



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 26 AUGUST 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 26 August 2014 at 9.00am
ITEMS	1 TO 36
PRESENT	The Mayor, Councillor J Hill Councillor V Veitch Councillor S Blom Councillor C Doyle Councillor G Eddiehausen APM 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 Peter Barber of the Presbyterian Church delivered the opening prayer.

Apologies and Leave of Absence

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor L Walker:

"that the apology from Councillor P Ernst be received and that for the purposes of Section 162(1)(e) of the *Local Government Act 2009*, Councillor P Ernst be granted leave of absence from this meeting."

CARRIED UNANIMOUSLY

Confirmation of Minutes of Previous Meetings

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

"that the minutes of the Special Council meeting of 18 July 2014 be confirmed; and that the minutes of the Ordinary Council meeting of 22 July 2014 be confirmed. "

CARRIED UNANIMOUSLY

Disclosure of Interests

- (i) Sports Recreation and Parks Committee - Perceived conflict of interest – Item 9 – Councillor A Parsons was a player on the 2014 National Touch League Coffs Harbour Team.
- (ii) Community and Cultural Committee - Perceived conflict of interest - Item 16 - Councillor V Veitch:
 - (1) Councillor Veitch is close friends of Western Suburbs Cricket Club members;
 - (2) Councillor Veitch is a member of the Australian Sporting Shooters Association; and
 - (3) Councillor Veitch has close friends who are Townsville Gun Club members.
- (iii) Community and Cultural Committee -Perceived conflict of interests - Item 18 - Councillor V Veitch:
 - (1) Councillor Veitch is close friends with the ex-Chair of the Townsville Region Committee on the Ageing and is a strong supporter of the committee;
 - (2) Councillor Veitch is close and long-time friends of Townsville Museum & Historical Society Committee; and
 - (3) Councillor Veitch is a member of the Townsville Sportfishing Club.
- (iv) Community and Cultural Committee -Perceived conflict of interests - Item 19 - Councillor V Veitch:
 - (1) Councillor Veitch is a member of the Townsville Sportfishing Club;
 - (2) Councillor Veitch was a part of the Army for 21 years and is a strong supporter of Legacy cause; and
 - (3) Councillor Veitch is a member of the Australian Sporting Shooters Association.
- (v) Governance and Finance Committee - Perceived conflict of interest - Item 25 – Councillors G Eddiehausen is a general member of the Brothers League Club.
- (vi) Community and Cultural Committee - Perceived conflict of interest - Item 13 - The Mayor, Councillor J Hill is Patron of the Townsville Choral Society Inc.
- (vii) Community and Cultural Committee - Perceived conflict of interests - Item 14 - The Mayor, Councillor J Hill:
 - (1) Councillor Hill is Patron of Townsville Basketball Inc;
 - (2) Councillor Hill is a Patron of the Townsville Castle Hill Touch Association;
 - (3) Councillor Hill is a Patron Townsville & District Rugby League Referees Association;
 - (4) Councillor Hill is Patron on the Totally and Permanently Disabled Ex-Service Persons Association; and
 - (5) Councillor Hill is Patron of the Garbutt Bombers Junior AFL.
- (viii) Sports Recreation and Parks Committee - Perceived conflict of interest - Item 7 - The Mayor, Councillor J Hill is a Patron of Townsville AFL.
- (x) Governance and Finance Committee - Perceived conflict of interest - Item 25 - Councillor S Blom is a general member of the Brothers League Club.
- (xi) Community and Cultural Committee - Perceived conflict of interest - Item 16 - Councillor T Roberts has a long time association with Western Suburbs Cricket Club.
- (xii) Community and Cultural Committee - Perceived conflict of interest - Item 19 - Councillor J Lane is Patron of the Riverway Rowing Club Inc.
- (xiii) Community and Cultural Committee - Perceived conflict of interest - Item 14 - Councillor A Parsons is Judiciary Chair of Townsville Castle Hill Touch Association.
- (xiv) Community and Cultural Committee - Perceived conflict of interest - Item 16 - Councillor A Parsons is a Life Member of Sharks Sporting Club Townsville.

- (xv) Community and Cultural Committee - Perceived conflict of interest - Item 14 - Councillor R Gartrell:
 - (1) Councillor Gartrell is a member of the Rockwheelers Mountain Bike Club; and
 - (2) Councillor Gartrell is Patron of the Townsville and Thuringowa Country Music Association.

- (xvi) Officers Reports - Perceived conflict of interest - Item 36 - Councillors R Gartrell, V Veitch, A Parsons, S Blom, G Eddiehausen, J Lane and T Roberts - NQ Excavations Pty Ltd and Urbex, who is the parent company of BMD Urban Pty Ltd, donated to the Townsville First election campaign.

- (xvii) Community and Cultural Committee - Perceived conflict of interest - Item 14 - Councillor T Roberts is a Life Member of Townsville Basketball Inc

Committee Items

Planning and Development Committee

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

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

CARRIED UNANIMOUSLY

1 Appeal No. 153 of 2014, MacCallum Planning & Architecture v TCC, 4-5 Carter Street, North Ward

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Governance
Date 24 July 2014

Executive Summary

An appeal was filed in the Planning and Environment Court on 23 May 2014 by MacCallum Planning & Architecture (applicant) against council's refusal of a development application for a Development Permit for a Material Change of Use of Premises (Impact) for a Multiple Dwelling (16x3 and 14x2 Bedroom Units) in respect of property situated at 4-5 Carter Street, North Ward. Nine submitters subsequently elected to become co-respondents in the appeal on 18 June 2014.

Officer's Recommendation

1. That council resolve to defend the refusal of the development application in Planning and Environment Court Appeal No. 153 of 2014.
2. That council, under Section 257 (1)(b) of the *Local Government Act 2009*, resolve to delegate authority to the Chief Executive Officer to settle the Planning and Environment Court Appeal, out of court, in the event that a mutually acceptable settlement emerges relating to the above matter.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7384) where council resolved that the committee recommendation be adopted.

2 Request for Council Approval to Transfer Drainage Area from Townsville Earth Moving Pty Ltd to Townsville City Council

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Assessment
Date 22 July 2014

Executive Summary

A request from Brazier Motti on behalf of Townsville Earth Moving (TEM) for council to acquire a portion of open space land for drainage purposes known as Lot 901 on SP148269 (Greentree Circuit Bushland Beach). The land is located between drainage parcels currently under the control of council.

Officer's Recommendation

That council approve the request to acquire the parcel of land known as Greentree Circuit Bushland Beach, more particularly Lot 901 on SP 148269 at no cost to council and instruct Planning and Development to proceed with the processing of the Survey Plan for this portion of land.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7384) where council resolved that the committee recommendation be adopted.

3 P&D Report- MCU (Impact) MI14/0015 Medical Centre 238-262 Woolcock Street Service Road, Currajong Qld 4812

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Planning and Development
Date 25 July 2014

Address Lot 2 RP 904795, 238-262 Woolcock Street Service Road Currajong
Applicant/Owner Psylution Worx, Seganfreddo Nominees Pty Ltd and As Trustee For
Description Material Change of Use (Impact) - Medical Centre (Allied Health Services)

Executive Summary

The proposal is for a Medical Centre (Allied Health Services) on land at 238 – 262 Woolcock Street Service Road Currajong, more particularly described as Lot 2 on RP904795. The subject site is part of the Business and Industry Precinct within District 4 - Townsville West where a Medical Centre is impact assessable. The proposed Medical Centre is to be located in a previously occupied tenancy of an existing commercial centre.

