



ORDINARY COUNCIL MINUTES

TUESDAY 25 NOVEMBER 2014 AT 9.00 AM

Council Members >>

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

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

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

- 1.1 Create economic opportunities for Townsville to drive community prosperity.
- 1.2 Maximise opportunities through engagement and partnership with stakeholder achieve a strong resilient economy.
- 1.3 Utilise the City Plan to inform the development of current and future infrastructure needs of Townsville.
- 1.4 Promote and market Townsville as a vibrant destination for commerce, entertainment and lifestyle.

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

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

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

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

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

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

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REPORT	COUNCIL MEETING
DATE	Tuesday 25 November 2014 at 9.00am
ITEMS	1 TO 48
PRESENT	The Mayor, Councillor J Hill Councillor V Veitch Councillor S Blom Councillor C Doyle Councillor G Eddiehausen APM Councillor P Ernst Councillor R Gartrell Councillor J Lane Councillor A Parsons Councillor T Roberts Councillor L Walker

Opening of Meeting

The Chair, Mayor Councillor J Hill opened the meeting at 9.00am.

Prayer

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

Apologies and Leave of Absence

There were no apologies or leave of absence.

Confirmation of Minutes of Previous Meeting

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

"that the minutes of the Ordinary Council meeting of 30 October 2014 be confirmed."

CARRIED

Disclosure of Interests

- (i) Sports Recreation and Parks Committee - Real conflict of interest – Item 17 - Councillor G Eddiehausen declared a conflict of interest as he is a long-time Crocodiles supporter and ticket holder.
- (ii) Governance and Finance Committee - Material personal interest – Item 33 – The Mayor, Councillor J Hill is a member of the executive board of LGAQ.
- (iii) Governance and Finance Committee - Perceived conflict of interest – Item 33 – Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch - TP Human Capital donated to the Townsville First election campaign.
- (iv) Governance and Finance Committee - Perceived conflict of interest – Item 34 – Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch - MacDonnells Law donated to the Townsville First election campaign.
- (v) Governance and Finance Committee - Perceived conflict of interest - Item 34 - Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch - A partner of Wilson Ryan Grose made a personal donation to the Townsville First election campaign.
- (vi) Townsville Water and Waste Committee - Perceived conflict of interest – Item 42 - Councillors R Gartrell, A Parsons, V Veitch, S Blom, G Eddiehausen, J Lane and T Roberts - NQ Excavations Pty Ltd donated to the Townsville First election campaign.
- (vii) Sports Recreation and Parks Committee - Material personal interest – Item 17 - Councillor T Roberts is a game caller on television for the Townsville Crocodiles games.
- (viii) Community and Cultural Committee - Perceived conflict of interest – Item 27 - The Mayor, Councillor J Hill is a patron of the Australian Concerto and Vocal Competition.
- (ix) Community and Cultural Committee - Material personal interest – Item 26 - Councillor J Lane's husband is a member of the Umbrella Studio.

Correspondence

There was no correspondence.

Petitions

- (i) Request council give consideration to making Flinders Street Mall a smoke free zone.

PETITION

Date 24 October 2014

Overview

Councillor V Veitch tabled a petition from 38 residents of Townsville.

Petition Request

That council give consideration to making Flinders Street Mall a smoke free zone.

Council Decision

That the petition be referred to the relevant department for action and a report to come back to council.

- (ii) Request council give consideration to property safety issues at 34 Hubert Street, South Townsville.

PETITION

Date 20 November 2014

Overview

Councillor V Veitch tabled a petition from 6 residents of Townsville.

Petition Request

That council give consideration to property safety issues at 34 Hubert Street, South Townsville as outlined in the petition.

Council Decision

That the petition be referred to the relevant department for action and a report to come back to council.

Presentations

There were no presentations.

Mayoral Minute

The following is a summary of the Mayoral Minute presented at the meeting.

The Mayor, Councillor J Hill hosted a rally for the Townsville community on Saturday 22 November which was led by a retired Australian Army Colonel. The rally highlighted the recent Defence Force Tribunal recommendation to change, significantly, the service conditions for all Australian Defence Force (ADF) personnel.

The rally concluded by offering a unanimous show of support to the ADF and their families who sacrifice so much for us all and are an integral part to our city.

Council Decision

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

1. "that council recognise the value and contribution that the Australian Defence Force and their families make to the Townsville Community;
2. that the Mayor, Councillor J Hill write to the Prime Minister, Tony Abbot and request that he immediately have the Australian Defence Force pay deal reviewed with a view to seeking a fair pay rise at least in line with inflation, immediately have leave restored to the Australian Defence Force and their families, and review the cuts to other conditions of service; and
3. that the Mayor, Councillor J Hill write to advise other councils across Queensland of the support it has provided to the Australian Defence Force and their families on the issue and request they consider the same. "

CARRIED UNANIMOUSLY

Committee Items

Infrastructure Committee

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

"that the committee recommendations to items 1 to 2 be adopted."

CARRIED UNANIMOUSLY

Councillor T Roberts thanked staff and contractors for their work on the Blakeys Crossing Upgrade Project.

1 Engineering Services - Permanent Road Closure D'Arcy Drive

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 24 October 2014

Executive Summary

The Department of Natural Resources and Mines - State Land Asset Management Unit have requested, on behalf of an applicant, council to consider the permanent closure of a part of road reserve, area approximately 6520m², separating Lots 1600 and 1601 on SP232887 from Lot 1603 on SP 232887, being part of D'Arcy Drive, Idalia.

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

Officer's Recommendation

That council advise The Department of Natural Resources and Mines - State Land Asset Management Unit that it offers no objection to the permanent closure and sale of part of the road reserve separating Lots 1600 and 1601 on SP232887 and Lot 1603 on SP232889, subject to the following conditions:

1. That the newly created parcel of land not be created as a separate lot, but rather is to be consolidated with Lot 1601 on SP232887; (allowing road access to Lot 1601 on SP232887 to continue);
2. A three (3) metre wide easement is created over the 100mm diameter water main, located within the existing road reserve, shown as Easement 1 in *Attachment 2*;
3. That an easement is created over the drainage flow path within the existing road reserve, shown as Easement 2 in *Attachment 2*. Easement 2 will connect EMT G on SP232887 and EMT H on SP232887 along the eastern boundary of the road reserve;
4. That an easement is created over the drainage flow path within the existing road reserve, shown as Easement 3 in *Attachment 2*. Easement 3 will cover the current east-west drainage through the centre of the road reserve;
5. That the exact alignment and width of the two (2) newly created drainage easements is to be negotiated, and agreed to by council, and any future alterations will be to council's requirements and at the owner's expense;
6. That the existing 100mm diameter water main is to remain as an encumbrance on the title and any future alterations to the water main will be to Council's requirements and at the owners expense ; and
7. That the applicant be advised that consideration must be made for pedestrian/ cyclist access between Cluden and Fairfield Waters in any future development of the newly consolidated land parcel.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7634) where council resolved that the committee recommendation be adopted.

2 Engineering Services - TCW00088 Recommendation for Supply and Delivery of One (1) Only Truck Mounted, Vacuum Type Street Sweeper

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 23 October 2014

Executive Summary

Tender TCW00088 - Supply and Delivery of one (1) only Truck Mounted, Vacuum Type Street Sweeper was called as part of the approved 2014/2015 Heavy Fleet Replacement Program. Tenders were invited for the supply and delivery of one (1) new Truck Mounted, Vacuum Type Street Sweeper for allocation to Infrastructure Services – Operational Support.

New Fleet Number: HT20661

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 Tender No TCW00088 - Supply and Delivery of one (1) only Truck Mounted, Vacuum Type Street Sweeper be awarded to Rosmech Sales & Services for one (1) only Scarab Mistral Hino FG1628 Street Sweeper, at a quoted price of \$307,468.00 (excluding GST).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7634) where council resolved that the committee recommendation be adopted.

Planning and Development Committee

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

"that the committee recommendations to items 3 to 6 be adopted."

CARRIED UNANIMOUSLY

3 Outcome of Appeal No. 77 of 2014, NEM Enterprises Pty Ltd v TCC & Ors, 2 Karanya Street, Mount Louisa

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Governance
Date 9 October 2014

Executive Summary

An applicant appeal was filed in the Planning and Environment Court by NEM Enterprises Pty Ltd on 19 March 2014 against council's deemed refusal of a development application for a Preliminary Approval for a Material Change of Use – Residential Development and a Development Permit for Reconfiguration of a Lot to create 95 residential lots in stages. Eight submitters also elected to become co-respondents to the appeal on 11 April 2014.

The matter proceeded through mediation with several matter initially objections to an approval. Mediation resulted in the resolution of all these issues and a Final Order was issued by the Court on 29 September 2014.

This matter is now at an end.

Officer's Recommendation

That council receive this report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 3 of the council minutes (page 7636) where council resolved that the committee recommendation be adopted.

4 MI11/0059 MCU - Staged Extension to Existing Shopping Centre (North, West and Combined Stages), Community Facilities, Vehicle Repair Premises, (ERA 21) , Willows Shopping Town

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment
Date	13 November 2013
Address	Willows Shoppingtown 13 Hervey Range Road, Thuringowa Central
Applicant/Owner	Dexus Wholesale Property Limited, C/- Urbis Pty Ltd
Description	Development Permit for a Material Change of Use - Staged Extension to Existing Shopping Centre (North, West and Combined Stages), Community Facilities, Vehicle Repair Premises and Environmentally Relevant Activity (ERA 21) and a Staged Development Permit for Building Works (assessable against the Planning Scheme)

Executive Summary

The application seeks a Development Permit for Material Change of Use - Staged Extension to Existing Shopping Centre (North, West and Combined Stages), Community Facilities, Vehicle Repair Premises and Environmentally Relevant Activity (ERA 21) and a Staged Development Permit for Building Works (assessable against the Planning Scheme) on Lot 2 RP865794, Lot 1 RP733981, Lot 5 RP747164, Lot 20 RP812288 and Lot 2 and 3 SP 226267, situated at Willows Shoppingtown 13 Hervey Range Road, Thuringowa Central.

The development of Willows Shopping Centre is proposed to include an additional Discount Department Store (DDS) and associated auto repair and tyre centre, a new supermarket (to replace an existing supermarket), new specialty retail, a new community facility and a new Police Beat. The existing centre currently provides a Gross Lettable Area (GLA) of 38,007m² and the proposed development will result in a net increase of 19,877m² GLA taking the total GLA of the Willows Shopping Centre to 57,884m².

Under the *City of Thuringowa Planning Scheme 2003* the site is contained within the Centres Planning Area and further within the Thuringowa Sub-Regional Centre (Thuringowa City Centre). The subject site is within the Commercial 1 (City Centre Core) sub-area and also extends into the Commercial 3 (City Centre Support) sub-area where the development is identified as being impact assessable.

The application received one submission during the notification period alluding to the proposal being in conflict with the strategic intent of both the *City of Thuringowa Planning Scheme 2003* and the *Draft City Plan*. The planning report provides a detailed assessment against the provisions of both schemes and addresses the submissions accordingly.

The *Department of Transport and Main Roads* (DTMR) was identified as a concurrence agency and *Ergon Energy Corporation* was triggered as an advice agency in respect to this application. The report provides a summary of each department's response and includes the detailed response as part of the attachments.

The development is consistent with the strategic intent of the Centres Planning Area in particular, the Thuringowa Sub-Regional Centre (Thuringowa City Centre), results in an appropriate development for the site and is therefore recommended for approval. It is however, important to note, that the size of this sub regional centre is now at its upper limit, meaning any further expansion (beyond this application) in the short term may have impacts on the other sub regional centres and the CBD's higher order role.

Officer's Recommendation

That council approve application MI11/0059 for a Development Permit for Material Change of Use - Staged Extension to Existing Shopping Centre (North, West and Combined Stages), Community Facilities, Vehicle Repair Premises and Environmentally Relevant Activity (ERA 21) and a Staged Development Permit for Building Works (assessable against the Planning Scheme) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 2 RP865794, Lot 1 RP733981, Lot 5 RP747164, Lot 20 RP812288 and Lot 2 and 3 SP 226267, more particularly Willows Shoppingtown 13 Hervey Range Road, Thuringowa Central subject to the following conditions -

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE (MI11/0059)

STAGED EXTENSION TO EXISTING SHOPPING CENTRE (NORTH, WEST AND COMBINED STAGES), COMMUNITY FACILITIES, VEHICLE REPAIR PREMISES & ENVIRONMENTALLY RELEVANT ACTIVITY (ERA21) & A STAGED DEVELOPMENT PERMIT FOR BUILDING WORKS (ASSESSABLE AGAINST THE PLANNING SCHEME)

1. Site Layout

- a) The proposed development must generally comply with drawing(s) as referenced in the table below and attached as stamped "Approved Subject to Conditions", except as otherwise specified by any condition of this approval.

DRAWING NAME	DRAWING NO.	REVISION NO.	PLAN DATE
Existing Ground Floor Plan	SK04.6A.SE_01	D	24/10/2011
Proposed Site Plan Stage North	SK04.6A.SE_02	8	4/09/2013
Proposed Site Plan Stage West	SK04.6A.SE_03	9	4/09/2013
Proposed Site Plan Combined West and North Stage	SK04.6A.SE_04	16	4/09/2013
Proposed Site Plan Combined West and North Stage	SK04.6A.SE_05	9	4/09/2013
Proposed Site Plan Detail – Foodcourt	SK04.6A.SE_06	4	4/09/2013
Proposed Site Plan Detail Link Plan	SK04.6A.SE_07	5	4/09/2013
Existing Cardeck Plan	SK04.6A.SE_11	D	24/10/2011
Stage North Cardeck	SK04.6A.SE_13	6	4/09/2013
Stage West Cardeck Plan	SK04.6A.SE_14	6	4/09/2013
Combined Cardeck Staged	SK04.6A.SE_15	8	4/09/2013
Combined Cardeck	SK04.6A.SE_16	5	4/09/2013
Basement Carpark Plan	SK04.6A.SE_17	1	4/09/2013
Combined Stages – Elevations EX,A&B	SK04.6A.SE_20	4	4/09/2013
Combined Stages – Elevations C,D&E	SK04.6A.SE_21	5	4/09/2013
Combined Stages – Elevations F,G&H	SK04.6A.SE_22	5	4/09/2013
External Material Board	SK04.6A.SE_25	3	4/09/2013
Combined Stages – Perspective Main Entrance	SK04.6A.SE_30	4	4/09/2013
Perspectives Main Entrance	SK04.6A.SSE_31	4	4/09/2013
Combined Stages – Perspective 3 – Foodcourt Entrance	SK04.6A.SE_34	4	4/09/2013
Perspectives Foodcourt	SK04.6A.SE_35	4	4/09/2013

Perspectives – Carthew Street	SK04.6A.SE_36	4	4/09/2013
Kern Brothers Drive Perspectives	SK04.6A.SE_37	3	4/09/2013
Sunstudy – Equinox (22 nd September) Northern Area	SK04.6A.SE_50	3	4/09/2013
Sunstudy – Summer Solstice (22 nd December) Northern Area	SK04.6A.SE_51	4	4/09/2013
Sunstudy – Equinox (22 nd September) Southern Area	SK04.6A.SE_52	3	4/09/2013
Sunstudy – Summer Solstice (22 nd December) Southern Area	SK04.6A.SE_53	3	4/09/2013
Circulation Stage North	SK04.6A.SE_70	4	4/09/2013
Circulation Stage West	SK04.6A.SE_71	5	4/09/2013
Circulation Combined West and North Stages	SK04.6A.SE_72	4	4/09/2013
Demolition Stage North	SK04.6A.SE_73	4	4/09/2013
Demolition Stage West	SK04.6A.SE_74	4	4/09/2013
Demolition Combined Stages West and North	SK04.6A.SE_75	4	4/09/2013

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Defined Use

The use hereby permitted must be conducted at all times in conformity with the associated Planning Scheme definition.

3. Amalgamation of Allotments

The developer must amalgamate Lot 2 RP865794, Lot 1 RP733981, Lot 5 RP747164, Lot 20 RP812288 and Lots 2 and 3 SP 226267 into a single parcel. The survey plan must be registered, in accordance with the *Land Title Act 1994*, prior to the commencement of the use.

4. Building Materials

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 quality which does not cause excessive glare.

