



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 24 NOVEMBER 2015 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.

MINUTES

	Page
Petitions	
(i) Request council give consideration to rejecting the proposed expansion of Nome Quarry at lot 24 on E124400 and lot 90 on EP804046	8491
(ii) Request council give consideration to supporting the request to not have the lights located on Paddington Terrace and Ultimo Mews reconnected	8491
Committee Items	
Planning and Development Committee	
1 MI15/0022 Report - MCU (Impact) Extension to Veterinary Services, 32 Anne Street Aitkenvale	8492
2 P&E Court Appeal No. 324 of 2015 - George Lukacs v TCC & Architects North Pty Ltd - Submitter Appeal against Council's decision to approve Development Application (MI14/0035) - 3 Whyte Street, Hermit Park	8499
3 Strategic Planning - Infrastructure Charges - Resolution to seek an extension of the Local Government Infrastructure Plan deadline	8500
4 Strategic Planning - Economic Development & Strategic Projects - Driver Education Centre and Motorsport Action Group	8500
5 Strategic Planning - Economic Development and Strategic Projects - CBD Development Incentives and Jobs and Investment Package	8501
6 Strategic Planning - Economic Development & Strategic Projects - Acquisition of Fleming Street Property	8502
7 Strategic Planning - Economic Development and Strategic Projects - Review of Lease for Cafe Located at Thuringowa Civic Centre	8502
8 Strategic Planning - Economic Development & Strategic Projects - Townsville RSL Stadium lease arrangements	8503
Healthy and Safe City Committee	
9 Community and Environmental Services - Townsville Local Disaster Management Group - Minutes of Members' Meeting 26 August 2015	8504
10 Community and Environmental Services - Townsville Local Disaster Management Group - Minutes of Members' Meeting 14 October 2015	8505

Smart City Sustainable Future Committee

11	100 Resilient Cities Report	8506
12	2016 Queensland Pest Animal Symposium	8507
13	Cungulla Petition Erosion Report	8507

Sports Recreation and Parks Committee

14	Presentation - Community Services - The North Queensland Sports Museum and Hall of Fame	8509
15	Community Services - Lease - AFL Townsville of Northshore Community Facility, Burdell	8510
16	Community Services - Lease Area Extension - Teachers West Rugby Union Club - Warrina Park	8511
17	Community Services - Lease - Northern Beaches Cricket Club, Kilcora Park, Mount Low	8512
18	Community Services - Magnetic Island Outrigger Canoe Club - License to Occupy - The Strand	8512
19	Community Services - Sporting Clubs various - LTO Renewals - Various Parks - 2015	8513
20	Community Services - License to Occupy - AFL Townsville at Northshore, Burdell	8513
21	Community Services - License to Occupy - Townsville Dragon Boat Club	8514
22	Community Services - North Queensland Sports Foundation Board, AGM and Forum Minutes	8515
23	Engineering Services - Cambridge Park Upgrade	8515
24	Engineering Services - TCW00116 Design, Supply and Install of Waterpark Equipment - Strand Waterpark	8516

Community and Cultural Committee

25	Library Services - Annual Report on Strategic Plan	8517
26	Learning Communities Leadership Group Minutes 3 August 2015	8518
27	Community Services - Community Grants and Sponsorships Program - October 2015 round and FAEG Meeting Minutes	8518
28	Community Services - Report - Inclusive Community Advisory Committee - 22 October 2015	8524
29	Community Services - RADF Funding Recommendations October 2015 Round	8525
30	Community Services - LED Screen for Townsville RSL Stadium	8527
31	Community Services - Fibres & Fabrics Lease Surrender	8528

Governance and Finance Committee

32	Budget Variance Report - Whole of Council - October 2015	8530
33	Treasury Report - October 2015	8530
34	Establishment fee for preparation of an agreement to defer water connection charges	8531
35	Request for concession - property number 333098	8531
36	Request for concession - property number 551087	8532
37	Request for concession - property number 512513	8532

Townsville Water and Waste Committee

38	Townsville Water & Waste - Cairns Townsville Mackay (CTM) Water Alliance - Meeting Minutes - March & July 2015	8535
39	Townsville Waste Services - Free Dumping Weekend	8535
40	Programs & Technical Support - Investigation into purchase of second vehicle to carry non-potable water	8536
41	Wastewater Operations- Systematic Inspection Program - Infiltration and Inflow Study of Sewers, Program 16 - Toomulla, Hyde Park, Mysterton, Gulliver, Pimlico, Currajong, Garbutt, West End, Belgian Gardens (Catchments T1, T2, 5C, 5E, 10C, 10D, 10F, 10K, 1	8536
42	Business Management and Compliance - Customer Service Standard Scorecard - Quarter 1, 2015/2016	8537
43	Townsville Waste Services - Regional Garden Organics Processing Contract	8537
44	Program and Technical Support - Tender Assessment - TCW00125 Shaw Road Connection Water Main and Sanctum Water Main Extension	8538
45	Programs & Technical Support - TCW00067 - W4A Rising Main -Tender Evaluation	8539
46	Programs and Technical Support - Charters Towers Road Water Main Replacement	8540
47	Wastewater Operations - Trade Waste Approvals Application Fee	8540
48	Business Management & Compliance - Monthly Report Card - October 2015	8541
49	Request to consider Envirolock Bins	8541

