



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 24 OCTOBER 2017 AT 1.04PM

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 Objectives that identify strategic intent of Townsville City Council >>

Corporate Plan >>

Goal 1 - A Prosperous City

Deliver a strong and innovative economy for Townsville with sustainable growth and support for local jobs and businesses.

Objectives that identify our strategic intent:

- 1.1 Support local businesses, major industries, local innovation and employment growth.
- 1.2 Promote our economic and geographic strengths and market Townsville as a vibrant destination for commerce, education, research, tourism, entertainment and lifestyle.
- 1.3 Plan, support, provide and advocate for infrastructure and investment that supports innovation, residential and economic growth.
- 1.4 Maximize opportunities for economic growth by building and maintaining effective partnerships.

Goal 2 - A City for People

Enhance people's experience of Townsville as a liveable and vibrant city by providing services that support the growth of an inclusive, knowledgeable, active, safe and healthy community.

Objectives that identify our strategic intent:

- 2.1 Provide services and local infrastructure that meet community expectations, support growth and provide for the needs of our community.
- 2.2 Improve the liveability of Townsville and encourage active and healthy lifestyles by providing accessible public facilities and community infrastructure.
- 2.3 Improve the vibrancy of Townsville by supporting the community's access to, and participation in, a range of artistic, cultural and entertainment activities.
- 2.4 Enhance community knowledge of and access to council services to improve community wellbeing, health and safety.

Goal 3 - A Clean and Green City

Create a sustainable future for Townsville through the protection, maintenance and enhancement of our unique, natural and built environment.

Objectives that identify our strategic intent:

- 3.1 Plan, design and deliver sustainable development and support this by actively managing the natural environment and increasing green infrastructure, at both a city, suburb and place level.
- 3.2 Develop and implement long term solutions for the management of water and waste that are socially, financially and environmentally sound.

Goal 4 - A Simpler, Faster, Better Council

Transform the Townsville City Council into a simpler, faster and better council that is easy to work with, and for, and gains community trust by being transparent and managing its resources.

Objectives that identify our strategic intent:

- 4.1 Provide customer-focused services that meet the expectations of our community in a dynamic and adaptive manner.
- 4.2 Ensure that council's plans, services, decisions and priorities reflect the needs and expectations of the community.
- 4.3 Be a valued and committed employer who provides a productive, inclusive and respectful environment for staff and the community.
- 4.4 Improve financial sustainability and provide value and accountability to the community for the expenditure of public funds.
- 4.5 Ensure that public funds are expended efficiently and that council expenditure represents value for money whilst supporting the local economy.

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.

PUBLIC MINUTES

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REPORT	COUNCIL MEETING
DATE	Tuesday 24 October 2017 at 1.04pm
ITEMS	1 TO 26
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 1.04pm.

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 future generations.

Prayer

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

Apologies and Leave of Absence

There were no apologies or leave of absence noted.

Requests for leave of absence

The Mayor, Councillor J Hill requested leave of absence for the period 6, 7 and 8 November 2017.

Councillor L Walker requested leave of absence for the period 25 January to 11 February 2018.

Councillor P Jacob advised that he wishes to apply for leave as he will be nominating as a Labor candidate for the seat of Hinchinbrook. If endorsed by the party, he will be taking leave without pay from his role as Councillor during the election period. Until that time he will of course continue to represent the people in Division 2. Councillor Jacob indicated that it is crucial that his candidacy does not create any perception of him having a conflict of interest that might delay progress on the duplication of the Haughton pipeline, so he will immediately step down from his position as Chair of Townsville City Council's Water and Waste Committee. Councillor Jacob advised that his commitment to secure Townsville's water supply into the future remains as strong as ever. Councillor Jacob will soon establish a new email address and mobile telephone number to ensure that matters related to the State election can be raised with him separately from his Council responsibilities.

Council noted the requirement for Councillor P Jacob to take leave without pay once the election is called.

Council Decision

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

"that the requests for leave of absence from the Mayor, Councillor J Hill, Councillor L Walker and Councillor P Jacob be approved."

CARRIED UNANIMOUSLY

Confirmation of Minutes of Previous Meetings

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

"that the minutes of the Ordinary Council meeting of 26 September 2017 and the minutes of the Special Council meeting of 4 October 2017 be confirmed."

CARRIED UNANIMOUSLY

Disclosure of Interests

- (i) Governance and Finance Committee - Perceived conflict of interest – Item 20 – Councillor K Rehbein – Councillor Rehbein's son plays for Centrals Junior Rugby League.
- (ii) Infrastructure Services Committee - Material personal interest - Item 5 - Councillor M Ryder - Councillor Ryder is a partner in her family business, Rydweld Pty Ltd. On some occasions Rydweld Pty Ltd tender for jobs with local truck companies who have been involved in this tender process.

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

(i) IP and patent matters - Haughton water pipeline

The Mayor, Councillor J Hill requested the Director Infrastructure and Operations to provide clarity over some concerns regarding the water pipeline.

The Director Infrastructure and Operations provided information in response to the question of the possibility of any IP or patent issues that would impact on the ability of this organisation to deliver the Haughton pipeline duplication. The Director Infrastructure and Operations clarified that there are no IP or patent issues which would impact on Council's ability to deliver the pipeline and make it as available as possible to local industry; which has always been Council's intent.

Mayoral Minutes

(i) Haughton water pipeline

The Mayor, Councillor J Hill provided the following Mayoral Minute:

"Today, thanks to the funding made available by the Palaszczuk State Government, we are able to begin the next and final stages of the installation of the pipeline that will secure the water future for Townsville.

Today I wish to clear the air and set down the timetable to the construction of the new pipeline from the Haughton to our City.

Importantly this pipeline can be constructed in just 26 months within turning the first sod. After 30 years of talk we are now within 26 months from a permanent solution to the City's water security.

Council realised early last term that a new pipe would be needed to secure the future needs of our City. Route selection and corridor access and acquisition has been undertaken by Council over the past three years in anticipation. The work undertaken with the Townsville Water Security Task Force as part of the City Deal program has meant the final design is nearly completed.

The next step is to work collaboratively with local industry. This industry engagement will enable the work packages and tendering to be structured in such a way that our local suppliers and contractors can tender and perform as much work as possible. The decision of the State Government to have TCC as the project leader allows Council to maximize local content and real jobs

Again, TCC will lead the way and prioritize the initial steps of the water infrastructure installation required to secure Townsville's water security

Industry forums are expected to commence on the 15th of November and will work with local suppliers and contractors to how the work is best packaged.

Our community and industry has the ability to deliver large parts of this project.

By being smart and working collaboratively with industry we can achieve both jobs for locals and a project that is on time and within budget.