5. Signage

Should signage associated with the use exceed 2m², the developer must submit plans of the signage as an application for Operational Works for approval by Council prior to commencement of the use. Details must include the location of the signage, construction materials, size of the sign and graphic content. All signage must comply with the City of Thuringowa Planning Scheme Policy for Advertising Devices. Approved signs must be maintained to the satisfaction of Council.

6. Storage of Materials and Machinery

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

7. Storage

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.

8. Site Appearance

The site is to be kept in a clean and tidy condition at all times to the satisfaction of council.

9. Lighting

- a) The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.
- b) Lighting must be provided in accordance with the *Australian/New Zealand Standard AS/NZS1158 Lighting for Roads and Public Spaces*.

10. Screening of Plant and Utilities

Plant and utilities including air-conditioners must not be visible from the street. Furthermore they must be provided with aesthetic screens prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

11. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Centres Planning Area, in accordance with the *General Development Code of the City of Thuringowa Planning Scheme*. In particular,

- a) The occupier of the serviced premises must ensure that all waste containers supplied are kept within the boundaries of the premises. The occupier must ensure that there is unobstructed access to the container within the premises for the removal of waste.
- b) Bulk refuse facilities are applicable to this development. The bulk refuse facility must be:
 - * a suitable enclosure with concrete slab floor, with dimensions which exceed the size of the nominated bin size by at least 300mm at the rear and both sides and 600mm at the front;
 - * within the curtilage of the premises in an accessible location to receive the service;
 - * graded and drained through an approved sediment/silt trap to a legal sewer connection;
 - * provided with a hose cock and hose in close proximity to the enclosure;
 - * enclosure must be screened and not visible from any street frontage.
- c) The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk 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.
- d) The occupier/s of the premises is required to store general waste in approved containers (mobile garbage wheelie bins/bulk bins). Waste containers are to be kept in a clean state and in good repair. Waste containers are to be provided with a tight fitting lid assembly designed to prevent the ingress of pests and water.
- e) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

12. Relocation of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to council.

13. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- d) The developer must provide a minimum of 2652 car spaces including disabled parking on site in accordance with Australian/New Zealand Standard AS/NZ2890.
- e) The developer must erect signage indicating the location of the entry and exits to the car parks, specific use bays (e.g. visitor, disabled, bus, taxi, bicycle, loading, etc.), as well as regulatory signs controlling movement within the car park.
- f) All exposed services provided within the car parking area must be suitably screened so as to conceal any unsightly elements. Details of such screening must be submitted to and approved in writing by Council prior to the issue of a Development Permit for Building Work.
- g) The car parking area must be suitably screened so as to prevent light spillage from the car park areas and car headlights into adjoining properties and roads. Details of screening must be submitted to and approved in writing by council prior to the issue of a Development Permit for Building Work.
- h) The developer must provide shade sails to car parking areas in accordance with approved plans relevant to each stage of development. Details of shade sails must be submitted to and approved in writing by council prior to the issue of a Development Permit for Building Work.
- i) All signage and line marking for off-street car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.
- j) All signage and line marking for on-street car parking and traffic control must comply with the requirements of the Department of Transport and Main Roads (DTMR) Manual of Uniform Traffic Control Devices (MUTCD) and associated standards.

14. Stormwater Drainage

Prior to the issue of a Development Permit for Building Works, certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be provided so as to achieve. In particular:

- a) The development site must be graded so that it is free draining. All runoff from storms naturally falling into this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge being the existing legal point of discharge as identified in the Bornhorst and Ward report dated October 2011 or as agreed upon by Council.

- b) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- c) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- d) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- e) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.

15. Stormwater Quality Management

A stormwater quality management plan (SQMP) must be submitted to and be approved by council prior to the issue of a Development Permit for Building Work. The SQMP must be prepared by a suitably qualified person*.

In particular, the SQMP must adopt the water quality strategy of council's Coastal Dry Tropics Water Sensitive Urban Design Technical Design Guidelines.

The SQMP must be implemented in accordance with the guideline and incorporate any further reasonable requests from council. All works must be carried out in accordance with council Development Specifications.

* Suitably Qualified Person as defined by the State Planning Policy 4/10 Healthy Waters.

16. Sewerage Reticulation

Alterations to the internal sewer layout must be designed generally in accordance with 10168B SK-C003 Northern Sewer Diversion Plan prepared by Bornhorst and Ward. Details of the sewerage reticulation works must be submitted and approved as part of Compliance Assessment for the development.

17. Soil Erosion Minimisation, Sediment Control and Dust Control

During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management. In particular,

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with *Aus-Spec Specification - C211 Control of Erosion and Sedimentation*.
- b) During the construction and maintenance 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.
- d) The developer must ensure that no sediment or litter be discharged from the site into stormwater. Stormwater inlet pits on and adjacent to the development in Kern Brothers Drive and Carthew Street must be protected to prevent the entry of sediment and litter.

18. Landscaping

- a) Prior to the issue of a Development Permit for Building Works, a landscaping plan is required to be submitted to and be approved by council as part of Compliance Assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of Thuringowa Planning Scheme - General Development Code 5.5.1 (Landscaping). As part of the landscaping plan the following items are to be included:

- * The percentage of the site to be landscaped; and
 - * Sufficient space provided for healthy root-ball development in trees planted in hard stand areas like car parks.
- b) The landscape plans must be prepared by a suitably Qualified person who:
- * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer.
- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within Thuringowa Planning Scheme - General Development Code 5.5 (Landscaping). Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of council.

19. Existing Street Trees

The existing street trees located within the road reserve must not be damaged, removed, destroyed or lopped without the written consent of council first being obtained.

20. Roadworks

- a) The developer must construct all new access driveways and crossover from the existing kerb and channel to the property boundary at the developer's expense generally in accordance with Council's relevant Standard Drawings for Driveway Access and Driveway Crossovers.
- b) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

21. Traffic Study

The traffic impact assessment report must be updated through the use of a recognised model such as SATURN or equivalent. Prior to the issue of a Development Permit for Building Works the report must be submitted to and be approved by council as part of Compliance Assessment.

22. On-Site Traffic Requirements

The development must be designed in accordance with the RFI Traffic Engineering Report 12BRT0041 prepared by TTM Consulting and dated 9 April 2013. In particular, the following treatments must be incorporated in the design:

- a) Signage (Give Way to Trucks, or similar, in accordance with MUTCD) must be provided to manage the movement of articulated vehicles accessing via Kern Brothers Drive;

- b) The existing bus stop in the north western corner of the site must be relocated near to the south western access. All bus facilities, including seats, shelters and set-down area, must be provided in accordance with Council and DTMR requirements; and
- c) A painted or low roll-over median to be provided to Kern Brothers Drive access.

23. Noise Attenuation

Noise attenuation measures to mitigate noise impacts as recommended in the Noise Impact Assessment Report dated 24 October 2011 and prepared by SLR, must be implemented prior to the commencement of use. As the proposed auto garage has been relocated, an exception is made for the acoustic barrier proposed to screen the garage auto bays from nearby residents.

24. Bicycle Facilities

The applicant is to provide sufficient bicycle racks in accordance with AS 2890 and the AUSTROADS Guide to traffic Engineering Practice Part 14 - Bicycles. Details of the locations and numbers provided must be submitted with Compliance Assessment for approval by council.

25. Motor Vehicle Workshop Operation

- a) No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development permit.
- b) Solvents, paints and other volatile substances including waste solvents must be stored in sealed containers whilst not in use to prevent the release of contaminants to the air.
- c) Spray painting on this site is limited strictly to the use of spray cans, rollers and brushes only.
- d) There must be no discharge of any bottled gas or any other contaminant to the air at any time.
- e) Contaminants must not be directly or indirectly released from the operation of the motor vehicle workshop to any waters or stormwater except to a sewer as permitted by council.
- f) Ferrous materials, oily or greasy parts and waste (except that contained in approved waste containers) are not to be stored outside the workshop where it is likely that contaminants may be released that may cause stormwater runoff contamination.
- g) The activity including the servicing or repairs of vehicles is not to take place outside the workshop or in a place or manner, such as adjacent to openings within the workshop, so that there is the potential to cause contaminants to be released to the ground or to stormwater.
- h) Oil, diesel, solvents and similar materials must be stored in a covered and bunded area or otherwise stored in a manner whereby any spillage does not have the potential to escape onto the ground or cause stormwater runoff contamination.
- i) Suitable and adequate equipment and or materials are to be provided for use in the event of controlling and cleaning up any spillage of any contaminating matter. The equipment or materials must be readily available for immediate access in the event of any spillage of a possible contaminant.
- j) Any spillage of waste or other contaminating matter must be cleaned up as soon as practicable. Spills must not be cleaned up by hosing or otherwise releasing contaminating matter to areas subject to stormwater runoff.

- k) An area must be set aside for the segregation and storage of recyclable solid wastes, to ensure recyclable waste is not deposited in the general waste.
- l) All used oil filters are disposed of by either of the two following methods:
 - * Crushed completely flat, drained and then placed into a trade waste receptacle or;
 - * Disposed of to an authorised oil filter recycler.
- m) The emission of noise from the motor vehicle workshop operation must not result in levels greater than those specified in Table 1 of the Noise Schedule.

Noise (Table 1)

Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level L (Amax adj, T)	Period
Background noise level plus 5 dB (A)	7am – 6pm
Background noise level plus 5 dB (A)	6pm – 10pm
Background noise level plus 3 dB (A)	10pm – 7am
Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level L (Amax adj, T)	Period
Background noise level plus 10 dB (A)	7am – 6pm
Background noise level plus 10 dB (A)	6pm – 10pm
Background noise level plus 8 dB (A)	10pm – 7am

Definitions

For the purposes of this development permit the following definitions apply:

- (a) "L(Amax adj, T)" means the average maximum A- weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.
- (b) "commercial place" means a place used as an office or for business or commercial purposes.
- (c) "noise sensitive place" means –
 - (i) a dwelling, mobile home or caravan park, residential marina or other residential premises; or
 - (ii) a motel, hotel or hostel; or
 - (iii) a kindergarten, school, university or other educational institution; or
 - (iv) a medical centre or hospital; or
 - (v) a protected area ; or
 - (vi) a park or gardens.
- (d) For the purposes of this development permit any term not otherwise defined in the *Sustainable Planning Act 2009* or the *Environmental Protection Act 1994* and any subordinate legislation made pursuant to these Acts or in the Definitions Schedule of this development permit has the meaning conferred to that term in its common usage.

26. Further Approvals Required

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 13 – Carparking;
Condition 14 – Stormwater Drainage;
Condition 15 – Stormwater Quality Management;
Condition 16 – Sewerage Reticulation;
Condition 18 – Landscaping;
Condition 20 – Roadworks;
Condition 21 – Traffic Study;
Condition 22 – On-Site Traffic Requirements; and
Condition 24 – Bicycle Facilities.

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

b) Plumbing and Drainage Works

The developer must obtain a Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

c) Operational Works

The developer must obtain a Development Permit for Operational Works for any advertising devices not approved as part of the Plans of Development. The Development Permit for Operational Works must be approved prior to the commencement of use.

d) Building Works

The developer must obtain a Development Permit for Building Works to carry out building works prior to works commencing on site.

Concurrence Agency Conditions – Department of Transport and Main Roads (DTMR)

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of Transport and Main Roads (DTMR) advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the DTMR conditions as outlined in the Department's correspondence dated 18 September 2014.

Advice Agency – Ergon Energy Corporation

Pursuant to Section 292 of the *Sustainable Planning Act 2009*, Ergon Energy Corporation advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, as outlined in the Ergon Energy Corporation correspondence dated 4 January 2012.

ADVICE

1. Infrastructure Charges

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

2. Shop Fit Out

- a) Prior to any fit out of the intended food premise, a separate application to fit out the premises must be submitted to Council's Environmental Health Services for the registration of the food premise. No fit out or construction may take place before approval is granted. A food premise is anywhere food or beverages are prepared, packed, stored, handled, serviced, supplied or delivered for sale. An application must also be made for a licence to operate a food premise.
- b) Prior to any fit out of the intended Higher Risk Personal Appearance Service (i.e. tattooing, body piercing establishment), a separate application must be submitted to Council's Environmental Health Services for Licence issue. No fit out or construction may take place before approval is granted.

3. Waste Collection

- a) 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.
- b) The proprietor is to arrange for the removal of waste from the premises by a suitably licensed waste transport contractor approved by the local government to transport waste under Section 369A of the *Environmental Protection Act 1994*. Adequate provision must be made for the collection of the waste storage containers within the premises.
- c) The collection of putrescibles waste arising from activities undertaken on this development must be collected and removed at periods not exceeding seven days.
- d) The collection of waste is to be undertaken so as to minimize, so far as reasonably practicable excessive noise to neighboring occupants. The collection method must ensure that waste is adequately managed to prevent escape or contamination.
- e) This development has the potential to generate or handle clinical and regulated waste material. Clinical and medical related waste is to be handled in accordance with AS/NZS 3816:1998 "Australian Standard/New Zealand Standard – Management of Clinical and Related Wastes".
- f) Where practicable, all loading and unloading shall take place within the containment area (storage area). This area is to be constructed in such a way that any spills from loading or unloading are not permitted to escape to an area subject to storm water. No clinical and related wastes shall be disposed of via the storm water drainage system.

4. Connection to Council Water Supply

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.

5. Connection to Council Sewer

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 and upon payment will schedule the works for connection.

6. Haulage of Materials

- a) Where the development of the subject site requires materials to be imported or exported in excess of 2,500 m³, the developer must obtain a separate Council approval for the transport route. Specific conditions may apply, including contributions towards the cost of accelerated pavement degradation along haulage routes and/or repairs to haulage routes.
- b) The approval for the route of transport must show the period and time of transport during the construction phase of the development.

7. Noise

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.

8. Environmental Considerations

DEHP Requirements

Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

9. Dilapidation Report

The developer should provide a dilapidation report with photos of the footpath, kerb and channel in the vicinity of the access(es) to the site to Council prior to commencement of the works, and any damage identified by Council inspectors rectified on completion of works. The developer will be responsible for the restoration of all damage identified by the inspectors if this report is not lodged prior to work commencing.

10. Plumbing and Drainage Approval

A Compliance Permit under the *Plumbing and Drainage Act 2002* to seal off disused sanitary drains and water lines must be obtained prior to the removal of the existing building.

11. Trade Waste Permit

The developer is advised that a Trade Waste Permit may be required and should confirm this with Council's Trade Waste Inspector.

12. Building Over/Adjacent to Services

The developer is advised that the proposed building structures are over/adjacent to an existing sewer. In accordance with Council's Policy 1201 (*Building Over or Adjacent to Services*) – the applicant is 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.

13. Flammable and Combustibles

Where flammable and combustible liquids are stored or handled on site, advice regarding the requirements for storage and handling of Flammable and Combustible Liquids must be obtained from The Department of Industrial Relations – Work Place Health & Safety.

PRELIMINARY APPROVAL

BUILDING WORK

SCHEDULE OF CONDITIONS

1. The proposed development has been assessed against the relevant provisions of the Planning Scheme. However, assessment against the *Building Act 1975*, the *Building Regulation 2006* and the *Building Code of Australia* is still required.
2. An application for a Development Permit - Building Work is required for the proposed development. This application needs to be approved prior to any works commencing on the site.
3. All building work is to comply with the *Building Act 1975*, the *Building Regulation 2006* and the *Building Code of Australia*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 3 of the council minutes (page 7636) where council resolved that the committee recommendation be adopted.

5 MI13/0045 Report - Full Council Preliminary Approval for a Material Change of Use to affect the Planning Scheme in accordance with s242 of SPA to facilitate Residential Development in accordance with the Park Residential Planning Area and Development Perm

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment
Date	12 November 2014
Address	Lot 3 RP 748165, Lot 82 RP 846352 – 45 and 55 Texas Road Jensen
Applicant/Owner	Adrian E Tapiolas and Leighanne Bailey,
Description	Material Change of Use (Impact) - Preliminary Approval for a Material Change of Use to affect the Planning Scheme in accordance with s242 of SPA to facilitate Residential Development in accordance with the Park Residential Planning Area and Development Permit for Reconfiguring a Lot - Lot Creation - Two (2) into Twenty-eight (28) lots (RC13/0104)

Executive Summary

This application seeks Council approval for a Preliminary Approval for a Material Change of Use to affect the Planning Scheme in accordance with s242 of SPA to facilitate Residential Development in accordance with the Park Residential Planning Area and Development Permit for Reconfiguring a Lot - Lot Creation - Two (2) into Twenty-eight (28) lots, over land located at 45 and 55 Texas Road, Jensen.