Officers Reports

Corporate Services

50	Ordinary Council and Committee Schedule - 2016	8542
51	2014/15 Annual Report Adoption	8543
52	2015/16 Quarter 1 Corporate Performance Report	8543

53	Corporate Services - Correspondence Royal Australian Air Force, No 27 (City of Townsville) Squadron - Invitation for position on Steering Group for RAAF Townsville Aviation Heritage Centre	8544
54	Local Government Group meeting - New Zealand 17 - 19 February 2016	8544
58	Townsville Water & Waste - Townsville Golf Club - Water Supply Agreement	8545
Confidential Items		
55	Maintenance Services - Contract T6382 for Parks and Open Space Management	8547
56	Property Management - Riverway Arts Centre Roof Renewal	8548
59	Townsville Waste Services - Regional Garden Organics Processing Contract	8549
57	Chief Executive Officer - Performance Review 2014/15	8550
General Business		
(i)	Commendation for Brianna Coop	8550

REPORT	COUNCIL MEETING
DATE	Tuesday 24 November 2015 at 9.01am
ITEMS	1 TO 59
PRESENT	The Mayor, Councillor J Hill Councillor V Veitch Councillor S Blom Councillor C Doyle Councillor G Eddiehausen APM Councillor P Ernst Councillor R Gartrell Councillor J Lane Councillor A Parsons Councillor T Roberts Councillor L Walker

Opening of Meeting and Announcement of Visitors

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

Prayer

Reverend James McPherson of the Assembly of God delivered the opening prayer.

Apologies and Leave of Absence

There were no apologies or leave of absence noted.

Confirmation of Minutes of Previous Meetings

It was moved by Councillor J Lane, seconded by Councillor V Veitch:

"that the minutes of the Ordinary Council meeting of 27 October 2015 be confirmed."

CARRIED

Disclosure of Interests

- (i) Sports Recreation and Parks Committee - Perceived conflict of interest – Item 24 – Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane – J MAC Constructions is a subsidiary of BMD who donated to the Townsville First Campaign.
- (ii) Sports Recreation and Parks Committee - Perceived conflict of interest - Item 19 - Councillor A Parsons and The Mayor, Councillor J Hill - Councillor A Parsons is the Judiciary Chairman of the Townsville Castle Hill Touch Association and The Mayor, Councillor J Hill is a patron of Townsville Castle Hill Touch Association.
- (iii) Community and Cultural Committee - Perceived conflict of interest - Item 27 – Councillor C Doyle – Councillor Doyle’s son is an apprentice, his apprenticeship is managed by TORGAS.
- (iv) Governance and Finance Committee - Perceived conflict of interest – Item 36 – Councillor S Blom – Councillor Blom is a member of the Rollingstone and District Lions Club.
- (v) Community and Cultural Committee - Material Personal Interest - Item 27 - Councillor Lane's husband has casual employment at James Cook University in the College of Business, Law and Governance.
- (vi) Governance and Finance Committee - Perceived conflict of interest – Item 36 – Councillor V Veitch – Councillor Veitch is a member of Lions Northern Suburbs Townsville.
- (vii) Townsville Water and Waste Committee - Perceived conflict of interest - Items 44 and 45 - Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane - NQ Excavations donated to the Townsville First election campaign.
- (viii) Townsville Water and Waste Committee - Perceived conflict of interest - Items 46 - Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane - Urbex Pty Ltd donated to the Townsville First election campaign (Urbex is a subsidiary of BMD).
- (ix) Officer's Report - Perceived conflict of interest - Item 58 - Councillor J Lane - A relative of Councillor Lane has a legal issue with the Townsville Golf Club.
- (x) Officer's Report - Real conflict of interest - Item 58 - Councillor T Roberts - Councillor Roberts is a member of the Townsville Golf Club.
- (xi) Planning and Development Committee - Material Personal Interest - Item 5 - Councillor Doyle owns property in the CBD.
- (xii) Sports and Recreation Committee - Perceived conflict of interest - Item 17 - Councillor S Blom is patron of the Northern Beaches Cricket Club Inc.
- (xiii) Sports Recreation and Parks Committee - Perceived conflict of interest - Item 15 and 20 - The Mayor, Councillor J Hill is patron of AFL Townsville Inc.

Correspondence

There was no correspondence.

Petitions

- (i) **Request council give consideration to rejecting the proposed expansion of Nome Quarry at lot 24 on E124400 and lot 90 on EP804046**

Overview

Councillor L Walker tabled a petition from residents of the Nome and Alligator Creek area.

Petition Request

That council give consideration to rejecting the proposed expansion of Nome Quarry at lot 24 on E124400 and lot 90 on EP804046.

Council Decision

That the petition be referred to the Planning and Development Division for consideration.

- (ii) **Request council give consideration to supporting the request to not have the lights located on Paddington Terrace and Ultimo Mews reconnected**

Overview

Councillor T Roberts tabled a petition from residents of Paddington Terrace, Riverside Gardens.

Petition Request

That council give consideration to supporting the request to not have the lights located on Paddington Terrace and Ultimo Mews reconnected.

Council Decision

That the petition be referred to the Infrastructure Services for consideration.

Deputations

There were no deputations.

Notices of Motion

There were no notices of motion.

Presentations

There were no presentations.

Mayoral Minute

There was no Mayoral Minute.

Committee Items

Planning and Development Committee

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

(a) *the nature of the material personal interest as described by the Councillor:*

Councillor Doyle owns property in the CBD.