The ability for Council to begin construction of this pipeline could not have occurred or be programmed for completion as quickly as this without the support of the Palaszczuk State Government. Townsville requires not only the water infrastructure but the jobs it creates now. The Townsville Council is to fast-track the final stages of the project and prioritizes the project and its requirements. And Council will continue to work with in collaboration with the State Government

I would like to thank the Council staff both past and present for the work they have undertaken to bring this project to its final stages.

There have been many who did not wish to believe that Council was actively working to secure the final parts of this project, its construction. The keyboard warriors whose vitriol is so corrosive that they continue to try and drag this community into the pit of despair.

You and I as Council and representatives of this City, can now say to our community our residents that we have a corridor secured, we have design nearing completion, we have implemented the recommendations of the Water Security Task Force, we will work with local businesses to develop local industry and we have secured the funding needed from the Palaszczuk State Government. Now Council will deliver."

(ii) Job creation project

The Mayor, Councillor J Hill provided the following Mayoral Minute:

"Today I rise and present this mayoral minute to clear the air....
George Orwell wrote in his novel 1984 "And if the facts say otherwise, then the facts must be altered"

Well Councillors this is a fact that cannot be altered. Census data from 2016 publicised by the media show that since 2011, Townsville has a net loss of 500 jobs.

While to some in our community, in our state, in our country that means nothing, to me and you Councillors, well it means something. And I will speak plainly

It means pain for many in our City, it means social dislocation, and it means financial threat to them and their family. High unemployment creates an underbelly of anger, disrespect and crime in a community.

This is why the majority of Councillors in this Chamber took part in a debate and voted to bring real jobs to our City.

I for one will not shy away from decisions we have taken. It really is a dog eat dog world in attracting industry to any City. Many regions around our country are hurting and people are crying out for work.

All people ask for is an opportunity, an opportunity to work so as to feed their families, keep a roof over their heads, educate the children and maybe to have a bit left over to be able to have some fun.

We took a decision to stand up for our community, to give them an opportunity to work. To give the little local businessman the chance to earn a living, to give the local motor mechanic a bit extra work that may mean his employer will employ him permanently.

We had a choice.. A choice to turn our backs on this opportunity and let another's takes advantage of that employment. And how would we as Councillors be judged if we had allowed that?

That is not what we are elected to do. We were elected because we would fight for our town. Yet many critics want us to have bit both ways. .they talk behind their keyboards and say.. "Yes we want you to attract jobs" but "no do not invest in bringing them to our City"

Well guess what, in politics. As in life you cannot have one leg on each side of a barb wire fence and not expect to lose.

We have others decree about water, well it should not be about one or another it is about both. .jobs and water. The issue of water in Townsville will be dealt with during this meeting.

To date we have an online petition of 45,000 signatures from Texas to London, from Melbourne to Townsville.

A petition supported by many who are very wealthy, the majority to have a life of affluence, and more importantly, a job a future.

This chamber will accept petitions properly made with a name an address and a signature from local residents.

And I would encourage those on the keyboards to start again and go out there to community and get the signatures for this Council to consider seriously the request of petitioners.

Do not be so foolish and arrogant to think that this community should be dictated to by rich, the wealthy, the affluent, the employed from elsewhere.

Don't sit behind a keyboard, get up and walk the streets of our community like Kelso or Condon, Deeragun or Heatley, so you can hear their voices.

But as you that, remember this number 500... For five years there was no growth, for five years this community has lost more jobs than it has created.

Today, there are jobs being generated by projects through Council, but I drawn the line in the sand and ask you to work with me with the Councillors and with other leaders in the City for jobs.

I ask many of those working on the keyboards "Do you want a job?"

If so give us a chance to deliver them."

Council Decision

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

"that both of these Mayoral Minutes be put into the record of Council.'

CARRIED UNANIMOUSLY

Committee Items

Infrastructure Services Committee

In accordance with section 172 of the Local Government Act 2009, Councillor M Ryder declared a material personal interest in regards to item 5.

- (a) ***the nature of the material personal interest as described by the Councillor:***
Councillor M Ryder is a partner in her family business, Rydweld Pty Ltd. On some occasions Rydweld Pty Ltd tender for jobs with local truck companies who have been involved in this tender process.
- (b) ***how the Councillor dealt with the material personal interest:***
Councillor Ryder vacated the Chambers during discussion of item 5.

It was MOVED by Councillor L Walker, SECONDED by Councillor V Coombe:

"that the committee recommendations to items 1 to 4 be adopted and that item 5 be dealt with separately."

CARRIED UNANIMOUSLY

Item 5 - Infrastructure Planning, Assets and Fleet - TCW00232 - Supply and Delivery of four Domestic Refuse Collection Trucks

It was MOVED by Councillor L Walker, SECONDED by Councillor V Coombe:

"that the committee recommendation to item 5 be adopted."

CARRIED UNANIMOUSLY

1 Infrastructure Planning, Assets and Fleet - Permanent Road Closure of Part of Daly Road

Executive Summary

The Department of Natural Resources and Mines - State Land Asset Management Unit have requested, on behalf of an applicant, Council to consider the permanent closure of part of the Daly Road road reserve, approximately 4.15 hectares, adjoining Lot 1 on SP279411 (37 Daly Road, Mutarnee).

This report outlines the investigation into the request and council's recommendation.

Officer's Recommendation

That Council advise The Department of Natural Resources and Mines - State Land Asset Management Unit that it offers no objection to the permanent closure and sale of this land subject to the following conditions:

- That the newly created parcel of land not be created as a separate lot, but rather the road reserve is to be consolidated with the adjoining property Lot 1 on SP279411; and
- A buffer of 2 metres is provided from the edge of the unsealed track that provides access to Crystal Creek within the Daly Road reserve.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes (page 9678) where Council resolved that the Committee recommendation be adopted.

2 Infrastructure Planning, Assets and Fleet - Permanent Road Closure of Part of Dalrymple Road

Executive Summary

The Department of Natural Resources and Mines - State Land Asset Management Unit have requested, on behalf of an applicant, Council to consider the permanent closure of part of the Dalrymple Road road reserve, approximately 2,640m², adjoining Lot 2 on RP737909 (158-162 Duckworth Street, Garbutt).

This report outlines the investigation into the request and council's recommendation.

Officer's Recommendation

That Council advise The Department of Natural Resources and Mines - State Land Asset Management Unit that it offers no objection to the permanent closure and sale of this land subject to the following conditions:

- That the newly created parcel of land not be created as a separate lot, but rather the road reserve is to be consolidated with the adjoining property Lot 2 on RP737909; and
- Two 6 metre wide easements be established, outside of the building footprint, one to cover the existing 225mm diameter water pipe that runs between the building the car park and the other to cover the 1050mm diameter trunk main within the south west corner of the proposed road closure.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes (page 9678) where Council resolved that the Committee recommendation be adopted.

3 Infrastructure Planning, Assets and Fleet Disposal of 115-117 Mooney St Gulliver - Legacy House Site

Executive Summary

Legacy Incorporated is a voluntary organisation providing services to families of deceased veterans and veterans that have lost their health as a result of their military service.