More specifically, the application seeks to facilitate the development of 4,000m² lots over land located partly in the Residential Planning Area - Park Residential Sub-area and partly in the Rural Planning Area - Rural 10 Sub-area. Additionally, the site is identified as being located within the Urban Growth Boundary of the Thuringowa Planning Scheme, and identified as being Residential of the DEO (strategic) map that supports the scheme.

While the site is in part located within the Rural 10 Sub-area, and the proposal seeks an outcome consistent with the Park Residential Sub-area, there are sufficient grounds as described in this report to support the development subject to the provision of adequate infrastructure and appropriate detailed engineering design.

There were no state referrals for the application, however there were 40 public submissions made during the Public Notification Period. 10 of these submissions objected to the proposed development for various reasons outlined in this report, while a further 30 submissions were made in support of the proposal. As part of this recommendation, it is considered that the matters raised through the objections to the proposal have been suitably addressed through Council's assessment and a response provided by the applicant (attached).

As such, the proposed development over the subject land at 45 & 55 Texas Road, Jensen is recommended for approval subject to reasonable and relevant conditions.

Officer's Recommendation

That council approve application MI13/0045 for a Preliminary Approval for a Material Change of Use to affect the Planning Scheme in accordance with s242 of SPA to facilitate Residential Development in accordance with the Park Residential Planning Area and RC13/0104 Development Permit for Reconfiguring a Lot - Lot Creation - Two (2) into Twenty-eight (28) lots on land described as Lot 3 RP 748165 and Lot 82 RP 846352, more particularly 45 and 55 Texas Road Jensen, subject to the following conditions -

PRELIMINARY APPROVAL

1. Limitation of Approval

- a) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- b) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

DEVELOPMENT PERMIT – RECONFIGURING A LOT

1. Proposal Plans

- a) The proposed development must generally comply with the plan(s) 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
Proposed Reconfiguration	29981/003B	B	16 April 2014

- b) The proposed development must comply with all Planning Scheme requirements applying at the date of this application, except as otherwise specified by any condition of this approval.
- c) One full set of the most up to date approved plans must be held on site and available for inspection for the duration of the construction phase.

2. Amendment to Proposal Plan

The developer must provide amended plans to council which must be approved prior to a Development Permit for Operational Works being issued which include the following:

- a) A corner truncation of the road reserve boundary must be provided to Lots 3, 4, 8, 13, 18 and 27 so that the verge width around the intersection is not less than the standard verge width. This may be provided as a single chord or as a number of chords to a circular arc. Details must be shown on the survey plan prior to council signing the survey plan.

3. Building and Access Envelope Plan

In accordance with items (a) and (b) below, a building and access envelope plan for each lot, recognising all constraints (including underground services, corner sight distances, street furniture) must be prepared, showing the:

- a) building setbacks.
- b) area of the footpath that can be used for vehicle access to the property, in particular:
 - i) Shared accesses must be provided for Lots 14 and 15, Lots 16 and 17 and Lots 19 and 20. The shared access for Lots 19 and 20 must be located clear of the existing school bus stop.
 - ii) Access for Lots 13 and 18 must be provided from the new internal road. Access for these lots is not permitted to Texas Road.

A preliminary plan must be submitted with the application for Operational Works and prior to the issue of a Development Permit for those works.

A final plan must be submitted to and approved by Council prior to release of the survey plan when all "as constructed" details are known.

4. Traffic Impact Assessment

An updated Traffic Impact Assessment must be submitted prior to the approval of any subsequent application to facilitate development over the subject land. This updated assessment must assume a full development scenario for the site and provide an analysis of the traffic volumes at the intersections of Annville Road and Slayton Road with Texas Road and the two new intersections with Texas Road. The assessment must identify thresholds for upgrades to external road connections and intersections required as a result of this development.

5. Stormwater Drainage Master Plan

- a) Designs for stormwater drainage associated with the approved development must be in accordance with Council's adopted policies and standards at the time of any subsequent development application.
- b) All external catchments discharging on to the subject land must be accepted and accommodated within the development's stormwater drainage system.
- c) The developer must complete an overall master drainage study for the subject land, which must also include an assessment of inflows from catchments other than the subject land. The study must be approved by Council prior to the approval of any subsequent development application over the subject land.
- d) The development must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining lands or roads owned by others.
- e) The developer must construct such work as is necessary to ensure that there is no concentration of, or increase in levels or increase in velocities of stormwater upstream of, adjacent to or downstream of the subject land.
- f) The developer must construct all of the development's stormwater drainage system traversing the subject land such that all catchments, including external upstream catchments, are analysed as if they were in a fully developed state.
- g) The developer must prepare a flood study that must address, but not be limited to:
 - i) Determining the levels of floods having a 50-year ARI to confirm minimum fill levels and minimum floor levels for habitable rooms in dwellings erected on the subject land as part of any subsequent development application.
 - ii) Demonstrate that the development does not increase amounts, velocities or water levels upstream, adjacent to and/or downstream of the development.
 - iii) Demonstrate that there is sufficient detention on site to ensure that there are no increased flows into the existing stormwater network, including table drains along Texas Road
- h) The flood study must be submitted to and be approved by Council, prior to the approval of any subsequent development application over the subject land.

6. On-site Wastewater Management Master Plan Report

The developer must provide a detailed On Site Wastewater Management Master Plan Report for the specific catchment prior to works commencing on site. The report must as a minimum address the following:

- a) An appropriate computer modelling application must be used.
- b) Site specific data relating to soil properties (including soil texture and hydraulic properties) must be utilised for any method employed as this is the media through which any potential impacts or mitigation caused by wastewater disposal must pass through. The details, locations and results of soil sampling and hydraulic property testing must accompany any report submitted.

NOTE: Much of the Townsville coastal plain is derived from Quaternary alluvium which in many places has been transported and reworked as a result of changes in drainage patterns over time. This has resulted in varying soil texture types occurring in both top and subsoil zones with a variety of geometries that cannot be assumed on a broad scale. In recognition of this fact, site soils assessments are required that are able to provide information on the suitability of different methods of wastewater disposal based on soil textures and hydraulic properties of the actual soils for the development.

- c) Water balance and nutrient loadings must be considered prior to the determination of appropriate lot sizes. The assessment of soil properties should assist in determining ideal rates of application and also the suitability of proposed methods of disposal. The Queensland Water Recycling Guidelines provide indicative concentrations of total nitrogen (TN), total phosphorus (TP) and total dissolved solids (TDS). A two stage approach must be undertaken in determining the lot sizes based on the suitability of the soils to certain methods of wastewater disposal. The results of the site and soil assessment must be used to inform the selection of an appropriate system and subsequent land application design applying two separate methodologies of subsurface disposal and surface disposal.
- d) Site specific data regarding the site location including topography, drainage, geotechnical hazards, presence of any fill material and setback distances.
- e) Hydrogeological characteristics and resources, including a determination of the regional water table.
- f) Hydrological characteristics of local surface water drainage lines.
- g) Climate characteristics such as rainfall and evaporation statistics.
- h) Potential for environmental or public health impacts.
- i) Compliance with the most current version of AS/NZS1547 including use of Appendices J and H for all considerations of design flow, incorporating allowance for peak usage and occupancy.
- j) Scope for prospective lot purchasers to be able to select an appropriate wastewater treatment system and disposal method based on the individual characteristics of the particular lot. The assumption of a single type of wastewater system being utilised across all lots in any subdivision is not supported.

7. Stormwater Drainage Easements and Reserves

- a) The developer must at its cost grant and cause to be registered on the title documents all easements or reserves over all underground drains, constructed drainage works, improved drains and natural concentrated flow paths which are placed under the control of Council and all interallotment drains.

- b) The developer must at its cost grant and cause to be registered on the title documents, all easements or reserves required by council or other public utility entity for access to or for the provision of essential services.
- c) The developer must at its cost cause to be registered surrenders of any existing easements and/or leases where necessary in connection with the subdivision.
- d) The extent and location of easements, reserves and surrenders required in (a) to (c) will, as far as possible, be determined prior to issue of the development permit for operational works or upon completion of works if subsequently found necessary.

8. Water Supply (Public System)

The development must be serviced by the public water supply. In particular,

- a) A reticulated water supply must be provided to the frontage of each lot within the proposed development and connected to council's infrastructure prior to the signing of the survey plan. The water supply must be constructed in accordance with the standard design plans of council and must meet both the maximum design flow and emergency fireflow conditions.
- b) The developer must provide infrastructure to allow for intended future development of the land through the following water supply works external to the land, connecting the development site to Council's existing networks:
 - i) Construction of 800 m of DN200 main along Jensen Road (from Veales Road intersection to Texas Road intersection) and 960 m of DN150 water main along Texas Road (from Jensen Road to the development entrance) in accordance with the Water Supply Planning Report prepared by DPM Water for Texas Road, Jensen 28 Lot Park Residential Development dated 11 March 2014.
- c) A network analysis of the proposed subdivision must be submitted to and approved by council to ensure that the reticulation network satisfies both the maximum hour design flow conditions and emergency fire flow conditions. It must be submitted with the application for Operational Works.
- d) The developer must provide a reticulated water supply, including service connection points from the point of connection to each lot in the subdivision.

9. On-site Sewerage Disposal

Prospective purchasers of the land must be notified of the following:

- a) On-site sewerage disposal must be in accordance with an approved On Site Wastewater Management Master Plan Report as per condition 4 of M113/0045.
- b) Each of the proposed new lots must be serviced by an advanced secondary on-site domestic waste treatment system in accordance with AS/NZS 1547:2000 and the Queensland Plumbing and Wastewater Code.

Note: On site sewerage information supplied with this application is not permission to install the plant or commence building work. Under the *Plumbing and Drainage Act 2002*, an application must be lodged with the Hydraulic Certification Unit, Townsville City Council before any building work or installation of an on-site treatment plant can be carried out.

10. Confirmation of Existing Services

- a) The developer must ensure that the existing services for each lot are contained within the individual allotments; and/or

- b) Where the existing services are not contained within the individual lot then such services must be relocated or easement obtained. Such easements must be registered in accordance with the *Land Title Act 1994*, in conjunction with registration of the survey plan.

11. Relocation of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to council.

12. Soil Erosion Minimisation, Sediment Control and Dust Control

During the construction phase of this development the developer is responsible for the installation and maintenance of adequate erosion and sediment control management. In particular,

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with *Aus-Spec Specification - C211 Control of Erosion and Sedimentation*.
- b) During the construction and maintenance 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.

13. Vegetation Disposal

All felled trees and waste vegetation on the site must be removed from site, unless an alternative method of disposal, such as wood chipping, is approved by Council. This material must be transported to the nearest approved waste disposal facility. Burning or burying of waste vegetation on site is not permitted.

14. Stormwater Quality Management

A stormwater quality management plan (SQMP) must be submitted to and be approved by council prior to the issue of a Development Permit for Building Work. The SQMP must be prepared by a suitably qualified person*.

In particular, the SQMP must adopt the water quality strategy of council's Coastal Dry Tropics Water Sensitive Urban Design Technical Design Guidelines.

The SQMP must be implemented in accordance with the guideline and incorporate any further reasonable requests from council. All works must be carried out in accordance with council Development Specifications.

- Suitably Qualified Person as defined by the State Planning Policy 4/10 Healthy Waters.

15. Stormwater Drainage

Certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be provided so as to achieve in particular:

- a) a "Hydraulic Study" is required to be submitted that determines the required development levels as part of an application for Operational Works. Hydraulic calculations must be submitted, either in computer printout form or tabulated on a plan form for council perusal. Tabulation on this plan must include all relevant detail to allow council the opportunity to assess the submitted design.

- b) all external catchments discharging onto the development site must be accepted and accommodated within the development's stormwater drainage system design.
- c) the developer must be responsible for providing an adequate drainage system for the development designed to accommodate runoff from a 1 in 50 year ARI storm event with the underground system able to accommodate runoff from a 1 in 2 year ARI storm event, as determined by using the relevant "Handbook for Drainage Design Criteria".
- d) any open drains or surcharge paths necessary to convey to the point of lawful discharge must be designed to accommodate runoff from a 1 in 50 year ARI storm event.
- e) Interallotment drainage must be provided for allotments which cannot drain to the road reserve and must be designed to capture and disperse water runoff from 1 in 50 ARI year storm event.
- f) Road longitudinal grades and cross sections must result in all 1 in 50 ARI 50 year storm event flows being contained within the road reserves.
- g) the nominated lawful points of discharge for all stormwater runoff previously running through and/or developed by this subdivision must be as agreed upon by council.
- h) the developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows and there is no concentration or increase in levels or velocities for storms of minor and major design events as defined in Aus-Spec Handbook where the stormwater crosses land owned by others downstream of the developers land.
- i) Where the discharge of stormwater from the proposed development is to be carried across the developers balance land the developer must provide Council with a drainage easement to allow the flow of stormwater to the lawful point of discharge.

16. Stormwater Quality Management

A stormwater quality management plan (SQMP) must be submitted to and be approved by council prior to the issue of a Development Permit for Operational Works. The SQMP must be prepared by a suitably qualified person*.

In particular, the SQMP must adopt the water quality strategy of council's Coastal Dry Tropics Water Sensitive Urban Design Technical Design Guidelines.

The SQMP must be implemented in accordance with the guideline and incorporate any further reasonable requests from council. All works must be carried out in accordance with council Development Specifications.

* Suitably Qualified Person as defined by the State Planning Policy 4/10 Healthy Waters.

17. Roadworks

The developer must design and construct roads, along all road frontages to each lot and any modification to existing roads as shown on Drawing Number 29981/003B dated 16 April 2014. In particular:

- a) The developer must design and construct all the roads in the subdivision and all the intersections to existing streets in accordance with Aus-Spec Development Design Specifications.

- b) A geotechnical survey/investigation must be submitted as part of the application for Operational Works and pavement designs must be submitted to and approved by council prior to the nominated subgrade inspection hold point being undertaken. The survey must identify ground water table levels, surface water paths, soil classification and stability (more likely on steep slope developments), unsuitable materials and existing nature of soil/rock and other relevant information that will facilitate proper design of all road elements such as subsurface drainage, pavement design and management of surface water run off and road geometric design.
- d) The road classifications must be in accordance with the version of council's relevant Standard Drawing for Rural Type A roads current at the time of Operational Works application.

The road widths and design of the roads must be in accordance with the relevant council's adopted standards for those road types.
- f) An application for street names must be submitted to and approved by council prior to submission of any Operational Works application. Approved street names must be shown on all engineering drawings submitted for Operational Works.
- g) A cul-de-sac bowl at the end of the new 30 m wide road in front of Lots 1 and 28 must have a minimum radius of a cul-de-sac bowl is 9.0 metres or as otherwise approved by council.
- h) Access to Texas Road must be limited to ensure that the current 80 km/hr speed limit for the frontage of Lot 82 RP846352 can be safely maintained.

18. Noise Attenuation

Noise impacts on proposed residential allotments must be investigated and details provided to Council prior to the approval of Operational Works for the development, with respect to mitigating any potential noise impacts from the approved Kennels located on land adjoining the development site.

If required, details of any noise attenuation measures must be provided to council for approval as part of an application for Operational Works. Any such measures must be adopted/constructed by the developer at each relevant stage of development, prior to the signing of the survey plan.

19. Street Lighting

Overhead street lighting must be provided at the developer's cost and the following streets be in accordance with the category P4 as per Australian Standards, AS/NZS 1158 - Road Lighting.

20. Electricity and Telecommunications

Electricity and telecommunications must be provided and in particular,

Overhead electricity services must be provided to the frontage of each allotment, to the standards of the electricity authority. Written confirmation from the service provider that suitable arrangements are in place to provide the service must be submitted to council prior to signing the survey plan.

Underground telecommunications fibre-ready passive infrastructure must be provided to the frontage of each allotment in all new developments in accordance with the Telecommunications Legislation Amendment (Fibre Deployment) Bill 2011 and standards of the telecommunications authority. Written confirmation from the service provider that suitable arrangements are in place to provide the service must be submitted to Council prior to signing the survey plan.

Underground telecommunications must be provided to the frontage of each allotment, to the standards of the telecommunications authority. Written confirmation from the service provider that suitable arrangements are in place to provide the service must be submitted to council prior to signing the survey plan.