(b) *how the Councillor dealt with the material personal interest:*

Councillor C Doyle vacated the chambers during discussion and voting on the item.

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

"that the committee recommendations to items 1 to 4 and 6 to 8 be adopted and that item 5 be dealt with separately."

CARRIED UNANIMOUSLY

Item 5 Strategic Planning - Economic Development and Strategic Projects - CBD Development Incentives and Jobs and Investment Package

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

"that the committee recommendation be adopted."

CARRIED UNANIMOUSLY

1 MI15/0022 Report - MCU (Impact) Extension to Veterinary Services, 32 Anne Street Aitkenvale

Executive Summary

The proposed development seeks approval for a Material Change of Use for an Extension to a Veterinary Service (Equine Isolation Facility) over land situated at 32 Anne Street, Aitkenvale more particularly Lot 1 and 2 on RP720166 and Lot 58 on SP198986. The proposed development is located within the Low impact industry zone where a Veterinary service is identified as being impact assessable against the Townsville City Plan.

The assessment manager's assessment of the proposal has concluded that the proposed development generally complies with the Townsville City Plan. The development furthers the outcomes sought by the Strategic framework by consolidating the operations of a use that has been operating since the early 1970's. The proposed development is not considered to be more appropriately located within another zone and provides a realistic expectation and compatible development type within the Low impact industry zone. The establishment of the use is not considered to compromise the long-term use of the land for industrial purposes and ensures that there will be no impact to the viability and efficient operation of existing and future industry uses.

The application was publicly notified in accordance with the provisions of the *Sustainable Planning Act 2009* (SPA) being a minimum of 15 business days from 3 September 2015 to 25 September 2015 inclusive. One submission was received by council within the statutory notification period objecting to the application on a number of matters including the proposal's inconsistency with the Low impact industry zone. The concerns raised in the submission have been considered in detail and do not provide for sufficient grounds to refuse the application. As such, it is recommended that council approve the application for Material Change of Use for an Extension to Veterinary Services (Equine Isolation Facility) subject to reasonable and relevant conditions.

Officer's Recommendation

That council approve application MI15/0022 for a Development Permit for Material Change of Use for an Extension to Veterinary Services (Equine Isolation Facility) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 1 RP 720116, Lot 2 RP 720116, and Lot 56 SP 198986, more particularly 32 Anne Street Aitkenvale subject to the following conditions -

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE (EXTENSION TO VETERINARY SERVICE (EQUINE ISOLATION FACILITY))

MATERIAL CHANGE OF USE CONDITIONS

1. Approved Plans and Supporting Documentation

Condition

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

Plan Name	Plan No.	Revision No.	Revision Date
Location Plan	SD-A-108	1	2/06/2015
Ground Floor Plan	SD-A-221	4	19/06/2015
Ceiling Plan Ground Floor	SD-A-301	3	19/06/2015
Elevations	SD-A-401	3	19/06/2015
Elevations 2	SD-A-402	2	19/06/2015

- b) One full set of the most up to date approved plans and supporting documentation must be held on site and available for inspection for the duration of the construction phase.
- c) The developer must implement the recommendations outlined in the above reports/s prior to the commencement of the use.

Reason

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

Timing

During the operation and life of the development.

2. Building Materials

Condition

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

Reason

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

Timing

Prior to commencement of the use.

3. Relocation of Services or facilities**Condition**

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

Reason

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

Timing

Prior to the commencement of the use.

4. Storage**Condition**

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

Reason

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

Timing

At all times following the commencement of the use.

5. On-Site Sewerage Holding and Off-Site Treatment**Condition**

The developer must prepare an on-site waste management plan that appropriately deals with the on-site waste held within the holding tank. The on-site waste management plan must be prepared by a suitably qualified professional and ensure that the waste holding tank is serviced regularly or as required and not cause any potential loss of waste material or risk to persons. Collection and off-site treatment of the waste product must be undertaken by a suitably qualified contractor.

Reason

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

Timing

Prior to the commencement of the use and for the operational life of the approval.

6. Electricity and Telecommunication**Condition**

Electricity and, where required, telecommunications must be provided in accordance with Part 9.4.7 Works code.

Reason

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

Timing

Prior to the commencement of use.

7. Stormwater Drainage**Condition**

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage has been achieved in accordance with Part 9.4.2 Healthy Waters Code.

Reason

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

Timing

Assessed as part of Compliance assessment and to be maintained for the life of the development.

8. Screening of Plant and Utilities**Condition**

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

Reason

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

Timing

Prior to the commencement of the use.

9. Landscaping**Condition**

Landscaping is to be undertaken generally in accordance with the site plan (SD-A-221 Rev 4) and including the following:

1. the existing trees on the site are to be retained where practical;
2. irrigated turf is to be provided around the new building; and
3. one street tree is to be provided in Casey Street located 7 metres west of the existing power pole. The recommended species is *Fraxinus griffithii*.

Reason

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

Timing

To be completed prior to the commencement of use. All landscape areas must be maintained thereafter to the satisfaction of council.

10. Signage**Condition**

The developer must submit to Council for approval plans of any signage to be

associated with the use that is deemed to be assessable development in accordance with the assessment tables of Part 5.8.2 of the Planning Scheme. Signs must be designed in accordance with the Part 9.4.1 - Advertising Devises Code. Approved signs must be maintained to the satisfaction of Council. To maintain amenity for adjoining properties, no illumination of the signage is to occur unless otherwise approved in writing by Council.

