, for free (exclusions apply). The official cyclone season begins on 1 November every year.

Officer's Recommendation

That council approve to hold a free dumping weekend over three days being Saturday 1 October to Monday 3 October 2016.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 9108) where council resolved that the committee recommendation be adopted.

38 Property Management - Alma Bay Public Toilets Connection to Picnic Bay Sewerage Catchment

Executive Summary

A wastewater upgrade for Alma Bay Public Toilets is approved in the current capital works budgets. The preferred option is for a package sewerage pump station to connect the toilets to the Picnic Bay Sewerage Catchment.

On 25 August 2015 council made the decision to defer any further back sewerage of the southern catchment of Magnetic Island, which effectively prohibits any future connections of currently unserviced properties to the southern catchment of Magnetic Island until an upgrade of Picnic Bay Wastewater Treatment Facility occurs.

This report provides a summary of the recent history and constraints of the preferred option for a sewerage pump station to service the public toilets at Alma Bay.

Officer's Recommendation

That council approve the connection of the Alma Bay Public Toilets to the Picnic Bay Sewerage Catchment through the installation of a package pump station.

Committee Recommendation

1. That the officer's recommendation be adopted.
2. That council note that the design of the pump station is to consider a future connection from the Arcadian Surf Life Saving Club.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 9108) where council resolved that the committee recommendation be adopted.

39 Business Management & Compliance - Monthly Report Card - August 2016

Executive Summary

Townsville Water and Townsville Waste's monthly report cards containing year to date operating results for 2016/17 are submitted for the month of August 2016.

Officer's Recommendation

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 9108) where council resolved that the committee recommendation be adopted.

40 Wastewater Operations - Expressions of Interest - Clearing of Mount Saint John Sewage Treatment Plant Outfall Channel

Executive Summary

The Mount Saint John outfall channel forms an integral part of the Townsville City Council Mount Saint John Sewage Treatment Plant (MSJSTP) operation. The channel is the authorised discharge point for the plant, situated at the northern end of the plant, traversing Department of Defence land, council managed reserve land and the Town Common Regional Park through Little Snaggy Creek. The channel and creek have over the years become subject to significant infestation of the introduced aquatic species Para grass, *Brachiaria mutica*, which has formed dominant communities in the surrounding wetland. Para grass and other native and introduced aquatic species are growing within the outfall channel, on the channel banks and adjacent areas to the channel thereby reducing the hydraulic capacity of the channel and resulting in overtopping and overland spread of effluent discharge, catchment stormwater runoff and Town Common saline waters.

Previous channel clearing methodologies applied up to early 2015 were not effective in the long term and are no longer feasible due to access constraints caused by the wet ground conditions along the channel. No road access is available to service the outfall. It is proposed that a short listed number of contractors be selected through an Expression of Interest (EOI) process for vegetation clearing and reinstatement of the channel to its design depths. The vegetation clearing methodologies proposed by the EOI participants will inform the most effective, efficient and environmentally friendly method and will assist the procurement of the correct environmental permits which will be followed by request for tender of some or all of the EOI candidates to undertake the works.

In accordance with section 228(3)(a) of the *Local Government Regulation 2012*, council must decide by resolution that it is in the public interest to invite expressions of interest before inviting written tenders.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve that, in accordance with section 228(3)(a) of the *Local Government Regulation 2012*, it is in the public interest to call for expressions of interest before inviting written tenders for:
 - (a) the clearing and removal from site of the Para grass and other vegetation in the Mount Saint John Sewage Treatment Plant outfall channel to Snaggy Creek; and
 - (b) the reinstatement of the existing channel to the same hydraulic capacity as originally designed.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 9108) where council resolved that the committee recommendation be adopted.