21. Minimum Lot Levels

- a) The finished level on all new allotments created within the development site must be above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm/tide event. The developer must submit a hydraulic report that determines these levels prior to issue of a Development Permit to carry out Operational Work.
- b) The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood and must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.5% (for residential lots) and 0.25% (for commercial and industrial lots) to ensure that the land is free draining.
- c) If the level of fill along an adjoining property boundary exceeds 100mm a retaining wall with at least a 50mm parapet above the fill level must be constructed to the requirements of council, in accordance with Section 5.5.2 of the former COT Planning Scheme.

ADVICE

1. Infrastructure Charges

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

2. Further Approvals Required

- b) **Plumbing and Drainage Works**
The developer must obtain a Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.
- c) **Operational Works**
An Operational Works application must be submitted to Council for approval prior to works commencing on site, unless otherwise approved by Council.

All engineering and landscaping designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experienced person.
- d) **Roadworks Approval**
The developer is responsible for obtaining a Roadworks Approval in accordance with Local Laws 4 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 include the following:
 - (i) Completed Roadworks approval application form
 - (ii) Prescribed fee
 - (iii) Traffic Management Plan prepared by a suitably 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 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.

3. Connection to Council Water Supply

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.

4. Portable Long Service Leave Notification

As per the Qleave – Building and Construction Industry Authority Guidelines, for works over \$150,000, council must sight a copy of the receipted Portable Long Service Notification and Payment form prior to the issue of a Development Permit to carry out Operational Work.

6. Payment of Rates, Charges and Expenses

Prior to signing the survey plan, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.

7. Satisfaction of Approval Conditions

- a) Unless explicitly stated elsewhere in this permit, all requirements of the conditions of this approval must be satisfied prior to Council signing the survey plan.
- b) Council may, at its absolute discretion, agree to accept other forms of security to guarantee compliance with conditions to enable an early signing of a survey plan.

8. Limitation of Approval

The council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant.

The council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnity and save the council harmless in respect of any claim so arising.

9. Survey Control

- a) Prior to council signing any survey plans associated with the development, a minimum of two (2) Permanent Survey marks levelled to AHD must be located within the development or within 150m of the development.
- b) In addition, two (2) Permanent Survey marks located within the development or within 500m of the developments must be coordinated on MGA'94.
- c) All new and updated Permanent Survey Mark sketches must be forwarded to the Department of Environment and Resource Management to be added to the SCDB.

10. Specifications and Drawings

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 3 of the council minutes (page 7636) where council resolved that the committee recommendation be adopted.

6 MI14/0027 MCU (Impact) - Multiple Dwelling - 5 x 2 bedroom apartments at 3 Watson Street Rosslea

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment
Date	12 November 2014
Address	Lot 28 RP 703496, 3 Watson Street Rosslea
Applicant/Owner	Stevnita Pty Ltd Atf Stevnita Discretionary Trust, As Trustee For, Stevnita Pty Ltd and The Stevnita Discretionary Trust
Description	Material Change of Use (Impact) - Multiple Dwelling

Executive Summary

The application seeks a Development Permit for a Material Change of Use for a Multiple Dwelling at 3 Watson Street Rosslea. The Multiple Dwelling includes 5 x 2 bedroom, two storey apartments, 2 attached located towards the front and three attached located to the rear of the site. The proposal includes car parking, landscaping and private open space areas. The proposal is Impact Assessable against the Townsville City Plan 2005.

The development is located in the Neighbourhood Residential Precinct within District Code 2 – Townsville Inner Suburbs. The site is located off Bowen Road, via Love Lane and the surrounding area includes predominantly residential uses including single detached houses and multiple dwellings.

The application has demonstrated that the proposal can achieve appropriate compliance with performance outcomes of the District Code and the development is generally compliant with the City Plan 2005.

Three (3) submissions were received during the public notification period in relation to the proposal. The submissions raised concerns in regards to setbacks, residential density, noise, crime, and privacy. These items have been taken into consideration during the assessment of the application and appropriate conditions have been included to address, and where necessary, mitigate these concerns.

Following an assessment of the proposed use against the Desired Environmental Outcomes, applicable codes and provisions of the Townsville City Plan 2005, the development is recommended for approval subject to reasonable and relevant conditions.

An assessment of the proposed Multiple Dwelling was undertaken, as well as the concerns of the submitters. It is considered that the proposed development meets the appropriate desired outcomes of the City Plan 2005 as a whole.

Officer's Recommendation

That council approve application MI14/0027 for a development permit for Multiple Dwelling under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 28 RP 703496, more particularly 3 Watson Street Rosslea, subject to the following conditions -

1. Site Layout

- a) The proposed development must generally comply with drawing(s) as referenced in the table below and attached as stamped “Approved Subject to Conditions”, except as otherwise specified by any condition of this approval.

Drawing Name	Drawing No.	Plan Date
Locality Plan	0667/23 SP01	31/07/2014
Site Plan	0667/12 SP02	2/09/2014
Ground Floor Plan (Units 1 & 2)	0667/12 SP05	31/07/2014
First Floor Plan (Units 1 & 2)	0667/12 SP06	31/07/2014
Ground Floor Plan (Units 3 – 5)	0667/12 SP07	31/07/2014
First Floor Plan (Units 3 – 5)	0667/12 SP08	31/07/2014
Elevations 1 & 2	0667/12 SP09	31/07/2014
Elevations 3 - 5	0667/12 SP10	31/07/2014

- b) The proposed development must comply with all conditions of this approval prior to commencement of the use.
- c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.

2. Building Materials

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 quality which does not cause excessive glare.

3. Street Fencing

Should a fence be constructed along the Watson Street frontage it must allow the development to integrate with its streetscape. The developer must submit to Council for approval details of the fence prior to the issue of a Development Permit for Building Works.

4. Storage of Materials and Machinery

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

5. Lighting

- a) The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.
- b) Lighting must be provided in accordance with the *Australian/New Zealand Standard AS/NZS1158 Lighting for Roads and Public Spaces*.

6. Property Number

Effective property numbers must be erected at the premises prior to the commencement of the use and be maintained to the satisfaction of the Council.

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.

7. Drying Facilities

The developer must provide adequate clothes drying facilities. Where applicable clothes drying facilities must be screened from any street or adjacent property.

8. Letterboxes

The developer must ensure the location of the letter boxes on site is sufficient to cater for the units and is designed in such a way that enhances community safety through discouraging crime and anti-social behaviour.

Note: A body corporate letterbox will be required where units will be strata titled.

9. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Works Code, in accordance with *City Plan Policy 2 - Development Standards, Section 8 - Provision for Refuse Services*. In particular,

- a) The approved waste storage areas, identified on Site Plan 0667/12 SP02, are 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) Sufficient space to accommodate all mobile garbage (wheelie) bins and recycling bins (collected bi weekly) for collection is to be made available along Watson Street frontage. When development is operational, please contact Environmental Health Services on 4727 9003 to commence refuse service.

10. Relocation of Utilities

The developer must be responsible for any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development at no cost to Council.

11. Carparking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the *Australian/New Zealand Standard AS/NZ 2890* and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * exposed aggregate concrete; or
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.

- e) The developer must provide a minimum of ten (10) car spaces as well as an additional shared car wash bay / visitor carpark on site.
- f) The car washing bay is to be provided on site prior to the commencement of the use. The bay is to be designed and constructed in accordance with the following:
 - * imperviously paved
 - * provided with a hose cock
 - * graded to a central drain incorporating a silt trap
 - * fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing.

12. Stormwater Drainage

Prior to the issue of a Development Permit for Building Works, certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be provided so as to achieve. In particular:

- a) The development site must be graded so that it is free draining. All runoff from storms naturally falling into this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge being Watson Street or as agreed upon by Council.
- b) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- c) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- d) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- e) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.

13. Minimum Floor Levels

The developer must ensure that all habitable floor levels are a minimum height of 300mm (City Plan 2005) above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm/tide event.

The developer must submit documentation signed by an RPEQ engineer that all habitable rooms obtain a minimum of 300mm above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm/tide event.

14. Soil Erosion Minimisation, Sediment Control and Dust Control

During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management. In particular,

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with *City Plan Policy 2 – Development Standards*.

- b) During the construction and maintenance 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.

15. Landscaping

- a) Prior to the issue of a Development Permit for Building Works, a landscaping plan is required to be submitted to and be approved by Council as part of Compliance Assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of *City Plan Policy 1 – Supporting Information - Section 9 – Landscape Plans*. As part of the landscaping plan the following items are to be included:

- * The footpath/road reserve along Watson Street to be turfed and provided with automated irrigation
 - * Mature street trees of a species selected for this section of road. The nominated species for Watson Street is *Mimusops elangi* (Coondoo).
 - * Details showing the area of the site located along boundaries of adjoining residences being extensively landscaped and where possible including a mixed height canopy using mature dense plantings to Council's satisfaction.
- b) The landscape plans must be prepared by a suitably Qualified person who:
 - * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer
 - c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within *City Plan Policy 2 – Development Standards – Section 10 – Landscape Work Specification and Section 11 – Irrigation Systems for Developments*. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

16. Roadworks and Traffic

- a) The developer must construct the new access driveway and crossover from the existing kerb and channel to the property boundary at the developer's expense generally in accordance with Council's relevant Standard Drawings for Driveway Access and Driveway Crossovers.
- b) The developer must replace the existing vehicle access including the crossover in the kerb and channel, in accordance with Council's Standard Drawing for Driveway Access – Urban Residential Properties.
- c) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

ADVICE

1. Infrastructure Charges

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

2. Further Approvals Required

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 12 – Stormwater Drainage

Condition 15 - Landscaping

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

b) Plumbing and Drainage Works

The developer must obtain a Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

c) Operational Works

An Operational Works application must be submitted to Council for approval prior to works commencing on site, unless otherwise approved by Council.

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

d) Building Works

The developer must obtain a Development Permit for Building Works to carry out building works prior to works commencing on site.

3. Noise

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.

4. Building Over/Adjacent to Services

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.

5. Asbestos

All asbestos must be removed, transported and disposed in accordance with the *Public Health Regulation 2005*, *Work Health and Safety Regulation 2011 Chapter 8 Asbestos & How to Safely Remove Asbestos Code of Practice 2011*, *Environmental Protection Act 2004* and Regulations.

6. Demolition

All waste generated as a result of the demolition of existing buildings or structures, and construction of the premises is to be effectively controlled on site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

7. Environmental Considerations

DEHP Requirements

Construction must comply with the *Environmental Protection Act 1994*, Policies and Guidelines.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 3 of the council minutes (page 7636) where council resolved that the committee recommendation be adopted.

Healthy and Safe City Committee

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor C Doyle:

"that the committee recommendations to items 7 to 11 be adopted."

CARRIED UNANIMOUSLY

Councillor G Eddiehausen congratulated staff for their work on the Animal Management Plan 2014-17.

7 Food Activities 2012-13

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Environmental Health Services
Date 31 October 2014

Executive Summary

Each year local governments are required to provide information to Queensland Health on the food enforcement activities within their jurisdictions. The information is required to be provided as a requirement of Section 28 of the *Food Act 2006* (the Act). Section 29 of the Act then requires Queensland Health to provide a collated report back to local government and a comparison against other local governments across Queensland.

For the year 2012/13:

- Townsville saw an increase of 135 food businesses from the last reporting period, up from 676 to 811.
- Townsville completes an average of 1.3 inspections per food business.
- Townsville received 185 food complaints equating to 22.8 complaints per 100 businesses.
- Townsville have 772 nominated food safety supervisors.
- Townsville has 41 accredited food safety programs.
- Townsville had 5.5 full time equivalent employees dedicated to food regulation.

Officer's Recommendation

That council note this report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 7 of the council minutes (page 7667) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Environmental Health Services
Date 31 October 2014

Executive Summary

The objective of the *Environmental Protection Act 1994* (the Act) is to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

Environmental Health Services regulate a number of businesses under the Act as well as investigating environmental nuisances of noise, dust, odour, light, littering, illegal dumping and water pollution.

Local governments are required to provide information to Department of Environment & Heritage Protection (DEHP) on the environmental activities within their jurisdictions every year.

Officer's Recommendation

That council note this report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 7 of the council minutes (page 7667) where council resolved that the committee recommendation be adopted.

9 Community and Environmental Services - Townsville Local Disaster Management Group - Minutes of Members' Meeting 22 October 2014

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community and Environment
Date 3 November 2014

Executive Summary

The Townsville Local Disaster Management Group (TLDMG) Members meet every second month with staff of the Townsville City Council, Area Coordinator – Emergency Management Queensland Fire and Emergency Services (QFES), State Emergency Service (SES) Local Controller and other agencies.

Attached are the minutes of the meeting held on 22 October 2014.

At this meeting, the TLDMG approved the revised Townsville Local Disaster Management Plan.

Officer's Recommendation

1. That council endorse the minutes of the Townsville Local Disaster Management Group Members' Meeting held on 22 October 2014.
2. That council endorse the Townsville Local Disaster Management Group's approval of the revised Townsville Local Disaster Management Plan.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 7 of the council minutes (page 7667) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Environmental Health Services
Date 31 October 2014

Executive Summary

The Animal Management Plan 2014-17 is recognised as a key strategy by the council's Corporate Plan 2014-19. In response to a best practice recommendation arising from an audit review of the animal management program, this plan has been developed in conjunction with a wide range of internal and external stakeholders and the community.

Three key issues have been developed which are considered to represent the current priorities for the delivery of animal management services in Townsville;

1. The impact that companion animal ownership has on the community's expectation of a safe and healthy environment
2. Reducing the ratio of dog and cat owners who choose not to register their animal, and
3. The attitude of the community to compliance with responsible animal ownership responsibilities.

To address these issues a range of objects and actions guide the priority deployment of resources and development of stronger partnerships with stakeholders and the community to achieve clear contributing outcomes.

The action delivery plan lays out these actions together with measureable performance criteria so that progress can be measured and reviewed throughout the during the life of the strategy.

Officer's Recommendation

That council accept and endorse the Animal Management Plan 2014-17.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 7 of the council minutes (page 7667) where council resolved that the committee recommendation be adopted.

11 Update on number of people fined for illegal dumping and littering

GENERAL BUSINESS ITEM

Raised by	Councillor V Veitch
Committee	Healthy and Safe City Committee
Date	13 November 2014

Overview

Councillor V Veitch requested an update on numbers of people fined for illegal dumping and littering.

The Executive Manager Environmental Health will provide this information via email to all Councillors.

Council Decision

Refer to resolution preceding item 7 of the council minutes (page 7667) where council resolved that the committee recommendation be adopted.

Smart City Sustainable Future Committee

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

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

CARRIED UNANIMOUSLY

12 Presentation - Roles and responsibilities of Land Protection (Weed and Feral Animal Management)

PRESENTATION

Authorised by	Director Community and Environmental Services
Department	Integrated Sustainability Services
Committee	Smart City Sustainable Future
Date	12 October 2014

Executive Summary

Deputy Mayor Vern Veitch requested at the Committee Meeting in September a presentation on declared weeds. This presentation will explain legislation, cover our most threatening species, highlight Integrated Sustainability's endeavours and provide insight into the challenging field of biosecurity.

Officer's Recommendation

That council note this presentation.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7672) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Integrated Sustainability Services
Date 4 November 2014

Executive Summary

The Reef 2050 Long-Term Sustainability Plan (Plan) provides the overarching framework for protecting and managing the Great Barrier Reef from 2015 to 2050. The Plan was developed by the Australian and Queensland Governments in consultation with partners including the resources, ports, tourism, fishing, agriculture, Indigenous, local government, research and conservation sectors and is a key component of the Australian Government's response to the recommendations of the UNESCO World Heritage Committee. Public comment was invited on the Plan for six weeks closing on 27 October 2014.

As a committed Reef Guardian Council, Townsville City Council (council) broadly supports the intent of the Plan, but as always the key to its success will be in the execution. Council's submission highlighted the role and particular challenges that local government faces in helping to address urban water quality impacts on the Great Barrier Reef (GBR). The submission suggests that these challenges and the role of local government should be better recognised in the Plan and then supported through increased government investment in order to accelerate the achievement of the Plan's desired outcomes. We also suggest that it will be essential for local governments to be more meaningfully engaged in planning and managing for water quality improvement in the GBR region into the future.

This approach will be essential to better protect and enhance the marine, coastal and adjacent terrestrial environments and the economic prosperity of the Marine Park for this and future generations of Townsville residents.