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

Reason

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

Timing

Prior to the commencement of the use.

11. Soil Erosion Minimisation, Sediment Control

Condition

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 accordance with Part 9.4.2 Healthy Waters Code

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

Reason

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

Timing

Assessed as part of Compliance assessment and maintained for the life of the development.

12. Refuse Facilities

Condition

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

- a) The approved waste storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The developer must provide a storage area that is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.
- b) 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*.

Reason

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

Timing

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

13. Lighting**Condition**

- 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; and
- b) Lighting must be provided in accordance with the *Australian/New Zealand Standard AS/NZS1158 Lighting for Roads and Public Spaces*.

Reason

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

Timing

Prior to the commencement of use and maintained at all times during the operational life of the use.

14. Minimum Floor Levels**Condition**

The developer must ensure that the floor levels of all non-residential buildings are above the defined flood event. The developer must submit documentation signed by an engineer (who must be an RPEQ) to a Building Certifier identifying the required minimum floor height of all habitable rooms to achieve flood immunity.

Reason

For matters of public safety and amenity in accordance with relevant code/s and policy direction.

Timing

Prior to the issuing of a Development Permit for Building Works.

15. On-Site Sewerage Holding Tank**Condition**

An appropriately qualified, experienced and competent professional must certify that the structures used for the storage of hazardous material in bulk are designed to ensure public safety and the environment is not adversely affected during a flood event in accordance with Part 8.2.6 Flood hazard overlay code.

Reason

Proposed location of the bio-waste holding tank is under the medium to low flood hazard overlay on map OM-06.1 or OM06.2.

Timing

Assessed as part of Compliance assessment and to be maintained for the life of the development.

Advice

1. Infrastructure Charges

Condition

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

2. Further Approvals Required

Condition

a) Compliance Assessment

A Compliance Assessment application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

Condition 8 – Stormwater Drainage

Condition 12 – Soil Erosion, Minimisation, Sediment Control

Condition 15 – Minimum Floor Levels

Condition 16 – On-Site Sewerage Holding Tank

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

b) Plumbing and Drainage Works

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. Physical Containment Level 2 Facility

Condition

Where relevant, the developer is responsible for obtaining any subsequent licences and permits associated with the operation of a Physical Containment Level 2 Facility in accordance with the Gene Technology Act 2001 and Gene Technology Regulation 2002 prior to the commence of the use.

4. Storage of Materials and Machinery

Condition

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

5. Building Work Noise

Condition

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

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

6. Specifications and Drawings

Condition

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

7. Environmental Considerations

Condition

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

8. Off-site Impacts

Condition

During construction and throughout the operational life of the approved use both air quality and noise levels must be maintained within the standards set out in the *Environmental Protection (Air) Policy 2008* and the *Environmental Protection (Noise) Policy 2008* as either are amended or renamed.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 8492) where council resolved that the committee recommendation be adopted.

2 P&E Court Appeal No. 324 of 2015 - George Lukacs v TCC & Architects North Pty Ltd - Submitter Appeal against Council's decision to approve Development Application (MI14/0035) - 3 Whyte Street, Hermit Park

Executive Summary

A submitter Appeal was filed in the Planning and Environment Court in Townsville by George Lukacs on 2 October 2015. The Appeal was filed against council's decision to approve a Development Application for a Development Permit for Material Change of Use (Impact) (MI14/0035) for Multiple Dwelling (9 x 2 Bedroom Units) (Riverpark Terraces) in respect of land situated at 3 Whyte Street, Hermit Park (Lot 2 SP 234880).

The Notice of Appeal seeks an order that the development application be refused or in the alternative the proposed development be approved subject to amended conditions.

Officer's Recommendation

1. That council resolve to defend the Applicant's Appeal in the Planning and Environment Court Appeal No. 324 of 2015.
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 8492) where council resolved that the committee recommendation be adopted.

3 Strategic Planning - Infrastructure Charges - Resolution to seek an extension of the Local Government Infrastructure Plan deadline

Executive Summary

The deadline for commencing a Local Government Infrastructure Plan (LGIP) is sought to be changed from 1 July 2016 to a new date as negotiated with the state government (preferably 1 March 2017). The new deadline will allow for better public consultation and accommodate project delays arising from the local government elections in March next year, and will circumvent the default situation whereby legislation would otherwise place infrastructure charging and other trunk infrastructure matters at risk on 1 July 2016. An amendment to the *Sustainable Planning Act 2009* is presently before the state government which will allow local governments to be granted such extensions.

Officer's Recommendation

That council resolve, in accordance with section 975A of the *Sustainable Planning Act 2009* (subject to the *Local Government and Other Legislation Amendment Bill (No. 2) 2015* being passed), to seek an extension to the date that the Townsville City Council Local Government Infrastructure Plan must be commenced.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 8492) where council resolved that the committee recommendation be adopted.

4 Strategic Planning - Economic Development & Strategic Projects - Driver Education Centre and Motorsport Action Group

Executive Summary

In accordance with Clause 5.4 and 5.15 of the Townsville City Council Code of Meeting Practice and S262 of the *Local Government Regulation 2012* a rescission motion is proposed for council's consideration.