41 Programs & Technical Support - Tender Evaluation - TCW00129 - Alfred Street Pump Station PS 9P, Rising Main and Gravity Sewer Works

Executive Summary

Townsville City Council is proceeding with the supply and construction of a new sewage pump station, a new rising main and new gravity sewer pipeline works on Alfred Street in the suburb of Aitkenvale. The existing sewer on the southern side of Alfred Street, that services the Stockland Shopping Centre and medium density residential areas, has capacity issues which resulted in sewer overflows in these areas. By constructing the new sewage pump station it will not only resolve the current capacity issues of the existing system but it will improve the performance of the sewer system and support future growth in the catchment. The new pump station will be constructed at 56 Alfred Street and the new sewer pipelines will be constructed on Alfred Street and Anne Street, between Pope and Anne Streets. The detailed design of this project was completed in December 2015. The construction tender was advertised on 18 June 2016 and was closed on 13 July 2016.

The work includes the supply and construction of a new sewage pump station, 525m length of DN160 rising main and 270m length of DN280 gravity sewer. The sewer pipelines will be constructed using trenchless and open trench construction techniques on Alfred and Anne Streets.

Eight tenders were received. Two tenders were non-conforming and six tenders generally conformed to the requirements of the tender documents.

This report provides an analysis and evaluation of the tenders received for this project.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award tender TCW00129 for the Supply and Construction of Alfred Street Sewage Pump Station, Rising Main and Gravity Sewer Works to NQ Excavations Pty Ltd for the lump sum price of \$1,452,486.00 (excluding GST).
3. That council delegate authority to the Chief Executive Officer, or their delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 9108) where council resolved that the committee recommendation be adopted.

42 Programs & Technical Support - Pump Station 7A to Pump Station 7B Rising Main Duplication Reallocation of Budget

Executive Summary

The *East West Sewer Infrastructure Planning Report* identified that Pump Station (PS) 7A, its catchment sewers and the rising main are under capacity and require upgrade to cater for the existing population and future growth within the catchment.

The pump station and catchment sewer upgrade works have an allocated budget of \$2.1M in 2016/17 and \$1.9M in 2017/18. The rising main duplication works has an allocated budget of \$1.481M in 2017/18. These works were planned to be delivered as separable portions of a single contract over 2016/17 through to 2017/18. The pump station upgrade requires acquisition of land to sit the new facility. The land acquisition has taken longer than originally anticipated and is progressing slowly. The upgrade of the pump station and the catchment sewer has to be postponed until finalisation of land acquisition matters. Bringing forward the delivery of the rising main duplication works will allow Townsville Water and Waste (TWW) to deliver this component of the upgrade works instead in 2016/17. The rising main alignment will not be impacted by changes to the pump station and catchment sewer upgrade works if changes were to occur. Depending upon the resolution of the land acquisition, the pump station upgrade works can then commence towards the end of 2016/17 and continue through to 2017/18. The reallocation of the budget will not impact the overall budget allocated to complete the works.

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 approves the budget reallocation of \$1.481M from the 2016/17 Pump Station 7A upgrade budget to the Pump Station 7A rising main duplication budget allowing Townsville Water and Waste to deliver the rising main works in 2016/17.
3. That council approves the reallocation of \$1.481M from the 2017/18 Pump Station 7A rising main duplication budget to the Pump Station 7A upgrade.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 9108) where council resolved that the committee recommendation be adopted.

43 Water Operations - Ross Dam Operations & Maintenance Contract

Executive Summary

Townsville City Council currently contracts SunWater for Ross Dam operations and maintenance work. The current contract in place with SunWater is nearing expiry.

SunWater provides essential services to council in the form of dam safety management, operations and maintenance of the Ross Dam. These services are vital in enabling council to maintain its infrastructure to an acceptable standard and comply with its Dam Safety Licence Conditions. The operation of a gated dam such as Ross Dam is highly specialised and heavily regulated by the Department of Energy and Water Supply. SunWater has an excellent working relationship with this department.

There are no alternative specialised and experienced suppliers operating other dams in the region. The current supplier is a government agency and therefore council seeks to re-contract with the supplier without inviting written tenders as is usually required by s226 of the *Local Government Regulations 2012* (QLD) and Townsville City Council's Procurement Procedure and Procurement Policy.

In contracting with council, SunWater are seeking to document and clarify in the contract a wide range of risks that they face as the operator of dams in Queensland.