Officer's Recommendation

That council endorse the submission documents which were submitted on behalf of council on the 27 October 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7672) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Acting Director Community and Environmental Services
Department Integrated Sustainability Services
Date 05/11/2014

Executive Summary

In December 2013 the Rockefeller Foundation awarded 33 global cities as the first tranche of 100 recipients over three years as part of the 100 Resilient Cities Challenge (100 RC). Council had submitted an application in November 2013 and was unsuccessful. 100 RC awarded only 33 out of 500 in 2013). In September 2014 the opportunity arose to resubmit an application for the exact same offer as previous announcement. The 100 RC program aims to foster a lively global conversation and implementation of urban resiliency addressing acute shocks and chronic stresses.

TCC has now re-submitted a submission building on previous submission and addressing the questions. According to 100RC - 372 new applications have been received so it will be very competitive to achieve selection.

According to Rockefeller Foundation (100 Resilient Cities) "*urban resilience is the capacity of individuals, communities, institutions, businesses and systems within a city to survive, adapt, and grow no matter what kinds of chronic stresses and acute shocks they experience.*"

A key focus of the "system of systems" encountered in Townsville offers opportunities to strengthen economic opportunities (including environmental products and services) and social welfare (cooler, healthier and more affordable homes). This situation forms a critical component of the TCC submission to address inter-linkages of both chronic stress (climate change, coastal erosion, unemployment) and acute shocks (cyclone, flooding and economic downturn).

As per council's previous submission the option of strengthening existing structures, roles and responsibilities was sought in the first instance and would form part of our negotiation if successful with 100 Resilient Cities (Rockefeller Foundation) Program.

Officer's Recommendation

That council endorse the 100 Resilient Cities Submission to Rockefeller Foundation and should council be successful in the bid to become one of 100 cities worldwide, proceed to negotiate an agreement with them.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the council minutes (page 7672) where council resolved that the committee recommendation be adopted.

Sports Recreation and Parks Committee

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

"that the committee recommendations to items 15 and 16 be adopted; and that item 17 be dealt with separately."

CARRIED

In accordance with section 173 of the *Local Government Act 2009*, Councillor G Eddiehausen declared a real conflict of interest in regards to item 17.

- (a) the name of the councillors who have the real or perceived conflict of interest:**
Councillor G Eddiehausen
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor G Eddiehausen is a long-time Crocodiles supporter and ticket holder.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he had a real conflict of interest and vacated the meeting and did not participate in debate or voting on the matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor vacated the Chambers during discussion and voting on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 172 of the *Local Government Act 2009*, Councillor T Roberts declared a material personal interest in regards to item 17.

- (a) the nature of the material personal interest as described by the Councillor:**
Councillor T Roberts is a game caller on television for the Townsville Crocodiles games.
- (b) how the Councillor dealt with the material personal interest:**
Councillor T Roberts vacated the chambers during discussion and voting on the item.

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

"that the committee recommendation to item 17 be adopted."

CARRIED UNANIMOUSLY

15 Maintenance Services - Toomulla Beach Honesty Box

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Maintenance Services
Date 29 October 2014

Executive Summary

A community association is requesting council permission install an honesty box at the Toomulla camping ground for the purpose of collecting donations to assist with fundraising for a community hall at Toomulla.

A previous request was received from another club in 2012, which council did not approve due to the significant legal implications and perceived risk exposure.

Consideration of this request took into account the rationale of the rejection of the previous request and it is evident that the same legal implications, council budgetary, management, maintenance and public perception risk exists in this case.

Officer's Recommendation

Council note this report and endorse the decision not to approve the proposed installation of the honesty box by the community association due to the legal and risk implications.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 15 of the council minutes (page 7675) where council resolved that the committee recommendation be adopted.

16 Maintenance Services - Natural Soundproof Barrier - Golf Links Drive, Kirwan

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Maintenance Services
Date 17 October 2014

Executive Summary

Residents of Chichester Avenue and Sandys Place, Kirwan, presented a petition to council requesting the installation of a "protective and security hedge" along Golf Links Drive extension at Kirwan.

Theoretically the hedge will act as a sound proofing barrier from traffic noise and provide security to residential properties.

The Petition to plant a protective hedge was received by council on 3 August 2014 and contained ten signatories.

Officer's Recommendation

That council note this report and endorse the decision not to fund the installation of the protective and security hedge and irrigation infrastructure due to the considerable cost to install and maintain the planting.

Committee Recommendation

That the officer's recommendation be adopted

Council Decision

Refer to resolution preceding item 15 of the council minutes (page 7675) where council resolved that the committee recommendation be adopted.

17 Request for funding from Ministerial Discretionary Funds on behalf of Townsville Crocodiles

GENERAL BUSINESS ITEM

Raised by	Councillor P Ernst
Committee	Sports Recreation and Parks Committee
Date	13 November 2014

Overview

The Townsville Crocodiles have applied for funding from ministerial discretionary funds for the purchase and installation of a roof mounted data projector and wall mounted screen for Townsville RSL Stadium (with a \$5000 contribution from the Townsville Crocodiles). The equipment will enhance events staged in the facility.

No financial contribution is to be made by council towards the equipment.

The State Government have requested that the request for funding come through council.

Committee Recommendation

1. That council request funding of \$60,000 from the State Government for the purchase and installation of a data projector and screen for Townsville RSL Stadium;
2. That council note the funding, combined with a contribution of \$5000 from the Townsville Crocodiles, will provide for equipment that will enhance events staged in the facility; and
3. That no financial contribution, in addition to funding already committed by the Townsville Crocodiles, is to be made by council towards this equipment.

Council Decision

Refer to resolution preceding item 15 of the council minutes (page 7675) where council resolved that the committee recommendation be adopted.

Community and Cultural 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 27.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
The Mayor, Councillor J Hill
- (b) **the nature of the conflict of interest as described by the Councillor:**
The Mayor, Councillor J Hill is a patron of the Australian Concerto and Vocal Competition.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

It was MOVED by Councillor S Blom, SECONDED by Councillor C Doyle:

"that the committee recommendations to items 18 to 25 and 27 to 29 be adopted and that item 26 be dealt with separately."

CARRIED UNANIMOUSLY

In accordance with section 172 of the *Local Government Act 2009*, Councillor J Lane declared a material personal interest in regards to item 26.

- (a) the nature of the material personal interest as described by the Councillor:
Councillor J Lane's husband is a member of the Umbrella Studio.
- (b) how the Councillor dealt with the material personal interest:
Councillor J Lane vacated the chambers during discussion and voting on the item.

It was MOVED by Councillor S Blom, SECONDED by Councillor C Doyle:

"that the committee recommendation to item 26 be adopted."

CARRIED

PRESENTATION

Authorised by Director Community and Environmental Services
Department Community and Environment
Committee Community and Cultural Committee
Date 16 October 2014

Executive Summary

This presentation by Alan LeMay, Queensland General Manager the Smith Family will cover the work the Smith Family is doing in the Townsville area including future programs and initiatives outside the Townsville West area. The Smith Family through the Townsville West Communities for Children initiative provides funding for the Early Years Information Service that is coordinated by Library Services.

Officer's Recommendation

That council note the Smith Family presentation.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

19 Community Services - RSPCA lease

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 13 November 2014

Executive Summary

At the Full Council meeting on 26 August 2014, RSPCA (Qld) was approved to renew their lease for a period of three years which aligned with their Pound Agreement.

RSPCA (Qld) have since requested the extension of this lease term to be for 10 years.

The RSPCA (Qld) has occupied the premises at 69 Tomkins Road, Bohle (portion of Lot 56 EP1634) for the past 10 years. The majority of the infrastructure located on this site is owned by the RSPCA (Qld).

Officer's Recommendation

That council approve the extension of the lease term for a period up to 10 years with the RSPCA (Qld) over the premises at 69 Tomkins Road, Bohle (also known as a portion of Lot 56 EP1634) for a fee of \$1 exclusive of GST per annum if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

20 Community Services - Magnetic Island Early Childhood Centre lease

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 13 November 2014

Executive Summary

At the Full Council meeting on 22 July 2014 The Creche and Kindergarten Association of Queensland Inc. was approved to operate from the Magnetic Island Early Childhood Centre under a lease for a period of ten years with a staged cost recovery rent arrangement to be implemented.

The Management Committee of this community organisation has since requested a review of the financial condition of this lease arrangement.

The Creche and Kindergarten Association of Queensland Inc. has operated from the Magnetic Island Early Childhood Centre premises at 1-3 Olsson Street, Nelly Bay for a many years, and seeks to renew their currently expired lease. The building is a council asset situated on reserve land located on Lot 1 CP812575, also known as 1-3 Olsson Street, Nelly Bay and 25 Nelly Bay Road, Magnetic Island.

Officer's Recommendation

That council approve the entering into a lease with The Creche and Kindergarten Association of Queensland Inc. to operate the Magnetic Island Early Childhood Centre at the premises located at 1-3 Olsson Street, Nelly Bay (Lot 1 CP812575) for a period of up to 10 years, at a rental of \$1 per year plus GST if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

21 Community Services - Old Magistrates Court Fees & Charges

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 02 November 2014

Executive Summary

The purpose of this report is to recommend a schedule of fees and charges relating to the hire of the Old Magistrates Court (OMC) venue as a performance and event space available to commercial and community users

Officer's Recommendation

That council approve the addition of fees & charges as recommend in this report for the Old Magistrates Court facility to the Townsville City Council Fees and Charges Register, for the balance of financial year 2014/15.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

22 Library Services - Report on Acquittal of Public Library Grant

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Library Services
Date 4 November 2014

Executive Summary

The State Government provides an annual grant to local governments in Queensland, known as the Public Library Grant, to support the development of high quality library services. The grant is administered by the State Library of Queensland, and guided by *Vision 2107*, the strategic direction document of the State Library of Queensland. The Executive Manager, Library Services will deliver a presentation to committee the acquittal of that funding for 2013/14.

Officer's Recommendation

For the information of council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

23 Community Services - FAEG Minutes November 2014 (September Funding Round)

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 4 November 2014

Executive Summary

Council's Financial Assistance and Events Group (FAEG) met on 4 November 2014. The minutes from this meeting are presented for information.

Items to note:

1. Partnerships & Sponsorships Program
2. Festivals & Events Grant Program
3. Community Heritage Grants
4. Regional Arts Development Fund
5. Update on T150 program, guidelines and eligibility

Officer's Recommendation

That council note the minutes of the Financial Assistance and Events Group meeting held 4 November 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

24 Minutes of the Learning Communities Leadership Group Meeting 2 June 2014 and 4 August 2014

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Library Services
Date 4 November 2014

Executive Summary

The Learning Communities Leadership Group is a community forum of council. The Learning Communities Leadership Group meets bi-monthly.

The Learning Communities Leadership Group is a high-level reference group of dynamic and enthusiastic community leaders who are intent on providing access to lifelong learning opportunities and developing Townsville as a learning community. They are guided by the Lifelong Learning Strategic Action Plan which emphasises social inclusion and learning as an agent of social and economic sustainability.

Minutes of the 2 June 2014 and 4 August 2014 meetings are attached for information.

Officer's Recommendation

That the minutes of the Learning Communities Leadership Group meetings held on the 2 June 2014 and 4 August 2014 be noted.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

25 Community Services - Report - Inclusive Community Advisory Committee - 9 October 2014

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 20 October 2014

Executive Summary

The council's Inclusive Community Advisory Committee meeting was held on 9 October 2014. The report is presented for information.

Officer's Recommendation

That council note the report of the Inclusive Community Advisory Committee meeting of 9 October 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

26 Community Services - R.A.D.F. Recommendations September 2014 Round

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 13 November 2014

Executive Summary

On Wednesday, October 15, the Regional Arts Development Fund (R.A.D.F.) Committee convened to assess the September 2014 round of applications. Nine applications were received. Grant money available for distribution in this September 2014 round amounted to \$54,600.

Grant money *awarded* to successful applicants amounted to \$32,216.

The total financial request of applications to the R.A.D.F. programme in this round amounted to \$37,416.

Of the nine applications assessed, eight were approved for funding (one not approved). The applications received and assessed in this R.A.D.F. round was composed of proposals for dance (1), visual arts (1), writing (1), theatre (2), design (3), and New Media (1) projects.

The sub-categories of funding that were applied for in this round (number of applications awarded funding is indicated in parenthesis) were *Building Community Cultural Capacity* – 6 (7), *Concept Development* – 1 (1), *Contemporary Collections/Stories* – 1 (1)

Officer's Recommendation

That council approves the recommendations of the Regional Arts Development Fund Committee and the Financial Assistance & Events Group (F.A.E.G.) for the September 2014 round of the Regional Arts Development Fund Programme as detailed in the tables below.

Applicants recommended for funding;

Building Community Cultural Capacity		
Townsville HIV Networks	Restoring the World AIDS Day Memorial Mosaic and to engage artists to design artwork for footbridge over Mundy Creek. \$4,406 Comments from the RADF Committee: <i>Well-constructed application, have asked that artists CV's to be sent to committee.</i>	\$4,406
Umbrella Studio	High Quality Workshop video for online delivery - \$3,050 Video crew, production Comments from the RADF Committee: <i>The application was considered by the committee to be a worthwhile investment in the development of online training tools.</i>	\$3,050
Full Throttle Theatre	LAHA Transgender Artist 5 workshops about storytelling and 3 performances of "Transgender Seeking" \$4,980 Comments from the RADF Committee: <i>The application was considered as a worthwhile project, providing Townsville audiences and interested performers with high quality workshops and performances</i>	\$4,980
Amy Bishop	New Media project, workshop and exhibition opportunities by creating a program of digital soundscapes and moving images on east side of Umbrella Studio – add value to AFCM and Strand Ephemera - \$2,670 Comments from the RADF Committee: <i>The application is well written and builds on the previously funded LuxLumin.</i>	\$2,670
Far North Queensland Regional Committee of Highland Dancing Inc.	Costs of bringing overseas teacher to conduct workshop at the recreation camp Magnetic Island. \$3,470 Comments from the RADF Committee: <i>Highland Dancing has large following regionally and application offers opportunity for solid training that is not readily available in North Queensland.</i>	\$3,470
Allyson Lankester	Working with community members to produce artworks that are an outcome of participatory action research. \$3,900 Comments from the RADF Committee: <i>Application well written and links arts to the climate change debate, an interesting and worthwhile concept</i>	\$3,900
Concept Development		
Fairlie Sanderlands	Developing to production stage "All That we Carry" – a play that focuses on post deployment issues for combat veterans and their families and the community. \$4,740 Comments from the RADF Committee: <i>Locally written play, of interest in 2015 for the Anzac celebrations.</i>	\$4,740

Contemporary Collections/Stories		
Sandi Robb	150 Years: History of Chinese settlement in Townsville – Stage 2 - \$5,000 Comments from the RADF Committee: <i>Committee questioned validity of the application and discussed the letters of support received. Decision to approve the application as the Chinese population has historical value for Townsville and the history will add value to library records.</i>	\$5,000
	Total Amount Recommended (ex GST)	\$32,216

Applicants not recommended for funding;

Jessica Naunton	Cost of flying guest tutors to Townsville, professional fees and tutors: \$5,200 Comments from the RADF Committee: <i>RADF is not the relevant funding source for this application, Arts Queensland has new grants programs that may be more applicable to this request. RADF Officer to send funding information to applicant. Budget did not include any income, there was no recommendation from the community, no survey results were included and venue hire is not an applicable cost.</i>	\$0
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Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

27 Community Services - Partnerships & Sponsorships September 2014 Round Recommendations

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 4 November 2014

Executive Summary

Council has received applications for financial support through the Partnerships and Sponsorships Program. This program is part of the Community Grants and Sponsorships Scheme which is the responsibility of the Community Development Section of the Community Services Department. The following recommendations are made in accordance with the Financial Assistance Policy.

The following report outlines recommendations from the Financial Assistance and Events Group (FAEG) held 4 November 2014, based on applications received through the September 2014 round of this program. A total of five applications were received through this program.

Total number of applications recommended: 5
 Total amount recommended: 2014/2015 - \$36,250 (ex GST)
 2015/2016 - \$139,075(ex GST)
 2016/2017 - \$150,000 (ex GST)

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance and Events Group (FAEG) held 4 November 2014 as detailed in the following table.