The rescission motion proposes to rescind recommendation 1 of council's resolution relating to Item 45 - Strategic Planning - Economic Development and Strategic Projects – Driver Education Centre and Motorsport Action Group (DECAMAG) Lease of Land at Bidwilli Road, Calcium recorded in the minutes of its ordinary meeting of 26 May 2015 at page 8051. In this, Full Council resolved to negotiate to grant a lease over various land parcels at Woodstock '... subject to the approval of a development application ...'

Instead, it is proposed that council negotiate a lease with DECAMAG over those same land parcels, and that conditions on continuation of the lease include the requirement for all relevant planning approvals to be obtained within three years of the commencement date, and that the development of the complex be substantially commenced within six years of the commencement date.

Officer's Recommendation

1. That council rescind recommendation 1 of item 45 resolved by Full Council on 26 May 2015.
2. That the Chief Executive Officer be delegated authority to negotiate a lease arrangement with the Driver Education Centre and Motorsport Action Group over the land parcels formally described as Lot 39 on E124247, Lot 38 on E124269, Lot 31 on E124247 and Part of Lot 19 on RP901592 for the purposes of a motorsports precinct with the lease to include terms that cause the lease to terminate if:
 - a. all relevant planning approvals have not been obtained within three years of the commencement date, and
 - b. the development of the complex has not substantially commenced within six years of the commencement date.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 8492) where council resolved that the committee recommendation be adopted.

5 Strategic Planning - Economic Development and Strategic Projects - CBD Development Incentives and Jobs and Investment Package

Executive Summary

The CBD Development Incentives Program was developed to provide an immediate stimulus to build confidence, activity and momentum and to ensure the objective of CBD revitalisation is realised. The program ceased on 30 June 2015, and this report contains a summary of the operational and financial aspects of the CBD Development Incentives Program, and is presented for the information of council.

The Jobs and Investment Package commenced on 1 July 2015, and three applications have been received for development projects. To improve alignment with CBD zones in the City Plan, it is recommended to make a slight amendment to the area eligible for concessions under the package.

Officer's Recommendation

1. That council note the outcomes of the CBD Development Incentives Program.
2. That council note the commencement of the Jobs and Investment Package.
3. That council adopt an amendment to the geographic area relevant to the Jobs and Investment Package to include the area zoned Principal Centre CBD that is bounded by Walker, Blackwood and Sturt Streets.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 8492) where council resolved that the committee recommendation be adopted.

6 Strategic Planning - Economic Development & Strategic Projects - Acquisition of Fleming Street Property

Executive Summary

An amendment to the City Plan 2014 is being undertaken to rezone a portion of Illich Park adjacent to Anne and Barnard Streets. The Illich Park Masterplan proposes council sells this land to accommodate medium density development by the private sector.

This report seeks council consideration to optimise the private sector attractiveness toward the lands to be offered for medium density development.

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 grant authority to the Chief Executive Officer or his delegate to negotiate the purchase of property assessment number 2527018, subject to favourable and commercial terms being negotiated.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 8492) where council resolved that the committee recommendation be adopted.

7 Strategic Planning - Economic Development and Strategic Projects - Review of Lease for Cafe Located at Thuringowa Civic Centre

Executive Summary

Within the Thuringowa Civic Centre, council has an arrangement with a tenant to operate a café to enhance the activation and amenity of the Thuringowa Library and council offices. Various changes in staffing of council offices have altered the conditions within which this business operates, and has affected patronage of the café. The Lessee has requested reviewed terms and conditions of the lease arrangement, citing concerns about ongoing business feasibility.

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 grant authority to the Chief Executive Officer or his delegate to negotiate amended terms and conditions of the lease for Café Isabella at Thuringowa Civic Centre.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 8492) where council resolved that the committee recommendation be adopted.

8 Strategic Planning - Economic Development & Strategic Projects - Townsville RSL Stadium lease arrangements

Executive Summary

This report seeks council consideration of lease matters associated with the Townsville RSL Stadium.

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 grant authority to the Chief Executive Officer or his delegate to negotiate amended terms and conditions, including the possible surrender, of the lease for Genesis Gym at Townsville RSL Stadium.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 8492) where council resolved that the committee recommendation be adopted.

Healthy and Safe City Committee

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

"that the committee recommendations to items 9 to 10 be adopted."

CARRIED UNANIMOUSLY

Councillor G Eddiehausen congratulated Gavin Hammond on being appointed as the Local Disaster Coordinator.

9 Community and Environmental Services - Townsville Local Disaster Management Group - Minutes of Members' Meeting 26 August 2015

Executive Summary

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

Attached to the Report to Council are the minutes of the meeting held on 26 August 2015.

At this meeting, the TLDMG:

- noted the Inspector General Emergency Management Review of local governments' emergency warning capability, Report 1: 2014-15; and
- approved the recommendation that the Townsville Local Disaster Management Group advise Queensland Fire and Emergency Services of issues existing between the State Emergency Service Tasking and Management System (TAMS) and the Guardian Incident Management System.

Officer's Recommendation

1. That council endorse the minutes of the Townsville Local Disaster Management Group Members' Meeting held on 26 August 2015.
2. That council note the Inspector General Emergency Management Review of local governments' emergency warning capability, Report 1: 2014-15.
3. That council endorse the Townsville Local Disaster Management Group's approval of the recommendation that the group advise Queensland Fire and Emergency Services of issues existing between the State Emergency Service Tasking and Management System (TAMS) and the Guardian Incident Management System.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 8504) where council resolved that the committee recommendation be adopted.