One submission was received as part of the public notification process and the content of that submission has been addressed as part of this report.

An assessment has been carried out against the relevant codes of the City Plan 2005 and the proposal has been recommended for approval subject to reasonable and relevant conditions.

Officer's Recommendation

That council approve application MI14/0015 for a development permit for Medical Centre (Allied Health Services) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 2 RP 904795, more particularly 238-262 Woolcock Street Service Road Currajong subject to the following conditions –

SCHEDULE OF CONDITIONS

**MATERIAL CHANGE OF USE (IMPACT)
MEDICAL CENTRE (ALLIED HEALTH SERVICES)**

MATERIAL CHANGE OF USE CONDITIONS

1. Site Layout

- a) The proposed development must generally comply with drawing(s) as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval

Drawing Name	Drawing No.	Revision No.	Date
Site Plan	TP-101	A	09/05/2014
Proposed Floor Plan	SD-102	A	09/05/2014
Existing Conditions	MD-103	A	09/05/2014
Elevation	SD-201	A	09/05/2014

- 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. Defined Use

The use hereby permitted must be conducted at all times in conformity with that of an allied health service.

3. Signage

The signage associated with this development must be provided in accordance with the approved plans, as shown on Elevation Plan, Drawing No. SD-201, Revision A dated 09/05/14.

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. Site Appearance

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

6. Protection of Operational Airspace

- a) Permanent or temporary physical obstructions must not adversely affect operational airspace such as activities associated with the proposed use or its construction, (including cranes) must not involve transient intrusions above 15 metres.
- b) Emissions must not significantly affect air turbulence, visibility or engine operation in operational airspace such as gaseous plume at a velocity exceeding 4.3 metres per second or smoke, dust, ash or steam.
- c) Any activity on the subject land must not emit anything that may interfere with current or proposed electronic air navigation or communications systems.
- d) Any proposed site lighting, including street lighting, car parking lighting and advertising or business sign lighting must be installed such that it does not project light spillage above the horizontal plane or beyond the subject site to protect the integrity of the Townsville Airport night lighting system and ensures that adjoining sites and roads are not affected.

7. Lighting

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.

8. Property Numbering

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

9. Refuse Facilities

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

In particular, 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*

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. Car Parking

- a) The developer must ensure a minimum of twenty-six (26) car spaces within the existing car park are allocated to the approved use at all times. This is to include disabled parking on site in accordance with Australian/New Zealand Standard AS/NZ2890.
- b) 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
- c) All signage and line marking for off-street car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards

12. 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.

13. 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.

ADVICE

1. Further Approvals Required

- a) **Plumbing and Drainage Works**
The developer must obtain a Development Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works
- b) **Building Works**
The developer must obtain a Development Permit for Building Works to carry out building works prior to works commencing on site.

2. Trade Waste Permit

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

3. 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.

REFERRAL AGENCY CONDITIONS

1. Concurrence Agency Conditions - Department of State Development Infrastructure and Planning

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of State Development Infrastructure and Planning 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 Department of State Development Infrastructure and Planning's as outlined in the Department's correspondence dated 10 July 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7384) where council resolved that the committee recommendation be adopted.

4 P&D Report- MCU (Impact) MI14/0017 Shop (Organic Grocer) 238-262 Woolcock Street Service Road, Currajong Qld 4812

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Development Assessment
Date 21 July 2014
Address Lot 2 RP 904795, 238-262 Woolcock Street Service Road Currajong
Applicant/Owner Family Life Organics, Seganfreddo Nominees Pty Ltd and As Trustee For
Description Material Change of Use (Impact) - Shop (Organic Grocer)

Executive Summary

The application seeks a Development Permit for a Material Change of Use - Shop assessable against the Townsville City Plan 2005, situated on Lot 2 RP904795, located at 238-262 Woolcock Street Service Road Currajong. The proposed shop is to be located within a currently vacant (previously occupied) tenancy within an established commercial/showroom centre.

Following an assessment of the proposed use against the applicable codes, the development is recommended for approval subject to conditions.

Officer's Recommendation

That council approve application MI14/0017 for a development permit for Shop (Organic Grocer) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 2 RP 904795, more particularly 238-262 Woolcock Street Service Road Currajong subject to the following conditions-

**SCHEDULE OF CONDITIONS
MATERIAL CHANGE OF USE (IMPACT)
SHOP (ORGANIC GROCER)**

1. Site Layout

- a) The proposed development must generally comply with drawing(s) as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

Drawing Name	Drawing No.	Revision No.	Plan Date
Site Plan	DD01	1	15/05/2014
Proposed Floor Plan	DD04	1	15/05/2014
Elevation	DD05	1	15/05/2014
Elevation	DD06	1	15/05/2014

- 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. Signage

Prior to the issue of a Development Permit for Building Works, the developer must submit plans of any signage to be associated with the use to Council for approval. Details must include the location of the signage, construction materials, size of the sign and graphic content. Approved signs must be maintained to the satisfaction of Council.

3. 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.

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. Property Numbering

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

The site identification numbers should be of reflective materials, maintained free from foliage and other obstructions, and be large enough to be read from the street or associated parking areas.

6. 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.

7. 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 area is to be of sufficient size to house all refuse 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) 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.
- c) All waste generated as a result of the demolition of existing building or structures, and constructed 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*.

8. 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.

9. Car Parking

- a) The developer must ensure a minimum of twenty-two (22) car spaces within the existing car park are allocated to the approved use at all times. This is to include disabled parking on site in accordance with Australian/New Zealand Standard AS/NZ2890.
- b) The developer must erect signage indicating the location of the entry and exits to the car parks, specific use bays (eg. visitor, disabled, bus, taxi, bicycle, loading, etc.), as well as regulatory signs controlling movement within the car park.
- c) All signage and line marking for offstreet car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.

10. Roadworks and Traffic

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.

Concurrence Agency Conditions – State Assessment and Referral Agency

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the State Assessment and Referral Agency advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use for a Shop subject to the conditions, as attached. The applicant must comply with the Department of State Infrastructure and Planning conditions as outlined in the Department's correspondence dated 15 July 2014.

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 2 – Landscaping

Condition 3 – Signage

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) **Building Works**

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

3. Food Premises

- 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) Where the proposed development will conduct a licensable food business under the Food Act 2006, a Food Business Application must be made prior to operation. A food premise is anywhere unpackaged food or beverages are prepared, packed, stored, handled, serviced, supplied or delivered for sale.

4. Waste Collection

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.

5. Noise

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

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

6. 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 dwelling.

7. Trade Waste Permit

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

8. 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.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7384) where council resolved that the committee recommendation be adopted.

Smart City Sustainable Future Committee

5 Flying Fox Strategic Review

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Integrated sustainability Services
Date 6/08/2014

Executive Summary

A Strategic Review (discussion paper) has been developed on Flying foxes in the Townsville region including recommendations for their management. Roosting flying foxes can be managed by Council under a *Code of Practice* provided by the state government. Although a permit is no longer required to 'interfere' with roosts, the management challenges for Council remain the same. Flying foxes are notoriously difficult to manage and since inception of the *Code of Practice* Council's across the state have expended millions of dollars with little long term success. There are ten known roosting sites and three species of flying fox in Townsville which are considered by the *Code of Practice* or managed under endangered species legislation. Management options at these sites are dependent on local factors, species mix, legislative compliance, health risks to humans and domestic animals, cost and likelihood of success of management actions. Staging the management of flying fox roosts reduces risk to council and has been strongly recommended by the Local Government Association of Queensland and the broader expert literature.