This report outlines the reasons for proceeding to negotiate with SunWater for this contract as a sole supplier in accordance with Chapter 6 Part 3 Division 3 of the *Local Government Regulations 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 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That in accordance with exceptions named under s235 (b) and (f) of the *Local Government Regulation 2012* council does not invite written tenders for the provision of services to operate and maintain Ross Dam.
3. That council acknowledges SunWater Pty Ltd as the preferred supplier to operate and maintain Ross Dam and subject to successful negotiations council approve the making of a contract for these services including the SunWater conditions as outlined in this report.
4. That council delegate authority to the Chief Executive Officer, or their delegate, to approve contract variations within the limits of the operational budget, provided the variations are for services under the contract.

Committee Recommendation

1. That the officer's recommendations 1, 3 and 4 be adopted.
2. That in accordance with exception s235 (b) of the *Local Government Regulation 2012* that council resolves that because of the specialised nature of the services it is impractical and disadvantageous to seek tenders for the provision of operation and maintenance of Ross Dam.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 9108) where council resolved that the committee recommendation be adopted.

Officers Reports

Planning and Development

44 Strategic Planning - Infrastructure Charges - Resolution to commence

This item is a duplication of item 7.

Corporate Services

45 Regional Australia Institute Forum 'Great Small Cities for a Great Big Nation' - Canberra - 12 October 2016

Executive Summary

The Mayor received an invitation to attend and present a case study on Townsville's experiences with the City Deal at the Regional Australia Institute Forum entitled 'Great Small Cities for a Great Big Nation' to be held at Old Parliament House in Canberra on 12 October 2016.

As The Mayor is unable to attend due to other commitments, The Deputy Mayor will attend the forum on her behalf. The invitation has also been extended to the Chief Executive Officer, who will attend to deliver the presentation.

Officer's Recommendation

1. That council approve the attendance of The Deputy Mayor, Councillor Les Walker, to attend the Regional Australia Institute Forum 'Great Small Cities for a Great Big Nation' to be held at Old Parliament House in Canberra on 12 October 2016.
2. That council approve travel and grant leave of absence in accordance with section 162(1)(e) of the *Local Government Act 2009* to the Deputy Mayor, Councillor Les Walker, from 10 to 13 October 2016 to attend the Regional Australia Institute Forum 'Great Small Cities for a Great Big Nation'.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

46 Local Roads and Transport Congress Toowoomba 9 to 11 November 2016

Executive Summary

The Mayor has been invited to attend the Local Roads and Transport Congress to be held in Toowoomba from 9 to 11 November 2016. The event is organised by the Australian Local Government Association. A key role of the event is to develop informed policies to positively impact on communities across Australia.

Officer's Recommendation

1. That council approve the attendance of a nominated councillor to attend the Local Roads and Transport Congress to be held in Toowoomba from 9 to 11 November 2016.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* council grant leave of absence for the nominated councillor from 9 to 11 November 2016.

Council Decision

It was MOVED by Councillor A Greaney, SECONDED by Councillor V Coombe:

- "1. that council approve the attendance of Councillor M Molachino, to attend the Local Roads and Transport Congress to be held in Toowoomba from 9 to 11 November 2016.
2. that council approve travel and grant leave of absence in accordance with section 162(1)(e) of the *Local Government Act 2009* to Councillor M Molachino, to attend the Local Roads and Transport Congress to be held in Toowoomba from 9 to 11 November 2016."

CARRIED UNANIMOUSLY

47 Townsville Show Public Holiday for 2017

Executive Summary

The annual request from the Townsville Pastoral Agricultural and Industrial Association has been received requesting Monday 3 July 2017 be designated as the official Show Public Holiday for Townsville in 2017.

Officer's Recommendation

That council write to the Office of Industrial Relations requesting that Monday 3 July 2017 be declared a regional public holiday for the purpose of the annual Townsville Show.

Council Decision

It was MOVED by Councillor M Molachino, SECONDED by Councillor M Soars:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Council agreed to change the order of business to consider item 51 as the next item of business.

51 Organisation Review

Mr Ralston provided a public overview of the Executive Summary of the Organisational Review.

Confidential Items

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

"that council RESOLVE to close the meeting in accordance with Section 275 (b)(c)(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) (b) industrial matters affecting employees (Item 51);
- Section 275(1) (c) the local government's budget (Item 49); and
- Section 275(1) (e) contracts proposed to be made by it (Items 48, 49 and 50)."