**10 Community and Environmental Services - Townsville Local Disaster Management Group
- Minutes of Members' Meeting 14 October 2015**

Executive Summary

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

Attached to the Report to Council are the minutes of the meeting held on 14 October 2015.

At this meeting, the TLDMG:

- noted the appointment of Gavin Hammond as Local Disaster Coordinator for Townsville.

Officer's Recommendation

1. That council endorse the minutes of the Townsville Local Disaster Management Group Members' Meeting held on 14 October 2015.
2. That council note the appointment of Gavin Hammond as Local Disaster Coordinator for Townsville.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 8504) where council resolved that the committee recommendation be adopted.

Smart City Sustainable Future Committee

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

"that the committee recommendations to items 11 to 13 be adopted."

CARRIED UNANIMOUSLY

11 100 Resilient Cities Report

Executive Summary

In May 2013 the Rockefeller Foundation announced a \$US100 million commitment to build urban resilience in cities around the world and created the 100 Resilient Cities Challenge. The selection of the 100 Resilient Cities was to occur over a three year period with 2013 seeing 400 cities across six continents applying whilst 2014 saw a total of 1000 cities registering for the challenge.

Townsville has previously submitted two applications in 2013 and 2014, albeit unsuccessful, this year's submission will build on previous years, and will include a greater source of input based on a number of capacity building and community/industry based involvement activities facilitated by the Integrated Sustainability Services (ISS) department.

This year's submission will build on experience gained from those previous submissions of 2013 and 2014 whilst also incorporating the work undertaken by council in the past year including innovative local partnership projects, international climate change adaptation partnerships as well as targeted community and industry workshops and activities on building resilience. The submission will also include input from the Townsville Local Disaster Management Group Committee members and advisory body noting that Townsville is considerably experienced and capable in natural disaster management including response and recovery.

Officer's Recommendation

That council support Integrated Sustainability Services' bid for a 100 Resilient Cities Challenge 2015 to Rockefeller Foundation and should council be successful in the bid, proceed to negotiate an agreement with them.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 8506) where council resolved that the committee recommendation be adopted.

12 2016 Queensland Pest Animal Symposium

Executive Summary

Council has been approached by the Executive of the Pest Animal Branch of the Queensland Weed Society for Townsville to host the 2016 Queensland Pest Animal Symposium. NQ Dry Tropics, James Cook University, TropWater, Queensland Parks and Wildlife Service and Biosecurity Queensland have also been approached and expressed support.

Officer's Recommendation

That council support the 2016 Queensland Pest Animal Symposium being held in Townsville and become a platinum sponsor of the event.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 8506) where council resolved that the committee recommendation be adopted.

13 Cungulla Petition Erosion Report

Executive Summary

A petition received by council and signed by 69 residents of Cungulla, requested '*council give consideration to helping the resident and house owners to solve or direct some direction in solving the erosion problems at the Cungulla foreshore.*' The area of erosion in question was confirmed to be within an unallocated state land parcel seaward of George Ansell Avenue for which council is not the manager or trustee.

The area is an identified coastal erosion zone and has been eroding for a number of years. Integrated Sustainability Services (ISS) officers can provide ongoing advice and support to residents in the area. However, significant investment in the costly process of the management of coastal erosion on state land for the sole benefit of protecting a small number of private properties in a known erosion prone area is not supported by the Queensland Coastal Management Plan or the Townsville City Plan.

Officer's Recommendation

1. That council support residents by providing information and guidance regarding the coastal erosion processes and options for private property owners to investigate and manage erosion issues from within their private property boundaries as per current State Government and local planning policy.
2. That council annually monitor the coastal foreshore buffer width adjacent to George Ansell Avenue

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 8506) where council resolved that the committee recommendation be adopted.

Sports Recreation and Parks 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 15 and 20.

- (a) the name of the councillor who has the perceived conflict of interest:**
The Mayor, Councillor J Hill
- (b) the nature of the conflict of interest as described by the Councillor:**
The Mayor, Councillor J Hill is patron of AFL Townsville Inc.
- (c) how the Councillor dealt with the perceived conflict of interest:**
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The councillor voted as per the officer's recommendations.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendations.

In accordance with section 173 of the Local Government Act 2009, Councillor S Blom declared a perceived conflict of interest in regards to item 17.

- (a) the name of the councillor who has the 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 patron of the Northern Beaches Cricket Club Inc.
- (c) how the Councillor dealt with the perceived conflict of interest:**
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The councillor voted as per the officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

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

- (a) the name of the councillor who has the perceived conflict of interest:**
Councillor A Parsons
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor A Parsons is the Judiciary Chairman of the 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 and left the meeting and did not participate in debate or voting on the matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The councillor vacated the Chambers during discussion and voting on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

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 19.

- (a) the name of the councillor who has the perceived conflict of interest:**
The Mayor, Councillor J Hill
- (b) the nature of the conflict of interest as described by the Councillor:**
The Mayor, Councillor J Hill is a patron of Townsville Castle Hill Touch Association.
- (c) how the Councillor dealt with the perceived conflict of interest:**

The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.

(d) if the Councillor voted on the issue – how the Councillor voted:

The councillor voted as per the officer's recommendation.