This report considers a Strategic approach including current conditions and options for flying fox management with particular regard to recent impacts on Dan Gleeson Gardens and considerations relevant to managing the smaller roost currently returned to Palmetum following earlier dispersal.

Officer's Recommendation

That council endorse the proposed action plan and proceed to hold a workshop with Councillors, relevant staff and experts based on this report and the Townsville Flying Fox Strategic Review (discussion paper).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

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

"that the committee recommendation be adopted."

CARRIED UNANIMOUSLY

Sports Recreation and Parks Committee

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

- (a) the name of the councillors who have the real or perceived conflict of interest:**
Councillor A Parsons
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor A Parsons was a player on the 2014 National Touch League Coffs Harbour Team.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the 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, The Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 7.

- (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 Townsville AFL.
- (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 V Veitch, SECONDED by Councillor G Eddiehausen:

"that the committee recommendations to items 6 to 9 be adopted."

CARRIED UNANIMOUSLY

6 PRESENTATION - Community Services - 2014 BHP Billiton Bursary

PRESENTATION

Authorised by Director Community and Environment
Department Community and Environment
Committee Sport, Recreation and Park Committee
Date 17 July 2014

Executive Summary

The North Queensland Sports Foundation offers an NQ Sports Development Bursary in partnership with the BHP Billiton Cannington Mine and Townsville City Council. This bursary is awarded to junior athletes (under 18 years of age) who are passionate and have the desire to achieve in their desired sport. Athletes are nominated to receive a Development Bursary for their chosen sport. The applicant is asked to give a summary of their achievements, sporting aims and goals for the next 12 months. The applications are assessed by the North Queensland Sports Foundation board. The two award recipients each receive a prize pack including a North Queensland Sports Foundation embroidered sports jacket along with a cheque for \$750.

The 2014 NQ Sports Development Bursary recipients are Shelby Green and Aliesha Smith.

The Bursary recipients will be in attendance along with their parents and, Dan Jackson (NQSF), Andrew Bligh (Manager NQSF), and a representative from BHP Billiton.

Officer's Recommendation

That council note the presentation of the 2014 BHP Billiton NQ Sport Development Bursaries to Shelby Green and Aliesha Smith.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 7395) where council resolved that the committee recommendation be adopted.

7 Community Services - Northshore Cyclone Shelter / Community Facility Update

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 14 August 2014

Executive Summary

In February 2014, Council resolved to “accept the offer of the gift in freehold of land, improved by the construction of a clubhouse / cyclone shelter facility” from Stockland Developments (SD) on land in the Northshore development at Burdell, within Central Park and directly adjoining the North Shore Town Centre. This project was dependent on Stockland Developments being approved for funding of \$5M from the Commonwealth Government for the purpose of the construction of a cyclone shelter.

Stockland Developments is intending to expend an additional \$1 million, with a contribution of approximately \$250,000 from the AFL, on the development of the adjacent playing field and associated facilities.

As part of council’s contribution to this project, staff undertook community consultation to identify the community need for this type of facility. Relevant internal and external stakeholders have provided advice and assistance to the Stockland Developments’ Project Design Team to ensure that the best community outcome is achieved and to assist in fast-tracking the concept development to meet the Federal Government funding deadlines.

On 22 July 2014, Stockland Development submitted a funding application with a Project Implementation Plan (PIP) to the Commonwealth Government seeking the \$5M election commitment. An announcement is expected in the near future.

If approved for funding, the project is proposed to commence by December 2014 and is projected to be operational by late 2015.

Responsibility for operational management of this facility is still being negotiated, however due to a financial commitment from AFL and their strong involvement in its design, it is likely that either AFL Queensland or AFL Townsville will be proposed to hold a lease over the building.

This report is to give an update on the current status of this project.

Officer's Recommendation

That council note the progress of this project.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 7395) where council resolved that the committee recommendation be adopted.

8 Community Services - 2014 North Queensland Games - Event Report

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community and Environment
Date 14 August 2014

Executive Summary

The North Queensland Sports Foundation (NQSF), formed in 1983, is an independent body formed by and representing local governments in North Queensland with the purpose of developing sport and sporting events in North Queensland. The NQSF is the peak body that delivers the North Queensland Games (NQ Games) every second year and the Western Games in the years in between.

Each Local Government Authority in the region contributes an annual levy (based on a per capita rate) to support NQSF initiatives and other activities including management of the NQ Games. In 2013/14 the levies increased to 21.60c (from 21.07c) per capita, based on the most recent census figures. This represents an increase of 2.5% that is in line with CPI.

The North Queensland Games is held every 2 years, on a rotational basis between Townsville, Cairns and Mackay. The event is organised by the North Queensland Sports Foundation, with support from local government staff, and local sport groups. The 2014 Games were held from 4– 6 April in Townsville.

This report summarises the outcomes of the 2014 North Queensland Games.

Officer's Recommendation

That council note the outcomes of the 2014 NQ Games.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 7395) where council resolved that the committee recommendation be adopted.

9 Community Services - Annual Report - Grants for Excellence in Sport - 2013/2014

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 30 July 2014

Executive Summary

The Grants for Excellence in Sport program assists Townsville sports people to achieve excellence in their chosen sport by providing funding to attend National and International sporting competitions held outside of Townsville.

This report presents the outcomes of this grant program for the information of council.

It is a requirement that all funding approved through these programs be presented for the information of council at the end of the financial year as these funding allocations are approved outside of the FAEG process.

Applications through this program are assessed by the Sport & Recreation Team and signed off by the Manager Community Development and Executive Manager Community Services.

Officer's Recommendation

That council receive the Grants for Excellence in Sport Annual Report for the period July 2013 to 30 June 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 7395) 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 13.

- (a) the name of the councillor 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 Patron of the Townsville Choral Society Inc.
- (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.

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 14.

- (a) the name of the councillor 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:**
 - (1) Councillor Hill is Patron of Townsville Basketball Inc.*
 - (2) Councillor Hill is a Patron of the Townsville Castle Hill Touch Association.*
 - (3) Councillor Hill is a Patron Townsville & District Rugby League Referees Association.*
 - (4) Councillor Hill is Patron on the Totally and Permanently Disabled Ex-Service Persons Association.*
 - (5) Councillor Hill is Patron of the Garbutt Bombers Junior AFL.*
- (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.

In accordance with section 173 of the Local Government Act 2009, Councillor A Parsons declared a perceived conflict of interest in regards to item 14.

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor A Parsons
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor A Parsons is Judiciary Chair of Townsville Castle Hill Touch Association.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the council decision.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the Local Government Act 2009, Councillor R Gartrell declared a perceived conflict of interest in regards to item 14.

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor R Gartrell
- (b) the nature of the conflict of interest as described by the Councillor:**
 - (1) Councillor R Gartrell is a member of the Rockwheelers Mountain Bike Club.
 - (2) Councillor R Gartrell is Patron of the Townsville and Thuringowa Country Music Association.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the council decision.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the Local Government Act 2009, Councillor T Roberts declared a perceived conflict of interest in regards to item 14.