Recommendations beginning 2014/2015:

Organisation	Activity/Project	Recommendation (Ex GST)
Townsville Multicultural Support Group	Assistance with operational and administration expenses for the Cultural Outreach to Schools & Community Program in 2015	2014/2015 - \$8,000
Australian Concerto & Vocal Competition	Assistance with administration costs (\$1,000) and prizes (\$6,000) for the annual Australian Concerto & Vocal Competition, July each year at C2.	2014/2015 (2015 event) - \$10,000 2015/2016 (2016 event) - \$10,000 2016/2017 (2017 event) - \$10,000 Plus waive of venue hire (C2) at \$4,200 per year
Townsville Little Theatre	Operational support for Townsville Little Theatre for the next three financial years.	2014/2015 - \$10,000 2015/2016 - \$10,000 2016/2017 - \$10,000
Magnetic Island Men's Shed	Funding to assist with building maintenance of the facility on Magnetic Island over the next three years	2014/2015 - \$8,250 2015/2016 - \$9,075 2016/2017- \$10,000

Recommendations beginning 2015/2016:

Organisation	Activity/Project	Recommendation (Ex GST)
Community Information Centre	Operational funding for Community Information Centre over the next three financial years (CIC also receive the space at Northtown and accompanying equipment free of charge, value of approx. \$22,000 per year)	2015/2016 - \$110,000 2016/2017 - \$115,000 2017/2018 - \$120,000

The following applicant/s are not recommended for funding: Nil

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

28 Community Services - Festivals & Events Program September 2014 Round Recommendations

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 4 November 2014

Executive Summary

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

The following report outlines recommendations from the Financial Assistance and Events Group (FAEG) held 4 November 2014, based on applications received through the September 2014 round of this program. A total of eight applications were received through this program.

Total number of applications recommended: 7

Total monetary amount recommended: 2014/2015 - \$4,800 (ex GST)
2015/2016 - \$11,500 (ex GST)
2016/2017 - \$1,500 (ex GST)

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance and Events Group (FAEG) held 4 November 2014 as detailed in the following table.

Recommendations beginning in 2014/2015:

Organisation	Activity/Project	Recommendation (Ex GST)
S.A.N.D.S (auspiced by SANDS Qld)	Towards the delivery of the annual 'Walk to Remember' event held on The Strand during October 2014, 2015 & 2016	2014/2015 (2014) - \$1,500 2015/2016 (2015) - \$1,500 2016/2017 (2016) - \$1,500 Plus waiver of park hire fee to the value of \$25 per year
Queensland Youth Services	Harmony Starts With Us - Youth Multicultural Arts Festival at Raintree Grove, Riverway 27 March 2014	2014/2015 - \$1,500 Plus waiver of hire fees for Raintree Grove (\$1,000)
North Queensland Eisteddfod Association	Waiver of venue hire, equipment (such as the piano) and air-conditioning costs for the 2015 NQ Eisteddfod (adult eisteddfod held every 3 years)	2014/2015 – Waiver of associated hire fees (to the value of \$6,500)
Rotary Club of Townsville	Waiver of hire fees for Reid Park for the next three years to assist with the delivery of the RYDA Road Safety Education Program (2014, 2015 & 2016)	2014/2015 2015/2016 2016/2017 Waiver of venue hire for Reid park to the value of \$5,000 per year

Townsville Chinese Club Inc.	Funding towards the Chinese New Year Celebration to be held February to March 2015, Flinders Street between Denham and Stanley Street (purchase of costumes, drums, Chinese dragon and PA equipment hire) (Consideration to partner with the Townsville Sister Cities Community Forum through Ec. Dev. to provide additional \$1,500 towards lanterns)	2014/2015 - \$1,800
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Recommendations beginning in 2015/2016:

Organisation	Activity/Project	Recommendation (Ex GST)
APBA Offshore Council Inc.	Funding for the 2015 Offshore Powerboat Event held on The Strand in July.	2015/2016 - \$10,000 Plus waiver of hire fees (\$200)

The following applicant/s are not recommended for funding:

Organisation	Activity/Project	Recommendation (Ex GST)
Indigenous Corporation for Townsville Youth	Towards event delivery costs for an Indigenous Festival to be held at Tony Ireland Stadium in 2015	<i>Nil Council staff have requested a number of documents (such as an event budget, venue hire confirmation, previous audited statements), however this hasn't been provided</i>
Connecting Rainbows Inc.	New conference concept called 'Volunteer Madness Conference' to be held at the Mercure Inn, October 2015	<i>Nil Council currently provides significant financial assistance to support volunteers in Townsville (for example the CIC and VNQ), this conference is charging an attendance fee (\$210) that, in conjunction with corporate sponsors, should assist in covering conference costs. (Group has indicated a TCC venue would not be suitable)</i>

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 04 November 2014

Executive Summary

The Community Heritage Grant Program provides grants of up to \$5,000 to assist organisations that play an active role in preserving Townsville's history and heritage. The program currently has one round each year, with \$15,000 available for distribution in 2014/2015.

Through the September 2014 round of the Community Heritage Grants Program, council received three applications requesting a total of \$13,174.44 (ex GST).

The grant applications received in this round have been assessed by Council's Special Projects (Heritage) Unit and it is recommended that council fund three applications totalling \$13,174.44 (ex GST).

Officer's Recommendation

That council approve the amounts recommended by the Council's Special Projects (Heritage) Unit and endorsed by the Financial Assistance and Events Group (FAEG) for funding through the Community Heritage Grants Program as detailed in the following table;

Organisation	Activity/Project	Recommendation (Ex GST)
Australian Railway Historical Society QLD Division – NQ Committee	Electrical refurbishments of demountable buildings located at the organisation premises at the Bohle. Labour (\$2,640), parts and materials (\$1,982.44)	\$4,622.44
National Trust of Australia	Towards two projects that will improve facilities at the Heritage Centre. Architectural advice for the installation of a disabled toilet (\$3,300), and the purchase of new display boards (\$950)	\$4,250.00
North Queensland Military Aviation Museum Inc.	Towards the preservation, restoration and display of Vampire Aircraft located at the Townsville RAAF Museum on Ingham Road. Display material (\$1,534) paint supplies (\$725), and hardware equipment (\$2,043)	\$4,302.00
	Total	\$13,174.44

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the council minutes (page 7678) where council resolved that the committee recommendation be adopted.

Governance and Finance Committee

In accordance with section 173 of the *Local Government Act 2009*, Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch declared a perceived conflict of interest in regards to item 34.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch.
- (b) **the nature of the conflict of interest as described by the Councillor:**
MacDonnells Law donated to the Townsville First election campaign.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of the item, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the *Local Government Act 2009*, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The Councillors voted as per the council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the *Local Government Act 2009*, Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch declared a perceived conflict of interest in regards to item 34.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch.
- (b) **the nature of the conflict of interest as described by the Councillor:**
A partner of Wilson Ryan Grose made a personal donation to the Townsville First election campaign.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of the item, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the *Local Government Act 2009*, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The Councillors voted as per the council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

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

"that the committee recommendations to items 30 to 32 and 34 and 35 be adopted; and that item 33 be dealt with separately."

CARRIED UNANIMOUSLY

In accordance with section 173 of the *Local Government Act 2009*, Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch declared a perceived conflict of interest in regards to item 33.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
Councillors J Lane, G Eddiehausen, S Blom, R Gartrell, A Parsons, T Roberts and V Veitch.
- (b) **the nature of the conflict of interest as described by the Councillor:**
TP Human Capital donated to the Townsville First election campaign.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of the item, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the *Local Government Act 2009*, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The Councillors voted as per the council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 172 of the *Local Government Act 2009*, The Mayor, Councillor J Hill declared a material personal interest in regards to item 33.

- (a) **the nature of the material personal interest as described by the Councillor:**
The Mayor, Councillor J Hill is a member of the executive board of LGAQ.
- (b) **how the Councillor dealt with the material personal interest:**
The Mayor, Councillor J Hill vacated the chambers during discussion and voting on the item.

Councillor V Veitch assumed the Chair for item 33.

It was MOVED by Councillor J Lane, SECONDED by Councillor P Ernst:

"that the committee recommendation to item 33 be adopted."

CARRIED UNANIMOUSLY

30 Budget Variance Report - Whole of Council - October 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Financial Services

Date 10 November 2014

Executive Summary

On behalf of the Chief Executive Officer, the Director of Corporate Services will present and discuss the Budget Variance Report for the whole of council for October 2014, pursuant to section 204 of the *Local Government Regulation 2012*.

The Director of Corporate Services will circulate separately to the Agenda the Budget Variance Report for the whole of council for October 2014.

Officer's Recommendation

That council note the financial report for October 2014 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 30 of the council minutes (page 7691) where council resolved that the committee recommendation be adopted.

31 Ordinary Council and Committee Meeting Schedule - 2015

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 29 October 2014

Executive Summary

In accordance with Section 277(1) of the *Local Government Regulation 2012*, council is required on an annual basis to publish in a newspaper circulating generally in its area a notice of the days and times when its ordinary meetings and standing committees will be held.

Council meetings are currently held on the fourth (4th) Tuesday of each month with the Standing Committees being held across the two weeks preceding the Ordinary Council Meeting. All meetings are held at the Administration Building located at Walker Street, Townsville.

Officer's Recommendation

1. That all meetings be held at council's public office located at 103 Walker Street, Townsville.
2. That council, in accordance with Section 277(1) of the *Local Government Regulation 2012*, adopt and publicly notify the following schedule of Ordinary Council and Standing Committee Meetings for the months January to December 2015:

2015 Council and Committee Meeting Calendar		
Date	Time	Council/Committee
27 January 2015	9.00 am	Ordinary Council
10 February 2015	9.00 am	Infrastructure Committee
11 February 2015	12.00 pm	Planning and Development Committee
12 February 2015	9.30 am	Healthy and Safe City Committee
12 February 2015	10.00 am	Smart City Sustainable Future Committee
12 February 2015	11.00 am	Sports Recreation and Parks Committee
12 February 2015	11.30 am	Community and Cultural Committee
17 February 2015	9.00 am	Governance and Finance Committee
17 February 2015	11.00 am	Townsville Water and Waste Committee
24 February 2015	9.00 am	Ordinary Council
11 March 2015	10.30 am	Infrastructure Committee
11 March 2015	12.00 pm	Planning and Development Committee
12 March 2015	9.30 am	Healthy and Safe City Committee
12 March 2015	10.00 am	Smart City Sustainable Future Committee
12 March 2015	11.00 am	Sports Recreation and Parks Committee
12 March 2015	11.30 am	Community and Cultural Committee
17 March 2015	9.00 am	Governance and Finance Committee

2015 Council and Committee Meeting Calendar		
Date	Time	Council/Committee
17 March 2015	11.00 am	Townsville Water and Waste Committee
24 March 2015	9.00 am	Ordinary Council
14 April 2015	9.00 am	Infrastructure Committee
15 April 2015	12.00 pm	Planning and Development Committee
16 April 2015	9.30 am	Healthy and Safe City Committee
16 April 2015	10.00 am	Smart City Sustainable Future Committee
16 April 2015	11.00 am	Sports Recreation and Parks Committee
16 April 2015	11.30 am	Community and Cultural Committee
21 April 2015	9.00 am	Governance and Finance Committee
21 April 2015	11.00 am	Townsville Water and Waste Committee
28 April 2015	9.00 am	Ordinary Council
12 May 2015	9.00 am	Infrastructure Committee
13 May 2015	12.00 pm	Planning and Development Committee
14 May 2015	9.30 am	Healthy and Safe City Committee
14 May 2015	10.00 am	Smart City Sustainable Future Committee
14 May 2015	11.00 am	Sports Recreation and Parks Committee
14 May 2015	11.30 am	Community and Cultural Committee
19 May 2015	9.00 am	Governance and Finance Committee
19 May 2015	11.00 am	Townsville Water and Waste Committee
26 May 2015	9.00 am	Ordinary Council
9 June 2015	9.00 am	Infrastructure Committee
10 June 2015	12.00 pm	Planning and Development Committee
11 June 2015	9.30 am	Healthy and Safe City Committee
11 June 2015	10.00 am	Smart City Sustainable Future Committee
11 June 2015	11.00 am	Sports Recreation and Parks Committee
11 June 2015	11.30 am	Community and Cultural Committee
16 June 2015	9.00 am	Governance and Finance Committee
16 June 2015	11.00 am	Townsville Water and Waste Committee
23 June 2015	9.00 am	Ordinary Council
14 July 2015	9.00 am	Infrastructure Committee
15 July 2015	12.00 pm	Planning and Development Committee
16 July 2015	9.30 am	Healthy and Safe City Committee
16 July 2015	10.00 am	Smart City Sustainable Future Committee
16 July 2015	11.00am	Sports Recreation and Parks Committee
16 July 2015	11.30 am	Community and Cultural Committee
21 July 2015	9.00 am	Governance and Finance Committee
21 July 2015	11.00 am	Townsville Water and Waste Committee
28 July 2015	9.00 am	Ordinary Council
11 August 2015	9.00 am	Infrastructure Committee
12 August 2015	12.00 pm	Planning and Development Committee
13 August 2015	9.30 am	Healthy and Safe City Committee
13 August 2015	10.00 am	Smart City Sustainable Future Committee
13 August 2015	11.00 am	Sports Recreation and Parks Committee
13 August 2015	11.30 am	Community and Cultural Committee
18 August 2015	9.00 am	Governance and Finance Committee
18 August 2015	11.00 am	Townsville Water and Waste Committee
25 August 2015	9.00 am	Ordinary Council
8 September 2015	9.00 am	Infrastructure Committee
9 September 2015	12.00 pm	Planning and Development Committee

2015 Council and Committee Meeting Calendar		
Date	Time	Council/Committee
10 September 2015	9.30 am	Healthy and Safe City Committee
10 September 2015	10.00 am	Smart City Sustainable Future Committee
10 September 2015	11.00 am	Sports Recreation and Parks Committee
10 September 2015	11.30 am	Community and Cultural Committee
15 September 2015	9.00 am	Governance and Finance Committee
15 September 2015	11.00 am	Townsville Water and Waste Committee
22 September 2015	9.00 am	Ordinary Council
13 October 2015	9.00 am	Infrastructure Committee
14 October 2015	12.00 pm	Planning and Development Committee
15 October 2015	9.30 am	Healthy and Safe City Committee
15 October 2015	10.00 am	Smart City Sustainable Future Committee
15 October 2015	11.00 am	Sports Recreation and Parks Committee
15 October 2015	11.30 am	Community and Cultural Committee
20 October 2015	9.00 am	Governance and Finance Committee
20 October 2015	11.00 am	Townsville Water and Waste Committee
27 October 2015	9.00 am	Ordinary Council
10 November 2015	9.00 am	Infrastructure Committee
11 November 2015	12.00 pm	Planning and Development Committee
12 November 2015	9.30 am	Healthy and Safe City Committee
12 November 2015	10.00 am	Smart City Sustainable Future Committee
12 November 2015	11.00 am	Sports Recreation and Parks Committee
12 November 2015	11.30 am	Community and Cultural Committee
17 November 2015	9.00 am	Governance and Finance Committee
17 November 2015	11.00 am	Townsville Water and Waste Committee
24 November 2015	9.00 am	Ordinary Council
1 December 2015	9.00 am	Infrastructure Committee
2 December 2015	12.00 pm	Planning and Development Committee
3 December 2015	9.30 am	Healthy and Safe City Committee
3 December 2015	10.00 am	Smart City Sustainable Future Committee
3 December 2015	11.00 am	Sports Recreation and Parks Committee
3 December 2015	11.30 am	Community and Cultural Committee
8 December 2015	9.00 am	Governance and Finance Committee
8 December 2015	11.00 am	Townsville Water and Waste Committee
15 December 2015 (3 rd Tuesday)	9.00 am	Ordinary Council

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 30 of the council minutes (page 7691) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 10 November 2014

Executive Summary

Correspondence dated 7 November 2014 has been received inviting the Mayor, Councillor J Hill to the Regional Round Table which will be held on 1 and 2 December 2014 in Cairns.

The theme of the Round Table will be 'Positioning Local Government for a Strong Future' and the agenda will focus on actions available to councils to help them take advantage of opportunities emerging through the Queensland Plan and Smart Choices to secure long-term benefits and financial sustainability for councils and their communities.