Legacy Incorporated has provided accommodation to veterans' widows in Townsville for the past 40 years, by way of the construction of a multiple dwelling complex in Mooney Street on land leased from Council. Legacy Incorporated is proposing to surrender their lease agreement with Council.

This report provides information and Council's recommendation in relation to Legacy Incorporated surrendering their lease agreement with Council.

Officer's Recommendation

1. That Council resolve to delegate to the Chief Executive Office the authority to dispose of Lots 286 & 287 RP717080.
2. That Council resolve to delegate to the Chief Executive Office the authority to approve that a portion of the proceeds of sale be gifted to Legacy Incorporated.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes (page 9678) where Council resolved that the Committee recommendation be adopted.

4 Infrastructure Planning, Assets and Fleet - Tender Assessment - RPS00040 Register of Prequalified Suppliers for Windscreen and Tinting Supply, Installation and Repair Services

Executive Summary

Council currently operates and maintains a fleet of over 700 vehicles and equipment. To ensure effective ongoing fleet operations, Council has adopted a procurement process that utilises prequalified supplier panel registers for regular purchases of asset and fleet services. This register (Windscreen Panel) is for suitably qualified and experienced companies to be registered for windscreen and tinting supply, installation and repair services.

A panel of three (3) internal and external persons representing key stakeholders closely evaluated the submissions, and scored and ranked the submission accordingly. This report and attached recommendation report provides analysis, evaluation and council's recommendation for awarding RPS00040 - Register of Prequalified Suppliers for Windscreen and Tinting Supply, Installation and Repair Services.

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 appoint the three (3) tenderers ranked for each windscreen supply and services category to the Register of Prequalified Suppliers (RPS00040) to provide windscreen and tinting supply, installation and repair services as per Table 1, below:

Table 1 - Rankings for Procurement Purposes

CATEGORY 1	SUPPLY AND INSTALLATION OF REPLACEMENT WINDSCREENS, MOULDINGS, FLAT GLASS AND CHIP & CRACK REPAIRS			
	Construction and Maintenance Equipment	Heavy Vehicles (Commercial & Passenger)	Light Commercial Vehicles	Light Passenger Vehicles
Rank 1	Australian Specialised Machinery Glass	Novus Autoglass	Novus Autoglass	Service8 Windscreens
Rank 2	Service8 Windscreens	Service8 Windscreens	Service8 Windscreens	Novus Autoglass
Rank 3	-	Instant Windscreens	Allscreens NQ	Australian Specialised Machinery Glass

CATEGORY 2	TINTING
Rank 1	Novus Autoglass
Rank 2	Service8 Windscreens
Rank 3	Allscreens NQ

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes (page 9678) where Council resolved that the Committee recommendation be adopted.

5 Infrastructure Planning, Assets and Fleet - TCW00232 - Supply and Delivery of four Domestic Refuse Collection Trucks

Executive Summary

Tender TCW00232 Supply and Delivery of Four Domestic Refuse Collection Trucks was called as part of the approved 2017/2018 Heavy Fleet Replacement Program. Tenders were invited for the supply and delivery of four new 23-24 cubic metre domestic refuse collection units for allocation to Infrastructure Operations - Townsville Waste Services. The existing Iveco/Superior PAK refuse collection units will be disposed of at auction after delivery of the new units.

This report provides information and council's recommendation for awarding tender TCW00232 Supply and Delivery of Four Domestic Refuse Collection Trucks.

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 No TCW00232 - Supply and Delivery of four 23-24m³ Domestic Refuse Collection Unit to Brown & Hurley for four only DAF FAT CF75 6x4 rigid trucks fitted and commissioned with Superior PAK 24m³ Side Loader domestic refuse collection bodies at a quoted price of \$430,312.93 each (excluding GST).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes (page 9678) where Council resolved that the Committee recommendation be adopted.

Planning and Development Committee

It was MOVED by Councillor L Walker, SECONDED by Councillor M Ryder:

"that the committee recommendations to items 6 to 10 be adopted."

CARRIED UNANIMOUSLY

6 Ogden Street Bus Hub Location - Tabled Petition

Executive Summary

Following lengthy negotiations between the Queensland State Government's Department of Transport and Main Roads and Council, a location has been confirmed for the installation of a bus interchange and associated infrastructure within Ogden Street Townsville City. Funding has been committed by the State Government with Council delivering the infrastructure on the State's behalf.

The previous bus interchange infrastructure in Stokes Street Townsville City was removed during the Flinders Street Redevelopment Project in 2012. The commitment to replace the bus interchange provides the opportunity to recreate this lost connection to the City and its employment, shopping and entertainment precincts as well as creating an entry point for pedestrian access to the future stadium, waterfront promenade and other cultural projects within the CBD area.

A petition from residents and businesses adjacent to the proposed site was tabled at the August 2017 Council Meeting requesting Council to reconsider the positioning of the Bus Hub.

Officer's Recommendation

That Council endorse the proposed location of the Townsville City Bus Hub as depicted in Attachment 3 – Concept Design Layout Plan (attached to the Report to Council).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the Council minutes (page 9683) where Council resolved that the Committee recommendation be adopted.

7 Outcome of Appeal No. 627 of 2017, Ergon Energy Corporation Ltd v TCC & Maidment Land Pty Ltd, 829 Brabon Road, Beach Holm

Executive Summary

An appeal was filed in the Planning and Environment Court in Brisbane on 23 February 2017 against a decision made by Council (at the Ordinary Council meeting on 13 December 2016) to approve, subject to conditions, a development application for Preliminary Approval – Material Change of Use (Impact) (MI13/0020) Preliminary Approval for Development in Accordance with a Plan of Development for Residential and Open Space Land Use at 829 Brabon Road, Beach Holm (Sanctum West).

The appellant sought an order from the court that the conditions contained in the development application should be amended to include conditions necessary to protect current and future electricity supply infrastructure or, in the alternative, the development application should be refused.

The appellant and the co-respondent, Maidment Land Pty Ltd, engaged in numerous separate discussions and agreed that the conditions could be amended to protect current easements and proposed connections to existing powerstations and substations. Council had no objection to the amended conditions and subsequently a Final Consent Order was sealed by the Planning and Environment Court in Brisbane on 31 August 2017.

This matter is now at an end.

Officer's Recommendation

That Council receive this report and note the outcome of Appeal No. 627 of 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the Council minutes (page 9683) where Council resolved that the Committee recommendation be adopted.

8 P&CE - Planning Services - Land Use and Urban Design - Townsville City Plan - Amendment Package 2017/03 - State Interest Review

Executive Summary

Council resolved to make a number of major amendments to the Townsville City Plan on 4 April 2017 as part of Amendment Package 2017/03. The proposed major amendments were then forwarded to the Minister for confirmation of state interests.