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor T Roberts
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor T Roberts is a Life Member of Townsville Basketball Inc.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the 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 V Veitch, SECONDED by Councillor C Doyle:

"that the committee recommendations to items 10 to 11, 13 to 15 and 17 be adopted."

CARRIED UNANIMOUSLY

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

"that item 12 be held over to the next committee meeting for further clarification and discussion."

CARRIED UNANIMOUSLY

In accordance with section 173 of the Local Government Act 2009, Councillor V Veitch declared a perceived conflict of interest in regards to item 16.

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor V Veitch
- (b) the nature of the conflict of interest as described by the Councillor:**
 - (1) Councillor Veitch is close friends of Western Suburbs Cricket Club members.
 - (2) Councillor Veitch is a member of the Australian Sporting Shooters Association.
 - (3) Councillor Veitch and has close friends who are Townsville Gun Club members.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter and left the meeting and did not participate in debate or voting on the matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor did not vote on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the Local Government Act 2009, Councillor T Roberts declared a perceived conflict of interest in regards to item 16.

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor T Roberts
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor T Roberts has a long time association with Western Suburbs Cricket Club.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor voted as per the council decision.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the Local Government Act 2009, Councillor A Parsons declared a perceived conflict of interest in regards to item 16.

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor A Parsons
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor A Parsons is a Life Member of Sharks Sporting Club Townsville.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter and left the meeting and did not participate in debate or voting on the matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor did not vote on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

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

"that the committee recommendation to item 16 be adopted."

CARRIED UNANIMOUSLY

In accordance with section 173 of the Local Government Act 2009, Councillor V Veitch declared a perceived conflict of interests in regards to item 18.

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor V Veitch
- (b) the nature of the conflict of interests as described by the Councillor:**
 - (1) Councillor Veitch is close friends with the ex-Chair of the Townsville Region Committee on the Ageing and is a strong supporter of the committee.
 - (2) Councillor Veitch is close and long-time friends of Townsville Museum & Historical Society Committee
 - (3) Councillor Veitch is a member of the Townsville Sportfishing Club.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter and left the meeting and did not participate in debate or voting on the matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor did not vote on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the Local Government Act 2009, Councillor V Veitch declared a perceived conflict of interests in regards to item 19.

- (a) the name of the councillor who have the real or perceived conflict of interests:**
Councillor V Veitch
- (b) the nature of the conflict of interests as described by the Councillor:**
 - (1) Councillor Veitch is a member of the Townsville Sportfishing Club.
 - (2) Councillor Veitch was a part of the Army for 21 years and is a strong supporter of Legacy cause.
 - (3) Councillor Veitch is a member of the Australian Sporting Shooters Association.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter and left the meeting and did not participate in debate or voting on the matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillor did not vote on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the Local Government Act 2009, Councillor J Lane declared a perceived conflict of interest in regards to item 19.

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor J Lane
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor J Lane is Patron of the Riverway Rowing Club Inc.
- (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 C Doyle, SECONDED by Councillor S Blom:

"that the committee recommendations to items 18 and 19 be adopted."

CARRIED UNANIMOUSLY

10 Community Services - RSPCA Lease

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 5 August 2014

Executive Summary

The RSPCA (Qld) has occupied the premises at 69 Tomkins Road, Bohle (Lot 56 EP1634). The RSPCA (Qld) is seeking to renew their currently expired lease. The premises are a council asset situated on council land located on Lot 56 EP1634, also known as 69 Tomkins Road, Bohle. The period of the lease is proposed to reflect the RSPCA Pound Agreement which has a term from 1 September 2013 and ends 31 August 2016.

Officer's Recommendation

That council approve the entering into a lease with the RSPCA (Qld) over the premises at 69 Tomkins Road, Bohle (Lot 56 EP1634) for a period of up to 3 years commencing from the date that the lease is signed for the fee of \$1.00, exclusive of GST, per annum, if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7401) where council resolved that the committee recommendation be adopted.

11 Community Services - North Queensland Potters Association Lease

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 23 July 2014

Executive Summary

The North Queensland Potters Association is seeking a lease over a portion of laneway that is in behind the building at 15 Flowers Street, Railway Estate (Lot 1 – RP-719286). The request to lease a portion of the laneway (Lot 375 – EP-822) involves extending the area of the lease approved for the North Queensland Potters Association at the Full Council Meeting on 22 April 2014.

The North Queensland Potters Association has occupied the premises at 15 Flowers Street, including the portion of laneway (Lot 375 – EP-822) for a number of years with no issues.

Officer's Recommendation

That council approve extending the lease with The North Queensland Potters Association to include a the portion of the laneway (Lot 375 – EP-822) behind the premises at 15 Flowers Street, Railway Estate (Lot 1 – RP-719286) 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 10 of the council minutes (page 7401) where council resolved that the committee recommendation be adopted.

12 Community Services - Urban Fun Object (UFO)

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 14 August 2014

Executive Summary

The Urban Fun Object (UFO) was introduced by Townsville City Council in 1997 as part of a diversionary crime reduction process and to provide activities to the remote areas of the district. The UFO was purchased with funding from the Cowboys Community Fund, Gaming Machine Benefit Fund, council and other private donations.

Since the project began council has operated the Urban Fun Object (UFO) at over 1,000 community events with a majority of those events held on weekends. The operation, resourcing and staffing of the UFO at community events is managed by the Community Development Section within council.

A recent review was undertaken to examine whether organisational expectations were being met through the utilisation of this resource. The review provided details of the cost and operational effectiveness of the Urban Fun Object (UFO) and recommendations to improve level of service provided to the community.

Officer's Recommendation

That council approve the gifting of the Urban Fun Object (UFO) to a community organisation with the following conditions:

1. A transition plan to be implemented to ensure minimal impacts on existing community bookings;
2. The Urban Fun Object (UFO) is to be made available for use by the community organisation for community events; and
3. Council are to be acknowledged in the gifting of this resource by way of continued signage on the Urban Fun Object (UFO).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7401) where council resolved the following:

that item 12 be held over to the next committee meeting for further clarification and discussion.

13 Community Services - FAEG Minutes July 2014

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 31 July 2014

Executive Summary

Council's Financial Assistance and Events Group (FAEG) met on 29 July 2014. The minutes from this meeting are presented for information.

Items to note:

1. Partnerships & Sponsorships Program and Festivals & Events Grant Program recommendations
2. Asset Disposal recommendations
3. Community Micro-Grants Program, Mayor's Community Assistance Fund, Grants for Excellence in Cultural Development and Grants for Excellence in Sport Annual Reports 2013/2014

Officer's Recommendation

That council note the minutes of the Financial Assistance and Events Group meeting held 29 July 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7401) where council resolved that the committee recommendation be adopted.

**14 Community Services - Annual Reports - Grants for Excellence in Cultural Development,
Community Micro-Grants, Mayor's Community Assistance Fund**

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 14 August 2014

Executive Summary

The following report provides a summary of the total grants approved in the period from 1 July 2013 to 30 June 2014 through the following programs:

1. Community Micro-Grants Program
2. Mayor's Community Assistance Fund
3. Grants for Excellence in Cultural Development

It is a requirement that all funding approved through these programs be presented for the information of council at the end of the financial year as these funding allocations are approved outside of the FAEG process.

All recommendations are endorsed by the Community Grants Officer and Manager Community Development and approved by the Executive Manager Community Services.