Officer's Recommendation

1. That council approve the attendance of the Mayor, Councillor J Hill to attend the Regional Round Table to be held in Cairns on 1 and 2 December 2014.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Councillor J Hill to allow attendance at the Regional Round Table to be held in Cairns on 1 and 2 December 2014.

Committee Recommendation

1. That council approve the attendance of the Mayor, Councillor J Hill or Deputy Mayor, Councillor V Veitch to attend the Regional Round Table to be held in Cairns on 1 and 2 December 2014.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Councillor J Hill or Deputy Mayor, Councillor V Veitch to allow attendance at the Regional Round Table to be held in Cairns on 1 and 2 December 2014.

Council Decision

Refer to resolution preceding item 30 of the council minutes (page 7691) where council resolved that the committee recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department HR PP Leadership Capability
Date 29 October 2014

Executive Summary

Council is seeking to introduce a Pre-Qualified Suppliers Register for Townsville City Council Leadership & Capability Section Programs. Council provides a range of learning and development opportunities for its 1,700 employees. Learning and development opportunities are provided across management, business skills, leadership, prescribed occupation and job specific areas, with options including face to face, online and blended delivery modes being utilised.

This tender was advertised on the 31 May 2014 in the Townsville Bulletin and the Courier Mail. Thirty submissions were received. The contract term is for 12 months with the option to extend for a further two 12 month periods.

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 RPS00008 – Register of Pre-Qualified Suppliers for Townsville City Council Leadership & Capability Section Programs to the following tender respondents for 12 months.
 - Greening Australia
 - INSPYR
 - Civil Contractors / Civil Train
 - Qld Training Services
 - Learning Partnerships
 - Choice Training
 - Foundation Education
 - ELMO Learning Services
 - NQ Security Training
 - TP Human Capital
 - TrainUp
 - Skill 360
 - Institute of Management
 - Advanced Industry Training
 - Roberts Nehmer McKee
 - Wyntac
 - Worksafe Connect
 - AIM
 - PD Training
 - The Change Forum
 - St John Ambulance
 - Coral Sea Training
 - LGAQ
 - Country Company Training
 - Horticultural Training
 - TAFE NSW North Coast Institute

- e3learning Solutions
 - TAFE North
3. That council accept the late submissions of Horticultural Training, TAFE NSW North Coast Institute and e3learning Solutions that were conforming in all other criteria.
 4. That council award RPS00008 for 12 months with the option of a further two 12 month extensions.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 30 of the council minutes (page 7692) where council resolved that the committee recommendation be adopted.

34 RPS00010 Register of Pre-Qualified Suppliers of Legal Services

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance – Legal Services
Date 11 November 2014

Executive Summary

Council issued Tender RPS00010 for a Register of Pre-Qualified Suppliers for Legal Services. The tender closed on 1 October 2014 and ten compliant (10) 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 Prequalified Suppliers for Legal Services consisting of:
 - a) CBP Pty Ltd;
 - b) Clayton Utz;
 - c) McCullough Robertson;
 - d) Wilson Ryan Grose;
 - e) HWL Ebsworth;
 - f) MacDonnells Law; and
 - g) Corrs, Chambers, Westgarth
3. That the above seven tender submitters be appointed to council's Legal Services Panel for a period of three years with a 12 month extension option, commencing from 26 November 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 30 of the council minutes (page 7691) where council resolved that the committee recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 7 November 2014

Executive Summary

The Audit Committee was established in 2008 and is chaired by an independent member. Section 210 (1) (a) and (b) of the Local Government Regulations requires that membership of the Audit Committee comprises at least 3 members, but no more than 6 members and include 2 but no more than 2 councillors appointed by the Local Government.

The Committee has considered its membership from time to time and has recently sought by advertisement, a second external member with the intention of broadening the skill set and experience of its current membership. The position whilst bringing additional skills also mitigates the risk of losing an independent member providing some succession planning.

The call for applicants was sent out in August 2014 and a number of candidates submitted applications. Interviews were held and Ms Ruth Faulkner, Director, Conus Business Consultancy Services was unanimously selected by the Audit Committee members.

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 ratifies the appointment of Ms Ruth Faulkner, Director, Conus Business Consultancy Services as an independent member of the Townsville City Council Audit Committee for a 12 month period with an option to extend the appointment for another 12 months, commencing from the 18 November 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 30 of the council minutes (page 7691) 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 Gartrell, A Parsons, V Veitch, S Blom, G Eddiehausen, J Lane and T Roberts and declared a perceived conflict of interest in regards to item 42.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
Councillors R Gartrell, A Parsons, V Veitch, S Blom, G Eddiehausen, J Lane and T Roberts.
- (b) **the nature of the conflict of interest as described by the Councillor:**
NQ Excavations donated to the Townsville First election campaign.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of the item, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the *Local Government Act 2009*, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The Councillors voted as per the council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

It was MOVED by Councillor R Gartrell, SECONDED by Councillor P Ernst:

"that the committee recommendations to items 36 to 43 be adopted."

CARRIED UNANIMOUSLY

36 Integrated Sustainability Services - National Water Week 2014

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Integrated Sustainability Services
Date 10 November 2014

Executive Summary

National Water Week is a national awareness raising celebration that aims to improve community understanding of water issues across Australia during the week 19 – 25 October 2014. As part of Australia's only national water awareness week Integrated Sustainability Services successfully facilitated a number of community engagement, education, awareness and on-ground activities across the city.

Activities included:

- Mount Saint John Wastewater Treatment Plant Tour on Sunday 19 October 2014;
- Sprinkler Swapping throughout the week (20 - 24 October 2014);
- Rowes Bay Adventure Day on Saturday 25 October 2014;
- 'Strong lawns are watered just enough' Workshop at Aitkenvale Library on Saturday 25 October 2014; and
- Two-day Erosion and Sediment Control Training on 21 and 22 October 2014.

In addition the following initiatives were also launched during the week:

- launched the 'Choose 2' watering days campaign;
- launched an international Creek to Coral Partnership with a Canadian School; and
- initiated a monitoring program at the Castletown Lakes in collaboration with James Cook University (JCU) TropWater.

Officer's Recommendation

That council note the achievements and opportunities created during National Water Week 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 36 of the council minutes (page 7700) where council resolved that the committee recommendation be adopted.

37 Integrated Sustainability Services - Townsville Smart Water Pilot

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Integrated Sustainability Services
Date 10 November 2014

Executive Summary

Townsville residents are amongst the highest water users in our region and across Australia. Our climate, combined with our desire to maintain lush gardens means that Townsville residents use more water for garden irrigation purposes than most other areas. Providing good quality potable water to our community represents a significant capital and operational cost to council.

The Townsville Smart Water pilot demonstrated how the use of smart technology, including automated meter readers and advanced data analytics and visualisation can assist in reducing residential water demand through leak detection and behavioural modifications. Reducing this demand, particularly on peak use days allows for investments in infrastructure upgrades to be deferred thereby providing a substantial saving to the Townsville community.

The pilot demonstrated that:

- timely leak detection was possible at residential scales, which acted to reduce average demand and costs for the resident and the utility;
- timely feedback of consumption (via a web portal) to residents can modify behaviours and in turn reduce average demand and cost;
- there is a pattern of resident behaviour that leads to peak demand and this pattern was found to be repeatable and predictable meaning that interventions can be implemented at the point of these peak demand behaviours; and
- insights such as these can remain hidden unless uncovered through effective data collection, management and analytics systems.

Officer's Recommendation

That council endorse the use of the Townsville Smart Water Pilot final report for use in informing the Water Demand Strategy currently in development.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 36 of the council minutes (page 7700) where council resolved that the committee recommendation be adopted.

38 Infrastructure Planning - Northern Townsville Common Sewer Pressure Main System Report

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Strategic Planning
Date 4 November 2014

Executive Summary

A planning report has been prepared that examines the staged future trunk infrastructure requirements to enable sewage to be pumped to the Mt St John Sewage Treatment Plant from the rapidly expanding Northern Suburbs of Townsville. The report also identifies the diversion of other areas in conjunction with the recommended trunk infrastructure upgrades to optimise capital works expenditure and service to the community and environment.

Officer's Recommendation

1. That council receive the planning report 'DPM Water, Northern Townsville Common Sewer Pressure Main System Infrastructure Planning Report, Revision C, dated November 2014' (attachment 3 of the Report to Council).
2. That council adopt the strategy for providing the trunk sewerage infrastructure to service the expansion of the Northern Suburbs of Townsville as outlined in the planning report 'Northern Townsville Common Sewer Pressure Main System Infrastructure Planning Report, Revision C, dated November 2014' (attachment 3 of the Report to Council).
3. That council consider the capital works identified in the 'Northern Townsville Common Sewer Pressure Main System Infrastructure Planning Report' in the next annual review of the 10 Year Capital Works Plan.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 36 of the council minutes (page 7700) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Waste Services
Date 23 October 2014

Executive Summary

A free dumping weekend was held at all council waste facilities on 4, 5 and 6 October 2014. This report summarises the event and provides comments on what worked well and what can be improved.

Officer's Recommendation

1. That council note the outcomes of the free dumping weekend.
2. That council resolve to reduce the hours of the Bluewater and Toomulla Transfer Stations at any future event to align with current opening hours.
3. That council resolve to reduce the budgeted community service obligation paid to Townsville Waste Services from \$150,000 to \$144,164 as part of the four month budget review.

Committee Recommendation

That officer's recommendation numbers 1 and 3 be adopted.

Council Decision

Refer to resolution preceding item 36 of the council minutes (page 7700) where council resolved that the committee recommendation be adopted.

40 Wastewater Operations - Residential Pool Wastewater Disposal Policy

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 7 November 2014

Executive Summary

The discharge of pool wastewater to sewer, stormwater or environment has potential impacts about which pool owners need guidance to manage. Further, under the *Water Supply (Safety & Reliability) Act 2008* (WS Act) the discharge of filter backwash to sewer without written council permission is unlawful, yet is commonly undertaken in Townsville.

The proposed Residential Pool Wastewater Disposal Policy aims to address these issues by:

- providing deemed written approval for discharges of residential pool filter backwash to sewer, subject to certain condition; and
- providing guidance to pool owners and operators on the appropriate management of pool wastewater.

An information sheet (attached) provides that same guidance to the community in a less formal manner and will serve as the basis for the delivery of a community education plan about pool wastewater management.

Officer's Recommendation

That council resolve to adopt the Residential Pool Wastewater Disposal Policy.

RESIDENTIAL POOL WASTEWATER DISPOSAL POLICY

TOWNSVILLE WATER

WASTEWATER OPERATIONS



1. POLICY STATEMENT >>

Townsville City Council wishes to encourage and assist pool owners in the environmentally responsible enjoyment of the residential swimming pool. This policy provides:

- deemed approvals for the discharge to sewer of filter backwash water in certain situations (a specific written approval is not required); and
- guidance on the disposal of residential pool wastewater, including filter backwash, overflow and pool emptying water.

2. PRINCIPLES >>

Through this policy, Townsville City Council aims to:

- provide a deemed approval authorising owners/operators of residential pools to discharge filter backwash water in certain situations, so as to comply with s.193(3) of the *Water Supply (Safety and Reliability) Act 2008*;
- minimise discharges from residential swimming pools into the sewerage network immediately prior to, during and after wet weather events, as a means of reducing the risk of wet weather related sewage overflows;
- prevent environmental harm from the release of wastewater from swimming pools; and
- emphasise to pool owners/operators their obligation to comply with the *Water Supply (Safety and Reliability) Act 2008* which forbids the discharge of a prohibited substance (including rainwater) into the sewerage network and the *Environmental Protection Act 1994* which forbids the unlawful depositing of a prescribed water contaminant (including filter backwash) into a stormwater drain.

3. SCOPE >>

This policy applies to owners, operators and designers of residential pools and all council staff with responsibility for the management of pool wastewater, including Wastewater Operations; Planning and Development; and Environmental Health Services.

Discharges to sewer from non-residential and/or commercial pools are not covered by this policy, and must be in accordance with a trade waste approval (see Trade Waste Policy).

4. RESPONSIBILITY >>

The Executive Manager Communications and Customer Relations is responsible for communicating this policy to stakeholders.

The Manager Wastewater Operations is responsible for providing written approval to discharge to sewer where appropriate.

Issues of non-compliance with this policy are the responsibility of Manager Wastewater Operations and Manager Environmental Health, and will be dealt with under relevant laws.

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Authorised by >> <Enter Director>

Document Maintained by >> <Enter Operational area name>

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Next Review Date>> <Insert date>

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<ENTER POLICY TITLE>

RESIDENTIAL POOL WASTEWATER DISPOSAL POLICY

TOWNSVILLE WATER

WASTEWATER OPERATIONS



5. DEFINITIONS >>

Environmental harm	As defined in the <i>Environment Protection Act 1994</i> , and includes nuisance conditions such as creation of odours, and fly and mosquito breeding areas that may result from ponding of water.
Filter backwash water	A wastewater stream emanating from the backwashing of the pool filter of a residential pool.
Flow restriction device	A device, such as a garden hose or in-line flow control valve, that limits the amount of wastewater discharged from the residential swimming pool into the sewerage network to a flow of 40 litres per minute or less.
Overflow water	Excess rain water that would overtop the sides of a residential pool without remedial drainage action
Pool maintenance drainage water	Wastewater from reducing the level in a residential pool to allow for maintenance or decommissioning of the pool.
Residential pool	An excavation or structure designed to be filled with water, located on land used for residential purposes, and used as a swimming pool or ornamental pond.
Sewerage network	Townsville City Council's network of sewers, access chambers, vents, engines, pumps, structure, machinery, outfall or other work used to receive, store, transport or treat sewage.
Stormwater drain	A channel or pipe that conveys stormwater.
Wet weather event	Any storm or rainfall event that may have inflow impact on the sewerage network, including short duration high intensity storms; sustained rain over several days; or any rainfall involving power outages.

6. POLICY >>

Filter backwash water

Under s.193(3) of the *Water Supply (Safety and Reliability) Act 2008* it is offence to discharge filter backwash water into the sewerage network without council's approval. The council approves of the discharge of residential pool filter backwash water into the sewerage network provided that the discharge does not occur immediately prior to, during, or within at least 48 hours after the end of, a wet weather event.

Filter backwash water may be lawfully discharged to the property where the pool is located, provided that the backwash water is contained on the property and does not result in environmental harm.

Filter backwash water must not be discharged to the environment outside the property boundary or into any stormwater drain.

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Next Review Date>> <Insert date>

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<ENTER POLICY TITLE>

RESIDENTIAL POOL WASTEWATER DISPOSAL POLICY

TOWNSVILLE WATER

WASTEWATER OPERATIONS



Pool overflow water

It is lawful for pool overflow water to be discharged to or overflow onto the property where the pool is located, or into a stormwater drain, provided it does not result in environmental harm.

Pool overflow water must not be discharged into the sewerage network at any time.

Pool maintenance drainage water

The council approves of the discharge of pool maintenance drainage water into council's sewerage network provided that:

- the water is clean;
- chlorine concentration is below 5 mg/L
- the discharge occurs at least 48 hours after a wet weather event; and
- a flow restriction device is used.

Pool maintenance drainage water must not be released to the environment outside the property boundary or into any stormwater drain, unless chlorine levels have been reduced to below 0.1 mg/L and the discharge does not cause environmental harm.

Connections to Sewer

All connections to sewer must be in accordance with AS/NZS 3500.

Any discharge to sewer that is not consistent with this policy must have prior written approval from council.

7. LEGAL PARAMETERS >>

Water Supply (Safety & Reliability) Act 2008
Environmental Protection Act 1994
Standard Plumbing and Drainage Regulation 2003

8. ASSOCIATED DOCUMENTS >>

Townsville City Council Trade Waste Policy
Australian Standard AS/NZS 3500 (Plumbing and Drainage)

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Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 36 of the council minutes (page 7700) where council resolved that the committee recommendation be adopted.

41 Wastewater Operations - Trade Waste Policy

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 5 November 2014

Executive Summary

Townsville Water accepts trade waste into the sewerage system in accordance with the *Water Supply (Safety & Reliability) Act 2008*, the existing *Liquid Trade Waste Policy 2009* and *Liquid Trade Waste Management Plan 2009*.

Both the policy and management plan have been revised (and renamed) to provide greater clarification and direction to trade waste officers, managers and trade waste customers.

The Trade Waste Policy is proposed to replace the existing Liquid Trade Waste Policy. Much of the detail that was formerly included in the policy has been delegated to the draft Trade Waste Management Plan 2014, under the responsibility of the Manager Wastewater Operations.