CARRIED UNANIMOUSLY

The council discussed the items.

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

"that council RESOLVE to open the meeting."

CARRIED UNANIMOUSLY

51 Organisational Review

Council Decision

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

- "1. that the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. that council accept the Nous Group report on the Organisational Review dated the 27 September 2016 and that the Chief Executive Officer be authorised to implement its recommendations."

CARRIED UNANIMOUSLY

The order of business resumed.

48 Property Management - PSA00048 Provision of Cleaning Services - Mainland Townsville

Executive Summary

Tender PSA00048 for the Provision of Cleaning Services to Townsville City Council mainland buildings closed on the 17 August 2016. The contract is planned to commence on Monday 31 October 2016 for a two (2) year period with the optional provision for Council to offer a further extension of one (1) year.

The contract comprises scheduled work (fixed), non-scheduled work (variable) to 93 council sites/buildings and includes both administrative and quality control activities as specified within the contract specification.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award contract PSA00048 Provision of Cleaning Services - Mainland Townsville to Birinis (Aust) Pty Ltd for a year one contract value of \$1,954,547.95 (excl GST) for scheduled cleaning, non-scheduled work and contract administration.
3. That council approve a contract period of two (2) years with the optional provision for Council to offer a further extension of one (1) year.

Council Decision

It was MOVED by Councillor M Molachino, SECONDED by Councillor M Soars:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Councillor M Ryder noted that the recommendation report template layout used for this tender was easy to follow and that it would be good if it could be used for future tender recommendation reports.

49 Townsville Water and Waste - CBD Utilities Upgrade Project Increased CEO Delegation

Executive Summary

The CBD Utilities Upgrade Project (*CBDUUP*) was initiated by Townsville Water and Waste due to numerous performance failures of the existing water supply network in the Townsville CBD.

As part of the CBDUUP, on 27 January 2016 council endorsed the award of a contract to BMD Constructions Pty Ltd (BMD) to deliver the Project.

This report seeks approval to increase the Chief Executive Officer's delegated authority to the full project budget value to enable compliance with payment terms in the existing contract by negating delays in the approvals process.

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 the Chief Executive Officer be delegated authority to approve construction and design variations and additional provisional items within the previously adopted project budget valued at \$55,303,166 (excluding GST) as detailed in this report.

Council Decision

It was MOVED by Councillor P Jacob, SECONDED by Councillor M Ryder:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

50 Finance Services - Procurement - PSA00046 Supply and Delivery of Paper/Cleaning Products, Cleaning Chemicals, Hygiene/Skin and Canteen Products

Executive Summary

Council issued tender number PSA00046 on 25th June 2016 for a Preferred Supplier Arrangement for the supply and delivery of Paper/Cleaning Products, Cleaning Chemicals, Hygiene/Skin and Canteen Products.

The tender closed 20th July 2016 and 8 submissions were received and each tenderer declared they had no conflict of interest. The contract is for 12 months with the option of a further three 12 month periods.

The value of the large-size contractual arrangement is estimated to be in excess of \$200,000 Ex GST per annum. The Local Government Regulation required tenders be called for large sized contractual arrangements.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA00046 – Preferred Supplier Arrangement for Supply and Delivery of Paper/Cleaning Products, Cleaning Chemicals, Hygiene/Skin and Canteen Products to Officemax Australia Pty Ltd (ABN 26 064 777 224).
3. That council approves the contract term of 12 months with the option of three 12-month extensions.

Council Decision

It was MOVED by Councillor C Doyle, SECONDED by Councillor M Molachino:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

51 Organisational Review

Refer to resolution following item 47 of the Council Minutes (Page 9115) where council agreed that item 51 be considered after item 47.

Refer to page 9116 of the Council Minutes for item 51 Organisational Review.

General Business

There was no general business.

Close of Meeting

The Chair, Mayor Councillor J Hill, declared the meeting closed at 2.50pm.

CONFIRMED this TWENTY- FIFTH day of OCTOBER 2016

MAYOR

CHIEF EXECUTIVE OFFICER