Officer's Recommendation

That council note approvals made through the Community Micro-Grants, Mayor's Community Assistance Fund and Grants for Excellence in Cultural Development Programs 1 July 2013 to 30 June 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7401) where council resolved that the committee recommendation be adopted.

15 Community Services - Gallery Services Annual Report 2013-2014

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 04 August 2014

Executive Summary

The purpose of this report is to present Gallery Services' Annual Report for 2013/14 which highlights the numerous achievements and developments in programming, engagement, and new acquisitions for the City of Townsville Art Collection.

In this period, Gallery Services delivered the initiatives identified in the Visual Arts Strategy in six core themes; Exhibitions, Collections Management, Art in Public Spaces, Creative Classrooms, Creative Communities and Creative Spaces.

These core themes, and their various initiatives, have enabled the focused delivery of quality exhibition, education, and engagement opportunities to the Townsville region, embedding Townsville's venues as leading arts institutions that are respectful of, and central to, the community and its varied cultures and subcultures.

Officer's Recommendation

That council receive the Gallery Services Annual Report 2013/14 for information, and acknowledge the achievements of the Gallery Services team on council's behalf in 2013/14.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7401) where council resolved that the committee recommendation be adopted.

16 Community Services - Disposal of Council Equipment Assets

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 14 August 2014

Executive Summary

Council's Financial Assistance and Events Group (FAEG) meeting held on 29 July 2014 considered the assessments and recommendations for disposal of Council equipment assets.

Officer's Recommendations

1. That council gift a ride-on mower that is surplus to council needs and due for replacement to the Western Suburbs Cricket Club.
2. That council gift a ride-on mower that is surplus to council needs and due for replacement to the Sharks Sporting Club Townsville.
3. That council make available to purchase, at the auction reserve price, a tractor and slasher that are surplus to council needs and due for replacement to the Townsville Gun Club.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7402) where council resolved that the committee recommendation be adopted.

17 Community Services - Corrections to 2014-15 Fees and Charges

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community and Cultural
Date 14 August 2014

Executive Summary

The Fees and Charges for 2014/2015 for services provided by the Community Services Department were presented for approval on 31 January 2014 and subsequently approved. A number of minor corrections to the Cemeteries Fees and Charges are proposed.

Officer's Recommendation

That council approve corrections to the 2014/2015 Schedule of Fees and Charges for Cemeteries as follows:

- 1. Application of a 2.5% discount to Townsville funeral directors**
It is recommended that the 2.5% discount in burial fees for Townsville based funeral directors be retained in 2014/2015 and added to the 2014/2015 Schedule of Fees and Charges with the intention to review all cemetery fees and charges for the next financial year.
- 2. Application of an Overtime Fee**
It is recommended that a cost recovery fee of \$100/hr be retained in 2014/2015 and be added to the Schedule of Fees and Charges.
- 3. Correction of the listed fee for the privatisation of occupied plots**
For the current year this charge has been incorrectly listed on the approved Schedule of Fees and Charges as \$620.00 and it is recommended that this be amended to \$70.00 for 2014/2015.
- 4. Re-naming of the fee for 'Burial Permits' to 'Construction Permits'**
The name of the fee for 'Burial Permits' is incorrect on the 2014/2015 Schedule of Fees and Charges and it is recommended that this be amended to be 'Construction Permits'.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7401) where council resolved that the committee recommendation be adopted.

18 Community Services - Partnerships & Sponsorships June 2014 Round

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 14 August 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 29 July 2014, based on applications received through the June 2014 round of this program. A total of 7 applications were received through this program.

Total number of applications recommended: 6
 Total amount recommended: 2014/2015 - \$145,500 (ex GST)
 2015/2016 - \$122,500 (ex GST)
 2016/2017 - \$102,500 (ex GST)

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance and Events Group (FAEG) held 29 July 2014 as detailed in the following table.

Recommendations for 2014/2015:

Organisation	Activity/Project	Recommendation (Ex GST)
School of Arts Theatre	Operational support for the School of Arts Theatre to assist with ongoing costs to maintain the School of Arts building as a well-equipped and user-friendly cultural venue.	2014/2015 - \$50,000 2015/2016 - \$40,000 2016/2017 - \$30,000
Dancenorth	Operational support for programs and activities of Dancenorth	2014/2015 - \$50,000 2015/2016 - \$40,000 2016/2017 - \$30,000
Townsville Art Society	Towards The Townsville Art Society Awards for the next three years (2014, 2015 and 2016). Funding towards administration and event/exhibition delivery.	2014/2015 - \$6,500 2015/2016 - \$6,500 2016/2017 - \$6,500
Townsville Region Committee on the Ageing (TRCOTA)	Operational support for the 2014/2015 financial year	2014/2015 - \$3,000
Townsville Museum & Historical Society	Operational support for the Townsville Museum & Historical Society for the next three years	2014/2015 - \$30,000 2015/2016 - \$30,000 2016/2017 - \$30,000
Townsville Barramundi Restocking Group	Multi-year operational support to restock barramundi in Townsville weirs	2014/2015 - \$6,000 2015/2016 - \$6,000 2016/2017 - \$6,000

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

Organisation	Activity/Project	Recommendation (Ex GST)
ComLink	Funding for Project Expenses towards Castletown Seniors Shopping Service Request: \$4,500	<i>Nil</i>

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7403) where council resolved that the committee recommendation be adopted.

19 Community Services - Festivals and Events Program June 2014 Round

REPORT TO COUNCIL Authorised by Director Community and Environment Department Community Services Date 14 August 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 29 July 2014, based on applications received through the June 2014 round of this program. A total of 13 applications were received through this program.

Total number of applications recommended: 10

Total amount recommended: 2014/2015 - \$72,986.80 (ex GST)

2015/2016 - \$9,650 (ex GST)

2016/2017 - \$4,650 (ex GST)

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance and Events Group (FAEG) held 29 July 2014 as detailed in the following table.

Recommendations for 2014/2015:

Organisation	Activity/Project	Recommendation (Ex GST)
Queensland Music Festival	Support for the event '101 Years: A Queensland Commemoration', a free concert inspired by music and songs of the First World War era	2014/2015 - \$50,000 + waived hire fees for use of the Jezzine Barracks Precinct (to the value of \$6,000)
Riverway Rowing Club Incorporated	Support for an Annual Passive Water Sports Sprint Series	2014/2015 - \$1,500
Townsville Children's Fishing Classic	Support for general administration, rental of equipment, and promotion of event	2014/2015 - \$5,000 2015/2016 - \$4,000 2016/2017 - \$3,000 Plus waiver of park hire fees at Pallarenda (value of \$200 per year)
Townsville Ultimate Disc Inc. (TUDI)	Support for the delivery of the Australian Mixed Ultimate Championships	2014/2015 - \$4336.80 plus waived hire fees for use of Queens Gardens to the value of \$240
Body By Pty Ltd	Multi-year support for staging costs of the INBA Tropix events	2014/2015 - \$4,000 2015/2016 - \$4,000
Townsville Sailing Club (auspiced by North QLD Sabot Assoc)	Support for the delivery of the 51st Sabot National Sailing Championship	2014/2015 - \$5,000
Malayali Association Townsville Inc.	Support for the delivery of India Fest 2014	a) \$500 + waived hire fees for Riverway to the value of \$500 or b) \$1000 & waived hire fees for CBD Cotters Market
Townsville Choral Society Inc.	Support for the delivery of the 'Spring Awakening' event at Riverway Arts Centre	2014/2015 - waived equipment hire fees to the value of \$12,870 + waived venue hire fees for Riverway Arts Centre to the value of \$6,805
Friends of the Theatre	Multi-year support for the delivery of the Seniors Week Free Concert	2014/2015 - \$1,650 2015/2016 - \$1,650 2016/2017 - \$1,650
Leukaemia Foundation of QLD	Support for delivery of the 'Light the Night' event at Strand Park	2014/2015 - \$1,000 plus waived hire fees for the use of Strand Park to the value of \$100