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

The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

In accordance with section 173 of the Local Government Act 2009, Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane declared a perceived conflict of interest in regards to item 24.

(a) the name of the councillors who have the perceived conflict of interest:

Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane

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

J MAC Constructions is a subsidiary of BMD who donated to the Townsville First Campaign.

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

The Councillors determined that they could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered their position and were of the opinion that they could participate in debate and vote on the matter in the public interest.

(d) if the Councillors voted on the issue – how the Councillors voted:

The Councillors voted as per the officer's recommendation.

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

The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

It was MOVED by Councillor P Ernst, SECONDED by Councillor G Eddiehausen:

"that the committee recommendations to items 14 to 18 and 20 to 24 be adopted and that item 19 be dealt with separately."

CARRIED UNANIMOUSLY

Item 19 Community Services - Sporting Clubs various - LTO Renewals - Various Parks - 2015

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

"that the committee recommendation be adopted."

CARRIED UNANIMOUSLY

14 Presentation - Community Services - The North Queensland Sports Museum and Hall of Fame

Executive Summary

Mr Doug Kingston, representative from The North Queensland Sports Museum and Hall of Fame Ltd will make a presentation and take questions about the organisation and its recent grant applications.

Officer's Recommendation

That council note the presentation about The North Queensland Sports Museum and Hall of Fame.

Committee Recommendation

That the North Queensland Sports Museum and Hall of Fame presentation to the Sports Recreation and Parks Committee be noted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

15 Community Services - Lease - AFL Townsville of Northshore Community Facility, Burdell

Executive Summary

AFL Townsville Inc. is seeking a lease over part of the parcel of land located at Erskine Place, Burdell (part of Lot 2 SP267032). The lease area will include the new Northshore Community Facility that is currently under construction.

AFL Townsville coordinates and promotes AFL in the Townsville region. It has five senior clubs and eight junior clubs under its control. This new facility will enable AFL Townsville to effectively carry out its day-to-day business in a modern office space. It will also enable AFL Townsville to generate a revenue stream through community use that will assist it to grow the game in the Townsville region. With the rapid growth on the Northshore AFL strategically sees this as a significant opportunity.

Officer's Recommendation

1. That council approve the issuing of a lease to AFL Townsville Inc. over part of the parcel of land located Erskine Place, Burdell (part of Lot 2 SP267032) for a term of 10 years, for the rental fee of \$1.00 per year, exclusive of GST, if requested.
1. That council note that lease conditions will require the club to be responsible for the following:
 - a. Maintenance, Repair, Replacement of:
 - i. Structural (clause 6.1a)
 - ii. Services / pipes / conduits (clause 6.1 b)
 - iii. Painting (clause 6.3)
 - iv. Minor maintenance (clause 6.6)
 - b. Survey Plan (preliminary plan has been provided)

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

16 Community Services - Lease Area Extension - Teachers West Rugby Union Club - Warrina Park

Executive Summary

Teachers West Rugby Union Club is seeking to extend the current lease area to encompass the existing Townsville City Council (TCC) toilet block over part of the parcel of land located at Warrina Park, 18-34 Cambridge Street, Currajong (Lot 1 RP718879 and Lot 2 RP721839) for a term of 10 years.

The Warrina Park toilet block was included in the Parks review in 2010 and it was suggested it be leased by the existing user groups. Upon signing the lease, the toilet block will come under full club control and will be joined with their existing clubhouse and the transition from a public toilet to a storeroom will commence. The building will be the full responsibility of the club and therefore will be removed from council's assets register. As at 30 June 2015 the book value of the toilet block was \$251,409.

Officer's Recommendation

1. That council approve an extension to the lease to Teachers West Rugby Union Club over their existing clubhouse to include the Townsville City Council toilet block, located at Warrina Park, 18-34 Cambridge Street, Currajong - Lot 1 RP718879 and Lot 2 RP721839 - for a term of 10 years, for the fee of \$1.00 per year, exclusive of GST, if requested.
2. That council note that Teachers West Rugby Union Club will be responsible for;
 - Maintenance, Repair, Replacement Obligations of Lessee
 - a) Structural (Clause 6.1a)
 - b) Services/pipes/conduits (clause 6.1 (b))
 - c) Painting (clause 6.3)
 - d) Minor maintenance (clause 6.6)
 - Landscaping Obligation (clause 5.8)
 - Survey Plan

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

17 Community Services - Lease - Northern Beaches Cricket Club, Kilcora Park, Mount Low

Executive Summary

The Northern Beaches Cricket Club Inc. (NBCC) are seeking a lease over part of Kilcora Park, 33 Kilcora Street, Mount Low (part of Lot 71 RP808267) for the purpose of constructing a storage/maintenance shed approximately 12m x 6m (72m²)

The club have been operating successfully using the sport ovals within Kilcora Park for a number of years. The club has a current Licence to Occupy (LTO) over the ovals (issued 27th November 2012)

Officer's Recommendation

1. That council approve the issuing of a lease to Northern Beaches Cricket Club Inc. (NBCC) over part of Kilcora Park (Lot 71 RP808267) located at 33 Kilcora Street Mount Low for a term of 10 years, for a fee of \$1.00 per year, exclusive of GST, if requested. Area shown in the attachment.
2. That council note that the lessee (NBCC) be responsible for the following:
 - a. Maintenance, repair, replacement of:
 - i. Structural (clause 6.1a)
 - ii. Services/pipes/conduits (clause 6.1b)
 - iii. Painting (clause 6.3)
 - iv. Minor maintenance (clause 6.6)
 - b. Landscaping (clause 5.9)
 - c. Survey Plan

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

18 Community Services - Magnetic Island Outrigger Canoe Club - License to Occupy - The Strand

Executive Summary

Council approval has previously been given for the establishment of a number of Licences to Occupy with community groups in order to formalise their use of council controlled spaces.