In June 2017, the Minister provided correspondence advising Council that relevant state interests had been identified and that Council could prepare the amendment and then proceed to state interest review.

Officer's Recommendation

1. That, pursuant to section 117(1), Part 5, Chapter 3 of the *Sustainable Planning Act 2009*, Council resolve to prepare the proposed major amendment to the Townsville City Plan 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 write to the Minister requesting state interest review of the proposed major amendment, Amendment Package 2017/03.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the Council minutes (page 9683) where Council resolved that the Committee recommendation be adopted.

9 P&CE - Planning Services - Land Use and Urban Design - Townsville City Plan - Development Manual Planning Scheme Policy - Amendment Package 2017/08

Executive Summary

This report proposes a major amendment to the Townsville City Plan's Schedule 6, SC6.4 - Development manual planning scheme policy, in accordance with the *Planning Act 2016*, Planning Regulation 2017 and Minister's Guidelines and Rules (July 2017).

The following are a summary of the key changes proposed:

- Landscaping Policy updated to provide greater clarity around levels of embellishment in open space areas and to achieve more sustainable maintenance outcomes;
- Landscaping Policy updated to provide greater clarity for delivery and maintenance of dog off-lease areas;
- revised irrigation standards to align with water restrictions and level of park embellishment;
- Preferred Plant Species List revised to reflect embellishment and irrigation updates;
- Updates to Construction Specifications and Inspection Test Plans to reflect latest standards; and
- general formatting and administrative corrections throughout the policy.

Officer's Recommendation

1. That, pursuant to Chapter 3, Part 1 of Minister's Guidelines and Rules 2017, made under the *Planning Act 2016*, Council make a major amendment to SC6.4 - Development manual planning scheme policy.
2. That, pursuant to section 3 Chapter 3, Part 1 of Minister's Guidelines and Rules 2017, Council commence public consultation of the major amendment to SC6.4 - Development manual planning scheme policy for a minimum period of 20 business days.

Committee Recommendation

1. That the officer's recommendation be adopted.
2. That on completion of the process a workshop be held to inform Councillors.

Council Decision

Refer to resolution preceding item 6 of the Council minutes (page 9683) where Council resolved that the Committee recommendation be adopted.

10 P&CE - Planning Services - Land Use and Urban Design - Townsville City Plan - Review of Submissions and Seek Approval from Minister to Adopt Amendments - 134 Racecourse Road, Cluden

Executive Summary

Council resolved to make a major amendment to the Townsville City Plan in relation to the land parcel located at 134 Racecourse Road, Cluden in July 2015. The amendment relates to changing the land parcel from the Open space zone to the Low impact industry zone.

On 6 April 2017, the Minister provided formal correspondence to Council advising that all state interests had been appropriately integrated with respect to the proposed major amendment and that Council may undertake public consultation on the proposed planning scheme amendment for a period of 30 business days. The proposed amendment was publicly notified between 24 July and 1 September 2017. During this period one submission was received.

Officer's Recommendation

1. That, pursuant to section 117(1), Part 5, Chapter 3 of *Sustainable Planning Act 2009*, Council resolve to write to the submitter about how their submission has been considered.
2. That, pursuant to section 117(1), Part 5, Chapter 3 of *Sustainable Planning Act 2009*, Council resolve to proceed with the amendment with no change.
3. That, pursuant to section 117(1), Part 5, Chapter 3 of *Sustainable Planning Act 2009*, Council resolve to write to the Minister requesting the adoption of the proposed amendment.
4. That, pursuant to section 117(1), Part 5, Chapter 3 of *Sustainable Planning Act 2009*, Council resolve to, subject to there being no significant changes arising out of the Minister's conditions, delegate authority to the Chief Executive Officer to adopt the proposed Racecourse Road major amendment.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the Council minutes (page 9683) where Council resolved that the Committee recommendation be adopted.

Community Health and Environment Committee

It was MOVED by Councillor R Cook, SECONDED by Councillor M Ryder:

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

CARRIED UNANIMOUSLY

11 Infrastructure and Operations - Townsville Local Disaster Management Group - Minutes of Full Committee Meeting 19 July 2017

Executive Summary

The Townsville Local Disaster Management Group (TLDMG) Full Committee meets twice per year and includes core members, advisory members and deputies from the Townsville City Council, Queensland Fire and Emergency Services (Emergency Management and Fire and Rescue), Queensland Police Service, Queensland Ambulance Service, State Emergency Service, Ergon, Townsville Hospital & Health Services, Townsville Enterprise Limited and a number of other agencies.

Attached to the Report to Council are the minutes of the meeting held on 19 July 2017.

Officer's Recommendation

1. That Council endorse the minutes of the Townsville Local Disaster Management Group Full Committee Meeting held on 19 July 2017.
2. That Council endorse the Townsville Local Disaster Management Group's recommendation for Townsville City Council to enter into a Memorandum of Agreement with GIVIT for the management of offers of assistance, donated goods and volunteers in the event of a disaster. To enter into a Memorandum of Agreement would be at no cost to Council.
3. That Council endorse the Townsville Local Disaster Management Group's acceptance of the proposed membership changes for the TLDMG Working Groups, with the following amendment.
 - To combine the Evacuation Working Group and Transport Working Group into a single Evacuation and Transport Working Group.
4. That Council acknowledge that the Townsville Disaster District (of which Townsville is one of seven local government areas) is undertaking a Disaster Management Capability Review, which is being conducted by the Office of the Inspector-General Emergency Management.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the Council minutes (page 9687) where Council resolved that the Committee recommendation be adopted.

12 RPS00048 Supply of Mosquito and Pest Control Chemicals

Executive Summary

The Townsville City Council local government area consists of approximately 700 hectares of saltmarsh and freshwater mosquito breeding areas. The Pest Control Unit conducts regular treatments of mosquito breeding sites therefore the need to purchase chemicals is essential to maintain an effective and efficient mosquito management program. The current tender arrangement expires 30 September 2017.

An invitation to tender for RPS00048 Supply of Mosquito and Pest Control Chemicals has been advertised and submissions were received. The tendering process has conformed to Council's contract management framework with the tender evaluation team formed to evaluate the tender submissions.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council approve Pacific Biologics Pty Ltd, Globe Australia Pty Ltd and Garrards Pesticides Pty Ltd, as pre-qualified suppliers for Contract RPS00048 Supply of Mosquito and Pest Control Chemicals.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the Council minutes (page 9687) where Council resolved that the Committee recommendation be adopted.

Community and Cultural Development Committee

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

"that the committee recommendations to items 13 to 15 be adopted."

CARRIED UNANIMOUSLY

Councillor C Doyle provided an overview of the donation, by the Gleeson Group, of the TNQ news reels and vintage television. Councillor Doyle extended thanks, on behalf of Council, to Paul Lyons and the late Rick Anderton as collectors, curators and custodians of these archives.