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

Organisation	Activity/Project	Recommendation (Ex GST)
Townsville Legacy	Sponsorship of the 'Defence Legacy Charity Gala 2014' event at the Townsville Entertainment and Convention Centre Request - \$5,000	<i>Nil</i>
Yumba-Meta Housing Association Ltd.	Support for a 40 year celebration gala Request - \$20,510	<i>Nil</i>
The Color Run Pty Ltd	Funding towards delivery of the Swisse Color Run in 2014 and 2015 Request: \$50,000 x 2 years	<i>Nil</i>

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 of the council minutes (page 7403) where council resolved that the committee recommendation be adopted.

Governance and Finance Committee

In accordance with section 173 of the Local Government Act 2009, Councillor G Eddiehausen declared a perceived conflict of interest in regards to item 25.

- (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 general member of the Brothers League Club.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) if the Councillors voted on the issue – how the Councillors voted:**
The Councillor voted as per the council decision.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

In accordance with section 173 of the Local Government Act 2009, Councillor S Blom declared a perceived conflict of interest in regards to item 25.

- (a) the name of the councillors who have the real or perceived conflict of interest:**
Councillor S Blom.
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor S Blom is a general member of the Brothers League Club.
- (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 Councillors voted on the issue – how the Councillors 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 J Lane, SECONDED by Councillor G Eddiehausen:

"that the committee recommendations to items 20 to 25 be adopted."

CARRIED UNANIMOUSLY

20 Show Public Holiday for 2015

REPORT TO COUNCIL

Authorised by Acting Chief Executive Officer
Department Corporate Governance
Date 7 August 2014

Executive Summary

Correspondence dated 25 July 2014 has been received from the Townsville Pastoral Agricultural & Industrial Association requesting that Monday 6 July 2015 be designated as the official show public holiday for Townsville in 2015.

Officer's Recommendation

That council write to the Attorney-General and Minister for Justice requesting that Monday 6 July 2015 be declared a regional public holiday for the purpose of the annual Townsville Show.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7416) where council resolved that the committee recommendation be adopted.

21 Budget Variance Report - Whole of Council - July 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Financial Services
Date 8 August 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 July 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 July 2014.

Officer's Recommendation

That council note the financial report for July 2014 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7416) where council resolved that the committee recommendation be adopted.

22 Revised Statement of Estimated Financial Position 2013/14

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Financial Services

Date 8 August 2014

Executive Summary

On behalf of the Chief Executive Officer, the Director of Corporate Services will present and discuss the Revised Statement of Estimated Financial Position for the whole of council for the 2013/14 financial year.

The Director of Corporate Services will circulate separately to the Agenda the Revised Statement of Estimated Financial Position for the whole of council for the 2013/14 financial year.

Officer's Recommendation

That council note the financial report for 2013/14 and forecast variance explanations.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7416) where council resolved that the committee recommendation be adopted.

23 Finance - External Audit - Interim Report 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance
Date 8 August 2014

Executive Summary

Pursuant to s 213 of the *Local Government Regulation 2012*, if the auditor-general gives the mayor of a local government a copy of the auditor-general's observation report about an audit of the local government's financial statements the mayor must present a copy of the report to the ordinary meeting of the local government.

Under s 213 of the *Local Government Regulation 2012* a report includes observations and suggestions made by the auditor-general about anything arising out of the audit.

Queensland Audit Office (QAO) reported on a number of issues observed during the Interim Audit which was finalised during May 2014 and was reviewed by the Audit and Risk Committee at the meeting held during June 2014.

The interim audit involves a detailed assessment of controls by QAO to identify any areas requiring attention which may pose a risk to council or which may affect the financial statements. QAO have sought management responses on corrective action to be taken. In addition, the QAO has issued an update on the status of issues raised from the prior year external audit and an updated open external audit issues carried forward in council's Audit Risk Matrix as presented to the Audit Committee on a quarterly basis. Included in the report were some valuable suggestions regarding segregation of duties and suspicious transaction tests which were provided to support the refinement of the internal control environment required of the new financial management system (FEAM).

The reports dated 9 May 2014, issued by the auditor-general, are hereby presented to council.

Officer's Recommendation

That pursuant to s 213 of the *Local Government Regulation 2012*, council note the following reports issued by the auditor-general on 9 May 2014:

- Interim Management Report; and
- Review of open external audit issues on Risk Matrix.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7416) where council resolved that the committee recommendation be adopted.

24 Request for Concession - p/n 548875

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Financial Services
Date 26 July 2014

Executive Summary

A request has been received for a concession for the general rates on property number 548875. In accordance with Part 10, Section 119 of the *Local Government Regulation 2012*, and the Charitable and Community Organisations General Rates & Utility Charges Concession Policy, council may grant a concession for rates and/or charges under certain eligibility criteria.

A lease was granted to the institution in February 2012 and construction of the premises was completed recently and is now being occupied by the organisation. The lease is now registered and a valuation will be issued from The Department of Natural Resources and Mines (DNRM) in due course. The organisation has made application to council for a concession in accordance with the *Local Government Regulation 2012* and meets the criteria for granting a concession, specifically in relation to a land parcel owned by an entity whose objects do not include making a profit.

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. It is recommended that a concession be granted for the general rate for the property number 548875 and that the concession include general rates from the 1 of July 2014.
3. The concession will continue to be granted until such time that the land use changes or a change of ownership of the property is recorded or council resolves otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7416) where council resolved that the committee recommendation be adopted.

25 Request for Rating Concession - p/n 529665 & 526566

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance
Date 26 July 2014

Executive Summary

A request has been received for a concession for the general rates on property numbers 529665 and 526566. In accordance with Part 10, Section 119 of the *Local Government Regulation 2012*, and the General Rates & Utility Charges Concession Policy, council may grant a concession for rates or charges under certain eligibility criteria.

The organisation provides sporting and recreation venues to the community and therefore has made application to council for a concession in accordance with the *Local Government Regulation 2012* and the policy guidelines. The organisation has demonstrated they meet the criteria, specifically in relation to a land parcel owned by an entity whose objects do not include making a profit and it is recommended a concession in accordance with the scale detailed in the Concessions Schedule, be granted.

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 a concession be granted for the general rates for the property numbers 529665 and 526566, furthermore, that the concession include general rates from the date of effect as detailed on the valuation record being 1/07/2014.
3. That council resolve the concession will continue to be granted until such time that the land use changes, a change of ownership for the properties is recorded or council resolves otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7416) where council resolved that the committee recommendation be adopted.

Townsville Water and Waste Committee

It was *MOVED* by Councillor R Gartrell, *SECONDED* by Councillor A Parsons:

"that the committee recommendations to items 26 to 29 be adopted."