Officer's Recommendation

1. That council repeal the Liquid Trade Waste Policy (2009).
2. That council adopt the Trade Waste Policy (2014).

TRADE WASTE POLICY

TOWNSVILLE WATER



1 POLICY STATEMENT >>

Townsville City Council recognises that allowing the discharge of trade waste to sewer provides benefits to the economy of Townsville, and potentially to the natural environment, yet poses a risk to the sewerage system and safety of workers and the community.

Accordingly, council will manage discharges of trade waste to the sewerage system in accordance with the requirements of the *Water Supply (Safety & Reliability) Act 2008*, and with the objective of maximising:

- community safety;
- protection of the natural environment; and
- benefits to the Townsville economy.

2 PRINCIPLES >>

Trade waste management is guided by the following strategies defined in the Townsville City Council Corporate Plan 2014/19:

- Create economic opportunities for Townsville to drive community prosperity.
- Preserve our natural environment through active management, education and compliance activities.
- Enhance wellbeing and safety in the community.
- Deliver best value customer service to our community.

Trade waste management forms a part of council's move towards a wastewater source management philosophy as outlined in the WSAA *National Wastewater Source Management Guidelines*.

A key principle in council's management of trade waste is that the owner of the property from which trade waste is discharged is responsible for all aspects of the trade waste management, including compliance with the Trade Waste Approval and the payment of all fees and charges.

3 SCOPE >>

This policy applies to all trade waste management in Townsville.

4 RESPONSIBILITY >>

The Chief Executive Officer and the Director Townsville Water and Waste are responsible for ensuring this policy is understood and adhered to by all relevant staff.

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TRADE WASTE POLICY

TOWNSVILLE WATER



5 DEFINITIONS >>

Council	In this policy a reference to council means the Townsville City Council and its business unit Townsville Water.
Trade waste	The water-borne waste from trade, industrial, commercial, medical, dental, veterinary, agricultural, horticultural, scientific research or experimental activities, excluding waste that is a prohibited substance; human waste; or stormwater.
Trade waste approval	Written approval by council for a person to discharge liquid trade waste to council's sewerage system.
Sewerage system	All parts of the council's sewerage infrastructure, including any sewer, access chamber, vent, engine, pump, structure, machinery, outfall or other work used to receive, store, transport or treat sewage.
WSAA	Water Services Association of Australia

6 POLICY >>

To ensure the continued protection of our environment and waterways, while providing a service to the commercial sector, council will conditionally accept trade waste into the sewerage system provided that it:

- does not contain substances in amounts that are or may be toxic or hazardous to efficient operation of the sewerage system, treatment processes, personnel or the environment; and
- is not discharged in a quantity that may exceed the system's capacity to collect, transport and treat the trade waste.

Council will manage trade waste using a combination of instruments, including:

- Trade Waste Management Plan
- Trade waste approvals
- Risk management process
- Sewer admission limits
- Cost reflective trade waste charging structure
- Compliance and enforcement

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6.1 Trade Waste Management Plan

The Trade Waste Management Plan 2014 (TWMP) comprehensively describes the structure and processes for the management of trade waste, and is publicly available. The TWMP is the responsibility of the Director Townsville Water and will be reviewed every 3 years.

6.2 Trade Waste Approvals

Council is not obliged to accept trade waste to sewer, but may do so, provided that:

- The proposed discharge meets the criteria stipulated in council's Trade Waste Management Plan;
- The proposed discharge volumes are such that the system has adequate capacity to collect, transport and treat the waste;
- The discharger has a current Trade Waste Approval and complies with the conditions of that approval.

Other than in exceptional circumstances, Trade Waste Approvals are issued to the owners of a property from which trade waste is discharged.

Any person wishing to discharge trade waste to the sewer must apply, on behalf of the property owner, for a Trade Waste Approval from council.

6.3 Sewer Admission Limits

Council has developed a suite of standard sewer admission limits designed to ensure that trade waste discharges do not cause a detrimental impact to the sewerage system, environment or safety. A trade waste discharger may be permitted a variation from these limits, provided that it can be demonstrated that there will be no detrimental impact.

6.4 Risk Management

Each trade waste customer will be categorised depending on the type of trade waste generating activity.

Trade waste customers are also assessed for the level of risk posed to the system. The risk rating feeds the approval process and provides a consistent and equitable basis for scheduling compliance activities of approved dischargers.

6.5 Trade Waste Charging

To ensure recovery of costs for collection, transport, treatment and administration of trade waste, council will levy trade waste fees and charges in accordance with the *Local Government Act 2009* and as specified in the Trade Waste Management Plan and council's annual utility charges. These charges will be levied on the owner of the property from which trade waste is discharged.

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TRADE WASTE POLICY

TOWNSVILLE WATER



6.6 Penalties & Enforcement

Council will undertake routine compliance inspections of each trade waste customer. Where necessary, council staff will exercise their rights to access as described in legislation.

A trade waste discharger who is found to be non-compliant with their trade waste approval, or to not have a trade waste approval, will be managed in accordance with the TWMP and relevant legislation. This may include cancellation of approval and/or prosecution if appropriate.

7. LEGAL PARAMETERS >>

Water Supply (Safety & Reliability) Act 2008
State Penalties and Enforcement Act 1999
Local Government Act 2009

8. ASSOCIATED DOCUMENTS >>

Trade Waste Management Plan 2014
WSAA Australian Sewage Quality Management Guidelines 2012

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Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 36 of the council minutes (page 7700) where council resolved that the committee recommendation be adopted.

42 Programs & Technical Support - Tender Evaluation Report - TCW00087 Horseshoe Bay Water Supply Pipeline

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Water and Waste
Date 29 October 2014

Executive Summary

Townsville City Council (TCC) plans to augment the water supply system on Magnetic Island to enable it to meet the minimum requirements for flow and pressures to meet the Department Natural Resources & Mines (DNRM) Guidelines. An element of these upgrades is the upgrade of the existing DN150 CICL and AC gravity supply main between the balance tank on the ridge between Nelly and Horseshoe Bays. Design works for this upgrade were completed in August 2014, and tenders closed on 24 September 2014 for the construction phase of this upgrade.

There were seven tenders received with lump sum prices ranging from approximately \$0.99M to \$1.84M (excluding GST). All tenderers generally complied with the requirements of the tender documents. One tenderer also provided an alternative proposal with the lowest lump sum price of \$0.942M (excluding GST). The tender documents allow for alternatives for the consideration of TCC as long as a performing tender is submitted as well.

Officer's Recommendation

1. That the report and the attachments be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (9) of the Local Government Act 2009 and that the document remain confidential unless council decides otherwise by resolution.
2. That council award tender TCW00087 Supply and Construction of Replacement Water Main for Horseshoe Bay, Magnetic Island to CivilPlus Constructions Pty Ltd for the lump sum price of \$942,308 (excluding GST) subject to CivilPlus providing satisfactory details of their bid. Should this not be the case, the conforming bid by CivilPlus will be accepted at \$1,181,058 (excluding GST).
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved 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 36 of the council minutes (page 7700) where council resolved that the committee recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Business Management & Compliance
Date 4 November 2014

Executive Summary

Townsville Water and Waste's monthly report card containing year to date operating results for 2014/15 for the month of October 2014 was tabled at the meeting.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the report card from Townsville Water and Waste for the month of October 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 36 of the council minutes (page 7700) where council resolved that the committee recommendation be adopted.

Officers Reports

Corporate Services

44 Townsville City Council Annual Report 2013/14

REPORT TO COUNCIL

Authorised by Chief Executive Officer
Department Corporate Governance
Date 12 November 2014

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 1 month of the Auditor-General's report on the financial statements.

The Townsville City Council Annual Report for the 2013/2014 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 2013/2014 financial year.

Council Decision

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

“that the officer's recommendation be adopted.”

CARRIED UNANIMOUSLY

The Mayor, Councillor J Hill thanked the Chief Executive Officer and staff for their work on the Annual Report 2013/14 and provided highlights of the report. This is a great result for the city and sets up for future works and infrastructure to build the city. Councillor Hill also thanked the councillors for their support.

REPORT TO COUNCIL

Authorised by Chief Executive Officer
Department Corporate Governance
Date 11 November 2014

Executive Summary

The Chief Executive Officer is required to provide a written assessment of council's Corporate and Operational Plans on a quarterly basis. The Corporate Performance Report, under separate cover, provides an assessment of council's progress towards implementing council's Corporate and Operational Plans.

Officer's Recommendation

That in accordance with section 174 of the *Local Government Regulation 2012*:

1. council adopt the Corporate Performance Report for the first quarter of 2014/15, being the period from 1 July 2014 to 30 September 2014 (attachment 1); and
2. council note the change made to the Operational Plan in the first quarter as outlined in attachment 2.

Council Decision

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

“that the officer’s recommendation be adopted.”

CARRIED UNANIMOUSLY

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Services
Date 17 November 2014

Executive Summary

The LGMA 2015 National Congress and Business Expo 'The Value Proposition' will be held in Darwin 29 April - 1 May 2015.

The LGMA 2015 National Congress will explore some of the key trends and draw upon examples where local governments have had successes in creating new value propositions in their communities through leadership, partnerships and collaboration.

Officer's Recommendation

1. That council consider nominating a Councillor to attend the LGMA 2015 National Congress and Business Expo being held in Darwin, 29 April - 1 May 2015.
2. That council approve travel and in accordance with section 162(1)(e) of the *Local Government Act 2009* grant leave of absence to nominated delegates for the period of 29 April - 1 May 2015.

Council Decision

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

“that the officer’s recommendation be adopted.”

CARRIED UNANIMOUSLY

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 10 November 2014

Executive Summary

Correspondence dated 23 October 2014 has been received inviting the Mayor, Cr Jenny Hill to do a presentation at the Civil Contractors Federation State Conference to be held in Brisbane on Friday 27 March 2015.

The conference theme is "Contracting: A Rocky Road?" and will focus on the ups and downs of the civil construction industry and exploring strategies that may be employed to smooth the bumps. The Mayor's presentation will form part of a local government panel.

Officer's Recommendation

1. That council approve the attendance and associated travel costs of the Mayor, Cr Jenny Hill to provide a presentation at the Civil Contractors Federation State Conference in Brisbane on 27 March 2015.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Cr Jenny Hill to allow attendance at the Civil Contractors Federation State Conference in Brisbane on 27 March 2015.

Council Decision

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor G Eddiehausen:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 13 November 2014

Executive Summary

Since early 2010, council's strategic planning department has led the City Wide Flood Constraints Project in parallel with the preparation of the new City Plan. The City Wide Flood Constraints Project has developed new flood studies across the local government area, improving the coverage and detail of flood mapping from what was previously available. The new flood studies are now complete and are being implemented for the purpose of floodplain planning.

With the gazettal of the new City Plan and implementation of the new flood studies, there are a range of services that are required to ensure appropriate use of the flood information. This report seeks the formal adoption of the new flood information and the implementation of the new services to support the appropriate use of this information by internal departments and external customers.

Officer's Recommendation

1. That flood model results from the flood studies of the City Wide Flood Constraints Project are endorsed for the purpose of floodplain planning and all flood study documents are made available on council's website.
2. That a public flood mapping service is released on council's website by 1 December 2014 through the MOSAIC mapping area of the website.
3. That the flood report system employed by customer service, rates (property searches) and technical services is replaced by maps prepared from the flood mapping service by 1 December 2014.
4. That the framework for the Management of the Flood Overlay Mapping outlined in Attachment 1 be implemented into business processes for the relevant council departments/units, including the periodic updating of flood studies and flood data as well as the dissemination of the data into council flood services.
5. That the council website be updated to include an interface for the provision of flood models external parties by 1 December 2014.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

The Mayor, Councillor J Hill thanked staff for their work on this project.

General Business

(i) Visiting Delegation from Changshu

GENERAL BUSINESS ITEM

Raised by Councillor C Doyle
Committee Ordinary Council
Date 25 November 2014

Overview

Councillor C Doyle advised of the visiting delegation from Changshu currently in Townsville. The delegation's focus is to understand the urban planning processes, work in renewing the CBD, the Townsville Port and waste and water management. Next year will be the 20th anniversary of the partnership between Townsville and the city of Changshu.

(ii) Apologies for failing to declare conflicts of interest

GENERAL BUSINESS ITEM

Raised by Councillors J Lane, G Eddiehausen, S Blom, T Roberts, R Gartrell, A Parsons and V Veitch
Committee Ordinary Council
Date 25 November 2014

Overview

Council noted the following apologies from Councillors J Lane, G Eddiehausen, S Blom, T Roberts, R Gartrell, A Parsons and V Veitch for failing to declare conflicts of interest in April 2014.

Councillor J Lane:

"Madam Mayor, at the May Ordinary Council meeting I made the following statement, and I quote from the May minutes:

Councillor J Lane requested that council note an oversight at the last Ordinary Council meeting, by herself, Councillors Gartrell, Veitch, Parsons, Blom, Roberts and Eddiehausen, in failing to declare a conflict of interest in item 35 of the Ordinary meeting of 22 April 2014, and related Item 5 in the Governance and Finance Committee meeting of 15 April 2014, in that election gift donations had been made to the Townsville First candidates by the following persons who are listed on the list of providers listed in the attachment to the said agenda items: Tony Ireland Holden, Pickerings and Key Motors."

Madam Mayor I repeat that statement and I add a sincere apology.

This was an unintentional oversight in not noticing and then declaring these conflicts and I sincerely and unequivocally apologise."

Councillor G Eddiehausen:

"Apology to Residents of Townsville

Madam Mayor,

In April of this year an item came firstly before the Corporate Governance Committee and then Full Council meeting authorising a list of occasional and sole providers of goods and services.

An appendix to the report contained a significant list of 178 line items.

Three of these providers had donated to the Townsville First campaign and their details were contained near the end of that list between lines 152-166.

I did read that list of providers both prior to the Governance Committee meeting and again before the Full Council meeting but as I did not identify the 3 donors, I did not declare a potential conflict of interest at either meeting.

My integrity and honesty has been and remains extremely important to me and I have sought further advice in addressing such potential conflict of interest issues since that time and for the future.

I sincerely apologise to the residents of Townsville for the oversight and I ask that my apology be recorded in the minutes of this meeting."

Councillor S Blom:

"I am truly sorry for this mistake and will endeavour to never allow this to happen again. I believe I am honest and a very loyal and trust worthy person and come from a family that values their position in the Townsville community so to the residents of Townsville and my family and friends I apologise for this mistake and will do my best to not let this happen ever again."

Councillor T Roberts:

"I also refer to an oversight of my part regarding the declaration of a conflict of interest relating to item 35 of the Ordinary Council meeting on the 22 April 2014 that included donors to the Townsville First campaign.

My standing in this community on the back of a lifetime of community service is of the utmost importance to me.

I regret the error and offer a full and unconditional apology to the residents of this city and ask for that apology to be recorded in the minutes."

Councillor R Gartrell:

"Lady Mayor, I formally apologise for the mistake of item 35 of the April meeting this year. It was certainly an oversight, there was no intention involved in it at all and I sincerely apologise to the Townsville community, council and in particular my family."

Councillor A Parsons:

"I would like to apologise to the residents of our fine city, they have put their faith in us to do the right thing and we have erred and for that I am truly sorry."

Councillor V Veitch:

"Madam Mayor,

I am not corrupt, but I am human. I neglected to read the detail in an attachment to a report. I ask that the minutes note that I and other Townsville First councillors have made declarations on at least 78 other occasions including at least one of the potential providers on the list approved in the April 2014 meeting, but that is no excuse for missing one. It will not happen again.

I sincerely apologise to the residents of Townsville for this oversight and ask that this apology be recorded in the minutes of this meeting."

(iii) UDIA Excellence Awards

GENERAL BUSINESS ITEM

Raised by	Councillor A Parsons
Committee	Ordinary Council
Date	25 November 2014

Overview

Councillor A Parsons advised that he attended the UDIA Excellence Awards held recently in Brisbane. The Director Planning and Development and Executive Manager Development Assessment also attended the awards and Jezzine Barracks was given the award for Excellence in Environmentally Sustainable Development – Retail, Commercial and Public Open Space.

Councillor Parsons congratulated council and all involved in the Jezzine Barracks project.

Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 9.55am.

CONFIRMED this

day of

2014

MAYOR

CHIEF EXECUTIVE OFFICER