The Mayor, Councillor J Hill provided highlights of the donated footage and acknowledged the Gleeson family.

Councillor A Greaney suggested that this is something that should be in the Seniors Luncheon for next year.

Councillor Hill responded that this is a great idea.

Councillor C Doyle acknowledged Councillor R Cook for his work on the White Ribbon workplace accreditation.

Councillor Cook provided an overview of the White Ribbon workplace accreditation and sought Council's support and endorsement of the proposal for Townsville City Council to start the workplace accreditation process as soon as possible.

The Mayor, Councillor Hill spoke in support of this.

13 Venues and Cultural Services: Donation of TNQ Film and Video Collection by the Gleeson Group

Executive Summary

City Libraries Local History Collection has been gifted a collection of historical news reels and vintage television from the first broadcast in Townsville to North Queensland in 1962. The collection consists of news reels and video footage of significant events and celebrations to Townsville and the region's history. It will be stored with other Council collections that are administered by the Local History Librarian (historical records transferred from Records Management in 2016) and the Chief Legal Officer, offsite at Iron Mountain archive facility. A conservation management plan and a five year collection management plan will guide the delivery of the collection to the public.

The Local History Librarian presented a sample of the footage at the meeting.

Officer's Recommendation

That Council accept the TNQ7 Film and Video collection into the Local History Collection.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the Council minutes (page 9689) where Council resolved that the Committee recommendation be adopted.

14 Community Engagement - Report of Arts and Culture Advisory Committee - 3 August 2017

Executive Summary

Attached to the Report to Council is the Report of Council's Arts and Culture Advisory Committee meeting held on 3 August 2017

Officer's Recommendation

That Council note the Report of the Arts and Culture Advisory Committee meeting of 3 August 2017

Committee Recommendation

1. That the officer's recommendation be adopted.
2. That Council support inclusion of visual artist representation on the City Image Advisory Committee and that this matter be referred to the Advisory Committee for its consideration.

Council Decision

Refer to resolution preceding item 13 of the Council minutes (page 9689) where Council resolved that the Committee recommendation be adopted.

15 Community Engagement - Report of Inclusive Community Advisory Committee - 11 August 2017

Executive Summary

Attached to the Report to Council is the Report of Council's Inclusive Community Advisory Committee (ICAC) meeting held on 11 August 2017.

Officer's Recommendation

That Council note the Report of the Inclusive Community Advisory Committee meeting of 11 August 2017 including the following recommendation:

- a. That Council considers and further investigates progressing with a White Ribbon workplace accreditation. Funding to be reviewed as part of Council's 2018/19 budget considerations.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the Council minutes (page 9689) where Council resolved that the Committee recommendation be adopted.

Governance and Finance Committee

In accordance with section 173 of the Local Government Act 2009, Councillor K Rehbein declared a perceived conflict of interest in regards to item 20.

- (a) the name of the Councillor who has the perceived conflict of interest:**
Councillor K Rehbein
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor Rehbein's son plays for Centrals Junior Rugby League.
- (c) how the Councillor dealt with the perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter and left the meeting and did not participate in debate or voting on the matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor vacated the Chambers during discussion and voting on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

It was MOVED by Councillor V Coombe, SECONDED by Councillor P Jacob:

- "(i) that the committee recommendations to items 16, 17, 21 and 22 be adopted;*
- (ii) that items 18 and 19 be returned to staff for further information; and*
- (iii) that item 20 be dealt with separately."*

CARRIED UNANIMOUSLY

The Chief Financial Officer and the Acting Chief Information Officer provided an overview of the proposed North Queensland Regional Data Centre.

The Mayor, Councillor J Hill and the Chief Executive Officer advised of the benefits of the proposed Data Centre to the community. Councillor Hill commended staff and expressed gratitude for the work they have undertaken on this.

Item 20 - Financial Services - Request for concession - property number 253520

It was MOVED by Councillor V Coombe, SECONDED by Councillor P Jacob:

"that the committee recommendation to item 20 be adopted."

CARRIED UNANIMOUSLY

16 Finance Services - Budget Variance Report - August 2017

Executive Summary

On behalf of the Chief Executive Officer, the Chief Financial Officer presented and discussed the Budget Variance Report for the whole of Council for August 2017, pursuant to section 204 of the *Local Government Regulation 2012*.

Officer's Recommendation

That Council note the financial report for August 2017 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 16 of the Council minutes (page 9691) where Council resolved that the Committee recommendation be adopted.

17 Finance Services - Treasury Report - August 2017

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 2017 and the information contained therein.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the Council minutes (page 9691) where Council resolved that the Committee recommendation be adopted.

18 Financial Services - Request for Concession - property numbers 15240, 112200, 115750, 130010, 143650, 198640, 238710, 513752, 514065, 519077, 533332, 537997, 538380

Executive Summary

A request has been received for a concession for the Sewerage and Volumetric Water charges for multiple properties owned by the same organisation, property numbers 15240, 112200, 115750, 130010, 143650, 198640, 238710, 513752, 514065, 519077, 533332, 537997, 538380. In accordance with Part 10, Section 120 of the *Local Government Regulation 2012*, Council may grant a concession for rates under certain eligibility criteria.

The application has been made under Council's concessions policy specifically in relation to a not-for-profit community organisation.

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 grant a concession on Sewerage charges and a concession for the Volumetric Water charges for the property numbers 15240, 112200, 115750, 130010, 143650, 198640, 238710, 513752, 514065, 519077, 533332, 537997, 538380 as outlined in the Report to Council and that the concession includes Charges from the 01 July 2017. These properties are exempt from general rates under *Chapter 4 section 73(a)(ii) of the Local Government Regulation 2012*.
3. That Council resolve that the concession will continue to be granted until such time that the land use changes or change of ownership for the property is recorded or Council decides otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the Council minutes (page 9691) where Council resolved the following:

that this item be returned to staff for further information.

19 Financial Services - Request for Concession - Property Number 513825

Executive Summary

A request has been received for a concession for the Sewerage and Volumetric Water charges for property number 513825. In accordance with Part 10, Section 120 of the *Local Government Regulation 2012*, Council may grant a concession for rates under certain eligibility criteria.

The application has been made under Council's concessions policy specifically in relation to a not-for-profit community organisation.

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 grant a concession on Sewerage charges and concession for the Volumetric Water charges for the property number 513825 as outlined in the Report to Council and that the concession includes Charges from the 01 July 2017. The Property is exempt from general rates under *Chapter 4 section 73(a)(ii) of the Local Government Regulation 2012*.
3. That Council resolve that the concession will continue to be granted until such time that the land use changes or change of ownership for the property is recorded or Council decides otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the Council minutes (page 9691) where Council resolved the following:

that this item be returned to staff for further information.