CARRIED UNANIMOUSLY

26 Townsville Waste Services - Waste Reduction and Recycling Plan

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Utility Services
Date 6 August 2014

Executive Summary

The waste management sections of each local government are required to plan and coordinate cost effective and environmentally appropriate collection and disposal systems in accordance with the Queensland *Waste Reduction and Recycling Act 2011 (WRRRA 2011)*.

Townsville City Council, Burdekin Shire Council, Hinchinbrook Shire Council and Charters Towers Regional Council agreed to collaborate to prepare a regional plan, the North Queensland Regional Waste Reduction and Recycling Plan (NQRWRRP).

This report introduces the NQRWRRP and the regional and local actions proposed by Townsville City Council to meet the vision and objectives contained within it.

Officer's Recommendation

1. That council accept and endorse the North Queensland Regional Waste Reduction and Recycling Plan (NQRWRRP).
2. That council commit to regional collaboration with Burdekin Shire Council, Hinchinbrook Shire Council and Charters Towers Regional Council towards the implementation of the regional objectives of the North Queensland Regional Waste Reduction and Recycling Plan (NQRWRRP).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 26 of the council minutes (page 7422) where council resolved that the committee recommendation be adopted.

**27 Programs & Technical Support - TCW00065 Tender Evaluation - Stuart Landfill Interface
Liner Stage 1 Construction**

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Programs and Technical Support
Date 8 August 2014

Executive Summary

The Stuart Landfill Site Development Plan (SDP) identifies the need for the construction of an interface liner over unlined cells to allow continued placement of waste in this area. Construction of the interface liner will take place progressively over six stages, with Stage 1 scheduled for construction in the current financial year. Tenders from external contractors were invited for construction of Stage 1 of the liner. This report provides an analysis and evaluation of the tenders received for this project.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender TCW00065 – Construction of Stage 1 Interface Liner at Stuart Landfill to NQ Civil Contractors Pty Ltd (NQCC) for the lump sum price of \$957,390 (excluding GST) for tendered works including additional gas tie in.
3. That council delegate authority to the Chief Executive Officer or its delegate to approve variations not exceeding the approved project budget and provided the variations so approved are for work under contract TCW00065.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 26 of the council minutes (page 7422) where council resolved that the committee recommendation be adopted.

28 Business Management & Compliance - Monthly Report Card - July 2014

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Business Management & Compliance
Date 6 August 2014

Executive Summary

Townsville Water and Waste's monthly report card containing year to date operating results for 2014/15 for the month of July 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 July 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 26 of the council minutes (page 7422) where council resolved that the committee recommendation be adopted.

29 Local Government Association of Queensland's Water and Sewerage Advisory Group

GENERAL BUSINESS ITEM

Raised by Director Townsville Water and Waste
Committee Townsville Water and Waste Committee
Date 19 August 2014

The Director Townsville Water and Waste advised that the Local Government Association of Queensland is establishing a Water and Sewerage Advisory Group and they are seeking expressions of interest from elected members and council officers to be on this Advisory Group. The Director Townsville Water and Waste provided a brief overview of the Advisory Group and sought the committee's endorsement to nominate himself and the Chair of this committee for expressions of interest for the Advisory Group.

Committee Recommendation

That council nominate the Chair of the Townsville Water and Waste Committee, Councillor R Gartrell and the Director Townsville Water and Waste for expressions of interest for the Local Government Association of Queensland's Water and Sewerage Advisory Group.

Council Decision

Refer to resolution preceding item 26 of the council minutes (page 7422) where council resolved that the committee recommendation be adopted.

Officers Reports

Corporate Services

30 Bike Futures Conference 28-29 October 2014 - Melbourne

REPORT TO COUNCIL

Authorised by Acting Chief Executive Officer

Department Corporate Governance

Date 28 July 2014

Executive Summary

Correspondence dated 19 June 2014 has been received inviting the Mayor, Councillor J Hill and staff to the Bike Futures Conference will be held in Melbourne on 28-29 October 2014.

This year the conference will focus on the benefits that bike riding can bring to communities, The Bicycle Network will bring together experts and the latest knowledge on how cycling can deliver the big three goals: Healthy People, Healthy Economy, Healthy Streets.

Officer's Recommendation

1. That council approve the attendance of an interested councillor to attend the Bike Futures Conference in Melbourne on 28-29 October 2014.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested Councillor to allow his/her attendance at the Bike Futures Conference in Melbourne on 28-29 October 2014.

Council Decision

1. That council approve the attendance of Councillor L Walker and Councillor P Ernst (or another Councillor) to attend the Bike Futures Conference in Melbourne on 28-29 October 2014 subject to confirmation.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor L Walker and P Ernst (or another Councillor) to allow their attendance at the Bike Futures Conference in Melbourne on 28-29 October 2014.

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 28 July 2014

Executive Summary

The Local Government Association of Queensland's [LGAQ] 2014 Annual Conference, is to be held from 27 October - 29 October, 2014 at the Mackay Entertainment and Convention Centre.

Council is entitled to two voting delegates (as part of its membership) and any additional councillors would be registered as observers. Council is entitled to eight votes which may be distributed between the two delegates as council sees fit.

Council may submit a motion for consideration at the Annual Conference on any topic relevant to local government. To enable a copy of the Preliminary Agenda to be forwarded to member councils prior to the Annual Conference, agenda items must be received by the LGAQ no later than 29 August 2014.

Officer's Recommendation

1. That council consider nominating two Councillors, as delegates to attend the 2014 Local Government Association of Queensland's Annual Conference being held in Mackay, 27-29 October 2014.
2. That council nominate the number of votes per delegate, out of an entitlement of 8 votes.
3. That council consider nominating a Councillor/s as observer/s to attend the 2014 Local Government Association of Queensland's Annual Conference being held in Mackay, 27-29 October 2014.
4. That in accordance with section 162(1)(e) of the Local Government Act 2009 council grant leave of absence to nominated delegates/observers for 27-29 October 2014.
5. That council determine any motions for submission to the Annual Conference of relevance to Townsville, the region or local government industry.

Council Decision

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor L Walker:

- "1. that council nominate the Mayor, Councillor J Hill and Councillor C Doyle as delegates to attend the 2014 Local Government Association of Queensland's Annual Conference being held in Mackay, 27-29 October 2014; and
2. that officer's recommendation nos 2 to 5 be adopted."

CARRIED UNANIMOUSLY

**32 National Conference Innovation as Leadership in Local Government - Melbourne - 8-9
October 2014**

REPORT TO COUNCIL

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

Executive Summary

Correspondence dated 25 July 2014 has been received inviting Councillors to the Municipal Association of Victoria (MAV) 'Innovation as Leadership in Local Government' Conference to be held in Melbourne on 8 and 9 October 2014.

The conference will explore how councils can strengthen communities and improve their quality of life through innovation, culture and structure.

Officer's Recommendation

1. That council approve the attendance of interested councillor/s to attend the National Conference Innovation as Leadership in Local Government in Melbourne on 8 to 9 October 2014.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested Councillor/s to allow attendance at the National Conference Innovation as Leadership in Local Government in Melbourne 8 to 9 October 2014.

Council Decision

It was MOVED by Councillor A Parsons, SECONDED by Councillor R Gartrell:

"that the officer's recommendation be adopted."

CARRIED

33 ConstructionQ Forum - Brisbane - 2 and 3 September 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 5 August 2014

Executive Summary

The Mayor has been invited to attend the ConstructionQ forum to be held in Brisbane on the 2 and 3 September 2014. ConstructionQ was launched as an industry led initiative aimed at creating a blueprint for the future of Queensland's building construction industry and will bring together 350 representatives from a wide cross section of the industry.

The Premier has advised that he will be attending the first day of the forum.

The Mayor is unable to attend and Councillor A Parsons has expressed an interest to attend on Council's behalf.

Officer's Recommendation

1. That council approve the attendance Councillor A Parsons to attend the ConstructionQ forum to be held in Brisbane on 2 and 3 September 2014.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor A Parsons to allow his attendance at the ConstructionQ forum.

Council Decision

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor R Gartrell:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 13 August 2014

Executive Summary

The Mayor, Councillor J Hill has been invited to the Future of Tropical Economies Conference to be held in Cairns 18 and 19 September 2014. They will discuss the critical factors influencing growth and advancement in tropical economies. Guest speakers include the Hon Joe Hockey MP.

Officer's Recommendation

1. That council approve the attendance of interested councillor/s to attend the Future of Tropical Economies Conference to be held in Cairns on 18 and 19 September 2014.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested councillor/s to allow attendance at the Future of Tropical Economies Conference to be held in Cairns on 18 and 19 September 2014.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Confidential Items

It was MOVED by Councillor V Veitch, SECONDED by Councillor G Eddiehausen:

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

Section 275 (e) contracts proposed to be made by it. (Items 35 and 36)

CARRIED UNANIMOUSLY

Council discussed the items.

It was MOVED by Councillor V Veitch, SECONDED by Councillor G Eddiehausen:

"that council RESOLVE to open the meeting."

CARRIED

35 Committee Report Sole Supplier List - Additions June 2014

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance
Date 10 July 2014

Executive Summary

Council resolved at an ordinary council meeting on the 22 of April 2014 that it was satisfied with a list of identified suppliers, as being suppliers who are sole suppliers and/or suppliers of specialised or confidential services for the 2014 calendar year. The executive summary in relation to the supporting report read (in part):

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

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

235 Other exceptions

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

- (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or*
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders;*

To meet operational requirements it has been identified that there are a number of suppliers who are the only reasonable option from which council can obtain goods and services. This has created difficulties in meeting councils procurement requirements as there are no alternative suppliers to provide competitive quotes.

Corporate Procurement has coordinated this report to enable a register of sole suppliers and suppliers of specialised or confidential services to be established and to ensure that legislative requirements are met.

Relevant council officers have been asked to list and justify why this legislative exception should be considered for each nominated supplier and a summary of the supporting rationale is listed in Attachment 1."

However since the resolution has been adopted, Property Management, Engineering Services (Operational Support) and Library Services have identified further suppliers that they believe should be added to the list.

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 resolves in accordance with section 235(a) and (b) of the *Local Government Regulation 2012* that it is satisfied that these suppliers as listed in Attachment 1 are additional sole suppliers and/or suppliers of specialised or confidential services for the 2014 calendar year.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

In accordance with section 173 of the *Local Government Act 2009*, Councillors R Gartrell, V Veitch, A Parsons, S Blom, G Eddiehausen, J Lane and T Roberts declared a perceived conflict of interest in regards to item 36.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
Councillors R Gartrell, V Veitch, A Parsons, S Blom, G Eddiehausen, J Lane and T Roberts
- (b) **the nature of the conflict of interest as described by the Councillor:**
NQ Excavations Pty Ltd and Urbex, who is the parent company of BMD Urban Pty Ltd, 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.

36 Infrastructure Services - Tender Evaluation - TCW00079 - Supply and Construction Pump Station S21 and Associated Diversion Mains

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Infrastructure Services
Date 18 August 2014

Executive Summary

The Southern Suburbs Diversion Pump Station and Pressure Main project has been initiated in order to alleviate pressure on the existing sewerage infrastructure in the southern suburbs of Townsville (Annandale, Douglas, Idalia, Oonoonba, Wulguru, Stuart and Cluden). In order to mitigate sewage overflows, this project includes a new sewerage pump station (PS) and rising main to transfer sewage directly from a large component of the Southern Suburbs catchment to the Cleveland Bay Purification Plant (CBPP). This new infrastructure will free capacity in existing sewerage reticulation including the Western Outfall Pressure Main so that it is better able to handle wet weather flows.

The Southern Suburbs Diversion Pump Station and Pressure Main project has been split into two stages. Contract TCW00079 relates to Stage 1 of this project.

Stage 1 Tender Invitation

Tenders were invited from external contractors for the supply and construction of Pump Station S21 and associated diversion mains (Stage 1). This report provides an analysis and evaluation of the seven tenders received for this project.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender TCW00079 for the Supply and Construction of Pump Station S21 and Associated Diversion Mains to NQ Civil Contractors for the lump sum price of \$2,802,327 excluding GST subject to them providing sufficient information to Council that demonstrates their ability to resource this project cognisant of their pending engagement for TCW00065. Should NQ Civil Contractors not be able to demonstrate their resourcing capacity, then Council award TCW00079 to the second preferred Tenderer, BMD Urban Pty Ltd.
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved budget of \$3,600,000 excluding GST provided the variations are for the completion of the work under the contract.

Council Decision

It was MOVED by Councillor R Gartrell, SECONDED by Councillor V Veitch:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

General Business

(i) Overview of North Queensland Local Government Association Conference - Richmond

GENERAL BUSINESS ITEM

Raised by Councillor S Blom
Committee Ordinary Council
Date 26 August 2014

Overview

Councillor S Blom provided an overview of the North Queensland Local Government Association conference held in Richmond recently including an overview of the presentation by a representative of Bravehearts.

(ii) Expression of Appreciation

GENERAL BUSINESS ITEM

Raised by Councillor R Gartrell
Committee Ordinary Council
Date 26 August 2014

Overview

Councillor R Gartrell thanked the Waste Services staff and the Director Townsville Water and Waste for providing assistance to Cairns City Council with regards to the collection of rubbish on 23 - 24 August 2014.

The Director Townsville Water and Waste advised of the request for assistance by Cairns City Council and the assistance that Townsville City Council provided. The Chief Executive Officer of Cairns City Council has provided thanks.

(iii) Expression of Appreciation

GENERAL BUSINESS ITEM

Raised by Councillor R Gartrell
Committee Ordinary Council
Date 26 August 2014

Overview

Councillor R Gartrell referred to the Gallery Services Annual Report and thanked the staff and volunteers for a fantastic result.

(iv) Request for leave of absence - Councillor L Walker

GENERAL BUSINESS ITEM

Raised by Councillor L Walker
Committee Ordinary Council
Date 26 August 2014

Overview

Councillor L Walker requested leave of absence for the period 15 September to 10 October 2014.

Council Decision

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

"that leave of absence be granted to Councillor L Walker for the period 15 September to 10 October 2014."

CARRIED

(v) Proposed change of date of October 2014 Ordinary Council meeting

GENERAL BUSINESS ITEM

Raised by The Mayor, Councillor J Hill
Committee Ordinary Council
Date 26 August 2014

Overview

The Mayor, Councillor J Hill advised of the proposal to change the date of the Ordinary Council meeting in October 2014 (as a result of the Local Government Association of Queensland's annual conference being held at the same time).

Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 10.20am.

CONFIRMED this

day of

2014

MAYOR

CHIEF EXECUTIVE OFFICER