20 Financial Services - Request for concession - property number 253520

Executive Summary

A request has been received for a concession for the general rate for property number 253520. In accordance with Part 10, Section 120 of the *Local Government Regulation 2010*, Council may grant a concession for rates under certain eligibility criteria.

The application has been made under Council's concessions policy specifically in relation to a not-for-profit community organisation.

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 grant a concession for the general rate (Not-for-Profit and charitable organisation concession) and concession on the volumetric water charges (Sports field irrigation - no public access restriction) for the property number 253520 as outlined in the Report to Council and that the concession include charges from the from the 01 July 2016.
3. That Council resolve that the concession will continue to be granted until such time that the land use changes or a change to the lease agreement for the property is recorded or Council decides otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the Council minutes (page 9691) where Council resolved that the Committee recommendation be adopted.

21 IT Services - Expression of Interest for North Queensland Regional Data Centre EOI00019 EOI Award

Executive Summary

The Council, under Townsville City Council Commitments number 30, has committed to attracting a modern and significant data centre to Townsville. A high quality Tier 3 data centre will provide valuable digital infrastructure for Council and the region. Council's existing data centre is nearing end of life (2019) and combining this demand with other key users in the local area will underpin this significant investment in local digital capability.

The proposed North Queensland Regional Data Centre (NQRDC) will be co-located into the new Local Disaster Coordination Centre (LDCC) building currently being planned at Council's Dalrymple Depot site.

James Cook University have similarly identified a need for a complete data centre refresh by the end of 2018. As such, Council and James Cook University have been working together to be the anchor tenants in the North Queensland Regional Data Centre.

Neither Council nor James Cook University have the expertise nor experience to take on the design, commissioning or operation of a Tier 3 data centre. In addition, there is a robust and highly competitive market that exists that are keenly interested in investing in a facility of this type as important infrastructure in Northern Australia.

This report provides an analysis and Council's recommendation for awarding EOI00019 North Queensland Regional Data Centre.

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 delegate authority to the Chief Executive Officer, or delegate, to execute a final contract in relation to the North Queensland Regional Data Centre on terms materially not less favourable as per this report and considered most advantageous to Council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the Council minutes (page 9691) where Council resolved that the Committee recommendation be adopted.

22 Review of Council's Charitable and Community Organisations General Rates and Utility Charges Concession Policy

The Committee discussed the need for a review of Council's Charitable and Community Organisations General Rates and Utility Charges Concession Policy.

Committee Recommendation

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

"that a workshop be arranged to review the Charitable and Community Organisations General Rates and Utility Charges Concession Policy prior to the full year budget review."

CARRIED UNANIMOUSLY

Council Decision

Refer to resolution preceding item 16 of the Council minutes (page 9691) where Council resolved that the Committee recommendation be adopted.

Townsville Water and Waste Committee

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

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

CARRIED UNANIMOUSLY

23 Major Projects - Water Security Infrastructure - Expression of Interest

Executive Summary

In its Interim Report the Townsville Water Security Taskforce recommends immediate commencement of water security infrastructure comprising additional 1,800mm diameter steel pipeline and pumps from Haughton Pump Station to Ross River Dam and increasing the capacity of SunWater pump and channel capabilities amongst other recommendations. The Interim Report identifies completion of the immediate recommendations within a three year timetable. The Queensland Government has committed to allocating funds for the acquisition of water security infrastructure. Negotiations are currently underway to align the timing of the funding with the project timeframe.

Council is carrying out preliminary planning activities to meet the three year timetable and intends to convene a workshop with local business and industry prior to inviting expression of interest from interested suppliers, manufacturers, contractors and consultants. The intention of the workshop is to engage with local business and industry and identify opportunities that will maximise local industry and business involvement in acquiring water security infrastructure. The outcomes of the industry workshop will contribute directly to the development of expression of interest documents, while inviting expressions of interests as a precursor to inviting tenders reduces the cost of tendering to both industry and Council.

Officer's Recommendation

1. That, pursuant to s228(3)(a) of the Local Government Regulations, Council decide by resolution, that it is in the public interest to invite expressions of interest before inviting written tenders.
2. That, pursuant to s228(3)(b) of the Local Government Regulations, Council record its reasons for making the resolution in the minutes of this meeting.
3. That Council approve for the continuing negotiation with the State Government Department of Energy and Water supply to align state funding with the proposed project delivery timeframe.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the Council minutes (page 9697) where Council resolved that the Committee recommendation be adopted.

Officers' Reports

Business Services

24 Business Services - Townsville City Council Annual Report 2016/17

Executive Summary

In accordance with section 182 of the *Local Government Regulations 2012*, Council must prepare an Annual Report for each financial year and adopt within one month of the Auditor-General's report on the financial statements.

The Townsville City Council Annual Report for the 2016/2017 financial year is presented for adoption.

Officer's Recommendation

That, in accordance with section 182 of the *Local Government Regulations 2012*, Council adopt the Townsville City Council Annual Report for the 2016/2017 financial year.

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

The Chief Executive Officer thanked staff for their work on the Annual Report.

Planning and Community Engagement

25 MI17/0025 - Extension to Child Care Centre and Removal of Contributing Character Building

Executive Summary

The development application is for a Preliminary Approval for Building Works facilitating the demolition of a contributing character building and a Material Change of Use for the construction of an extension to an existing Child Care Centre.

A Child Care Centre currently operates on the site within the existing St Paul's Lutheran Church and associated buildings. The contributing character dwelling at 42 Townsend Street is proposed to be demolished, to allow for a new building, purposefully designed to accommodate the existing seventy-five (75) children and proposed additional twenty (20) children. The St Paul's Lutheran Church will continue to operate within the existing church building.

The new building has been designed to incorporate elements required by the Character Residential Zone Code, in particular the Interwar to 1950s Asymmetrical Gable Precinct. The proposed development is sympathetic of the existing traditional character streetscape and is of a scale appropriate for a low density residential area.

The application underwent public notification in accordance with the *Sustainable Planning Act 2009* and one (1) submission was received. The submission raised concerns regarding the location of the bin storage area within close proximity to the adjoining residence and failure to identify the location of the air-conditioning units. The response to the submission can be found in section 6 of the report.

An assessment of the proposal has been undertaken against the relevant provisions of the *Sustainable Planning Act 2009* and Townsville City Plan. It is considered that the proposal is consistent with the Strategic Framework of the Townsville City Plan and represents a suitable land use outcome for the site. As such, the proposed development over the subject land at 38 - 40 and 42 Townsend Street, Mysterton, is recommended for approval subject to conditions.

Officer's Recommendation

That Council approve the development application for a Preliminary Approval for Building Works facilitating the demolition of a contributing character building and a Material Change of Use for the construction of an Extension to an existing Child Care Centre (M117/0025) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 6 RP 709031, Lot 4 RP 709031 and Lot 5 RP 709031, more particularly 38-40 and 42 Townsend Street Mysterton, subject to the following conditions -

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE AND PRELIMINARY APPROVAL - BUILDING WORKS (EXTENSION TO CHILD CARE CENTRE AND REMOVAL OF CONTRIBUTING CHARACTER BUILDING)

1. Approved Plans and Supporting Documentation

Condition

- a) The development must generally comply with the plans 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.	Stamp Date
Context & Locality Plan	DA00.01	E	27/09/2017
Streetscape Perspective	DA00.02	C	27/09/2017
Existing Site Plan	DA01.01	I	27/09/2017
Proposed Site Plan	DA01.02	P	27/09/2017
Area Calculations Plan	DA01.03	G	27/09/2017
Concept Landscape Plan	DA01.04	C	27/09/2017
Ground Floor Plan	DA03.01	L	27/09/2017
Roof Plan	DA04.01	J	27/09/2017
Elevations	DA09.01	K	27/09/2017
Elevations	DA09.02	L	27/09/2017
Sections	DA10.01	B	27/09/2017
Rendering	DA22.01	H	27/09/2017
Associated Reports			
Site Based Stormwater Management Plan - REF: C3520 - 27/06/2017 - Prepared by Milanovic Neale Consulting Engineers			

- 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.
- c) The recommendations outlined in the above reports must be implemented prior to the commencement of the use.

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

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

Reason

Ensure protection of matters of public safety and amenity 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.

3. Enrolment Numbers

Condition

The number of children attending the Child Care Centre is limited to ninety-five (95).

Reason

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

Timing

For the life of the development.

4. Additional Plans and Acoustic Requirements

Condition

Detailed plans identifying the location of the air-conditioning units and necessary screening treatments are to be provided to Council for assessment.

Note: It is recommended that the air-conditioning units not be located adjacent to the neighbouring property at 44 Townsend Street, Mysterton.

Should the location of the air-conditioning units be proposed along the western side boundary, additional acoustic requirements will be necessary, unless otherwise approved by Council.

Reason

Ensure protection of amenity for neighbouring residents in accordance with relevant code/s and policy direction.

Timing

Technical details to be submitted to Council as part of an application for a Compliance Certificate.

5. Amalgamation of Allotments

Condition

The amalgamation of lots 4, 5 and 6 on RP709031 into single parcel must be undertaken and the survey plan must be registered, in accordance with the *Land Title Act 1994* or relevant legislation as amended.

Reason

The development application identified multiple lots were required to allow the approved use to operate and commence. Accordingly the amalgamation of the lots is required to support the proposed use.

Timing

Prior to the commencement of the use

6. 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.

7. 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.

8. 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.

9. Sewerage Reticulation**Condition**

The development must connect to Council's reticulated sewer system.

Only one sewer connection is allowed per lot. Amalgamating lots will require excess sewer connections to be disconnected, removed/filled and sealed.

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

Technical details to be submitted to Council as part of an application for Operational Work.

10. Conduit Assessment**Condition**

A visual inspection of the existing gravity sewer main traversing the site must be conducted in accordance with the following:

- a) An assessment is required on the condition of the sewer main from manhole 2A/5E1B to manhole 2/5E1B.
- b) The assessment must be undertaken by a CCTV operator certified to perform conduit condition assessment and the results are to be submitted to Council in an appropriate electronic format accompanied by a written report to be approved in writing by Council.
- c) Any upgrading or replacement determined by Council as part of its approval must be carried out as part of the development at no expense to council.

Reason

To assess and upgrade the condition of the conduit in accordance with relevant code/s and policy direction.

Timing

To be submitted to Council as part of an application for Operational Work.

11. Water Supply**Condition**

The development must connect to Council's reticulated water system.

Only one water meter is allowed per lot. Amalgamating lots will require any excess service to be removed/capped respectively.

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 Operational Work.

12. Electricity and Telecommunication**Condition**

Electricity and telecommunications must be provided in accordance with Part 9.3.6 Works code of the Townsville City Plan.

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 use.

13. Stormwater Management**Condition**

The Site Based Stormwater Management Plan (27/06/17) prepared by Milanovic Neale Consulting Engineers is accepted as being in accordance with Part 9.3.2 Healthy Waters Code of the Townsville City Plan.

The site based stormwater management plan must be implemented together with any changes that may be identified as part of an Operational Works application. All works must be carried out in accordance with SC6.4 Development manual planning scheme policy of the Townsville City Plan.

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage design is consistent with the Site Based Stormwater Management Plan.

The Preliminary Services Sketch must be amended to comply with SC6.4 Development manual planning scheme policy of the Townsville City Plan.

Reason

To manage and to minimise the risk of causing environmental harm to receiving waters, damage to Council infrastructure, and unnecessary financial burdens to Council and the community in accordance with relevant code/s and policy direction.

Timing

Details are to be submitted to Council as part of an application for Operational Work and must be maintained for the life of the development.

14. Roadworks and Traffic**Condition**

- a) New vehicle accesses identified on the Site Plan, including the crossovers in the kerb and channel, must be provided in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.
- b) Any existing vehicle accesses that are not required to service the development, including crossovers in the kerb and channel, must be removed and replaced with new kerb and channel and footpath. The footpath must be reinstated in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.
- c) Any damage to the kerb and channelling must be reconstructed/repared for the full frontage of the site in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.
- d) The existing concrete footpath must be maintained along the full frontage of the site in accordance with Part 9.3.5 Transport impact, access and parking code of the Townsville City Plan.
- e) During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with Council's standards.

Reason

To provide development with access in accordance with Council standards.

Timing

Details to be submitted to Council as part of an application for Operational Work.

15. Car Parking**Condition**

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.3.5 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) A minimum of seventeen (17) car spaces including disabled parking must be provided on site in accordance with SC6.10 Parking rates planning scheme policy of the Townsville City Plan.
- c) A minimum of five (5) line marked car spaces must be provided on Townsend Street in accordance with Australian/New Zealand Standard AS/NZ 2890, unless otherwise approved by Council.

Reason

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

Timing

To be submitted to Council as part of an application for Operational Work and maintained for the life of the development.

16. 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.

17. Landscaping**Condition**

Landscape design plans must be prepared in accordance with Part 9.3.3 Landscape code of the Townsville City Plan. The detailed plans must address the following points;

- Shade trees are required to the car parking area (rather than palms).
- The use of medium to large shrubbery should be avoided along the front landscaping to increase casual surveillance opportunities to the site frontages.
- Detailed plans must give an indication of the proposed surface finishes and their extents in the existing and new play spaces.

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 Operational Work and maintained for the life of the development.

18. Hours of Operation**Condition**

Unless otherwise approved by Council, the activities associated with the use must only be conducted between 6am to 6pm Monday to Friday inclusive, unless otherwise approved by Council.

The use is not to operate on Saturday, 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.

19. Minimum Floor Levels**Condition**

Floor levels of all non-residential buildings are to be above the defined flood level.

Documentation signed by an engineer (who must be an RPEQ) is to be submitted to a Building Certifier stating that the required minimum floor height of all non-residential buildings achieves the required flood immunity.

Reason

To ensure the development is appropriately immune from flood water in accordance with relevant code/s and policy direction.

Timing

Prior to the issuing of a Development Permit for Building Works

20. Soil Erosion Minimisation, Sediment Control**Condition**

Erosion and sediment control management must be installed and maintained in accordance with Part 9.3.2 Healthy Waters Code of the Townsville City Plan.

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with *SC6.4 Development manual planning scheme policy specifically SC6.4.3.8.6 MUSIC modelling requirements of the Townsville City Plan.*

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

At all times during the construction phase.

21. Refuse Facilities

Condition

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Part 9.3.6 Works Code of the Townsville City Plan and in particular:

- a) The approved waste storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The developer must provide a storage area that is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection, unless otherwise approved by Council.
- b) An adequate hard stand area with sufficient space to accommodate all bins for collection is to be made available along Townsend Street frontage for the collection of mobile garbage (wheelie) bins and recycling bins (collected bi weekly). When development is operational, please contact Waste Services on 1300 878 001 to commence refuse service.
- c) 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.

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.

22. Outdoor Lighting

Condition

Install and maintain the lighting fixtures 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

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

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. Water Restrictions

Condition

- a) To manage Townsville's water resources, Council regulates water restrictions on a permanent basis. All development undertaken in Townsville must be mindful of the current and projected level of water restrictions that may affect development activities such as landscaping establishment and/or soil erosion and sediment control;
- b) Developers remain responsible for compliance with any water restrictions as directed by council;
- c) During times of significant water shortage, Council may refuse to grant developers exemptions from water restrictions for the purposes of landscaping works or soil erosion and sediment control activities;
- d) In circumstances where exemptions to water restrictions are no longer issued by council, bonding of soft landscaping works will be permitted to enable the release of plans of survey and / or compliance certificates. In cases where the soft landscaping is a component of permanent soil erosion and sediment control (such as an open drain) the use of "bonded fibre matrix" type hydro-mulch products or other suitable soil erosion and sediment control methods can be carried out as alternatives to demonstrate compliance with water restrictions.
- e) The responsibility for compliance with all relevant environmental protection requirements (in particular sediment and erosion control) remains with the developer; and
- f) All existing approvals should already include appropriate conditions to allow for the bonding of landscaping works. Should you find that an existing approval does not provide for this flexibility, a permissible change request to amend the conditions of approval can be lodged with Council free of charge (provided no other changes are requested).

3. Further Approvals Required

Condition

a) **Operational Work – Civil and Landscaping**

An Operational Work 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 8 – Sewerage Reticulation
Condition 9 – Conduit Assessment
Condition 10 – Water Supply
Condition 12 – Stormwater Management
Condition 12 - Roadworks and Traffic
Condition 14 – Car Parking
Condition 16 – Landscaping

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) **Certificate of Compliance**
An application for Certificate of Compliance 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 3 – Additional Plans and Acoustic Requirements
- c) **Plumbing and Drainage Works**
A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.
- d) **Building Works**
A Development Permit for Building Works to carry out building works prior to works commencing on site.
- e) **Road Works Permit**
A Roadworks permit may be required for works within the road reserve.
- f) **Operational work - Signage**
A Development Permit for Operational work is required for signage deemed to be code assessable in accordance with the Planning Scheme.

4. Further Inspections Required

Condition

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 2 – Building Materials

Condition 5 – Storage

Condition 7 – Property Numbering

Condition 15 - Screening Plant and Utilities

Condition 20 – Refuse Facilities

5. 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.

6. 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.

7. 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.

8. 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.

9. Specifications and Drawings

Condition

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

10. Environmental Considerations

Condition

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

11. Asbestos

Condition

All asbestos being removed from the site must be transported and disposed in accordance with relevant legislation.

12. Roadworks Approval

Condition

The developer is responsible for obtaining a Roadworks permit in accordance with Subordinate Local Law No. 1.15 (Carry out Works or Interfering with a Road or its Operation) 2011 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

- a) Completed Roadworks permit application form;
- b) Prescribed fee;
- c) Traffic Management Plan prepared by a suitable qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices (Queensland) Part 3 – Works on Roads.

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

13. Building Over/Adjacent to Services

Condition

The developer is advised that the proposed building structures are over/adjacent to an existing sewer. In accordance with QDC MP1.4, the applicant may be required to make an application to Council for consent under Section 191 of the *Water Supply (Safety and Reliability) Act 2008* for building over or adjacent to services.

14. Dust Mitigation

Condition

Implement dust control measures on-site during construction and also after commencement of the use so as to prevent a dust nuisance from occurring to surrounding properties.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Councillor C Doyle encouraged the applicant to seek an alternate method, other than demolition, for the building. Councillor Doyle provided the reason for this request.

The Mayor, Councillor J Hill requested the Director Planning and Community Engagement to take this request to the applicant.

Confidential Items

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

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

Section 275 (c) the local government's budget (Item 26)."

CARRIED UNANIMOUSLY

The Council discussed the item.

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

"that Council RESOLVE to open the meeting."

CARRIED UNANIMOUSLY

26 Proposal to purchase land located in CBD

Executive Summary

It is recommended that Council resolve the purchase Property Assessment No. 3430 located in the CBD to facilitate the economic activation of the area.

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 purchase Property Assessment No.3430 located in the CBD for the strategic economic activation of the area.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

General Business

(i) Support of motion at LGAQ Annual Conference

Councillor K Rehbein advised that he is pleased to announce that the motion he presented at the Local Government Association of Queensland (LGAQ) Conference received overwhelming support from the other Councillors. The motion to lobby State government to give Councils more power to address negligent investment property owners is a step in the right direction in addressing slumlord property owners who take advantage of Councils and their residents. Councillor Rehbein outlined the reasons for this motion and the subsequent process.

The Mayor, Councillor J Hill spoke in support of this motion.

Councillor P Jacob commended Councillor Rehbein on this motion.

(ii) Heatley Family Fun Day

Councillor K Rehbein provided an overview of the Heatley Family Fun Day held recently which was part of Mental Health Week. Councillor Rehbein thanked staff for their support on this event.

(iii) Proposal to establish a Local Government independent election monitor

The Mayor, Councillor J Hill advised that the Local Government Association of Queensland is seeking for the Queensland State Government to report on establishing a Local Government independent election monitor. Councillor Hill provided an overview of this proposal and advised that a report will be provided to all Councillors. This proposal is a result of comments being made in social media and in print.

Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 2.13pm.

CONFIRMED this TWENTY-EIGHTH day of NOVEMBER 2017

MAYOR

CHIEF EXECUTIVE OFFICER