Licences to Occupy formalise the conditions under which community groups are able to make non-exclusive use of these spaces.

Magnetic Island Outrigger Canoe Club Inc. seeks to renew their Licence to Occupy and extend the area involved at The Strand, Lot 7 on SP236039, for a term of five years.

Officer's Recommendation

That council approve the renewal and extension to the Licence to Occupy (LTO) area for Magnetic Island Outrigger Canoe Club Inc. to utilise The Strand, North Ward, Lot 7 on SP236039, for a term of five years.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

19 Community Services - Sporting Clubs various - LTO Renewals - Various Parks - 2015

Executive Summary

Council approval has previously been given for the establishment of a number of Licences to Occupy with community groups in order to formalise their use of council controlled spaces.

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

Officer's Recommendation

That council approve renewals to the Licence to Occupy (LTO) area for the following clubs for a term of five years.

- Coral Sea Outrigger Canoe Club, The Strand, part of Lot 1 on SP123475
- Townsville Outrigger Canoe Club, The Strand, part of Lot 5 on SP123458
- Dragons Abreast Townsville, The Strand, part of Lot 5 on SP123458
- Townsville Centrals Little Athletics, Queens Park, part of Lot 201 on SP126605
- Townsville Castle Hill Touch Association, Queens Park, part of Lot 201 on SP126605
- Estates Soccer Club, Victoria Park, part of Lot 195 on CP868168
- Saints Eagles Souths Football Club, Aitkenvale Park, part of Lot 4 on RP709009 and part of Lot 4 on RP896268
- Wulguru United Football Club, Wulguru Park, Lot 1, 2, 3, 4, 5, 6 on RP705498 and part of Lot 1 on RP742614
- Townsville Ladies Vigoro Association, Queens Park, part of Lot 201 on SP126605
- Townsville Western Suburbs Cricket & Vigoro Club, Cutheringa Park, part of Lot 13 on T11869

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

20 Community Services - License to Occupy - AFL Townsville at Northshore, Burdell

Executive Summary

Council approval has previously established a number of Licences to Occupy with community groups in order to formalise their use of council controlled spaces.

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

AFL Townsville Inc. is seeking a licence to occupy land located in the suburb of Burdell – adjacent to the new Northshore Community Facility at Erskine Place on Lot 3000 SP267032 for a term of 5 years for the purpose of playing Australian Rules Football.

Officer's Recommendation

That council approve the issuing of a non-exclusive Licence to Occupy (LTO) to AFL Townsville Inc. over a yet to be named park in Erskine Place, Burdell on Lot 3000 SP267032 for a period of five years at no charge the purpose of playing Australian Rules Football.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

21 Community Services - License to Occupy - Townsville Dragon Boat Club

Executive Summary

Council approval has previously been given for the establishment of a number of Licenses to Occupy with community groups in order to familiarise their use on council controlled spaces.

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

The Townsville Dragon Boat Club is seeking a License to Occupy (LTO) on land located at the Strand, North Ward on Lot 7 SP 236039 for a term of 5 years. The club works closely with Dragons Abreast Townsville and has been operating within their LTO area. This will continue to occur, however this LTO is proposed to better define that there are two incorporated clubs operating within this area at the Strand.

Officer's Recommendation

That council approve the issuing of a non-exclusive License to Occupy (LTO) to Townsville Dragon Boat Club (the club) over a portion of the Strand, North Ward for a term of up to five years at no charge.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

22 Community Services - North Queensland Sports Foundation Board, AGM and Forum Minutes

Executive Summary

Minutes for the most recent North Queensland Sport Foundation Board Meeting (attached), Annual General Meeting and Forum Meeting held on Friday 9 October 2015 at the Townsville Sports House, North Ward are provided for information.

Officer's Recommendation

That council note the minutes of North Queensland Sports Foundation's Annual General Meeting, Forum Meeting and Board Meeting held on 9 October 2015.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

23 Engineering Services - Cambridge Park Upgrade

Executive Summary

At the Full Council meeting held on 27 October 2015, council requested that the Cambridge Park Upgrade be brought to the Sport Recreation and Parks Committee meeting to be held on 12 November 2015.

Subsequently, the following report provides an overview of the proposal to upgrade Cambridge Park from a Local Recreation Park to a District Recreation Park.

Officer's Recommendation

That the proposed development upgrade for Cambridge Park be endorsed to proceed to public consultation for input into the design and the finalisation of the Master Plan for Cambridge Park 2016/17.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

24 Engineering Services - TCW00116 Design, Supply and Install of Waterpark Equipment - Strand Waterpark

Executive Summary

Council's renewal program identified that the existing Strand waterpark equipment had reached its end of service life and required renewal. Tender TCW00116 - Design, Supply and Install of Waterpark Equipment, is the first phase of a three phased project that will also involve Landscaping and Soft Fall packages.

This report provides an analysis and evaluation of the tenders submitted, and council's recommendation for awarding TCW00116 -Strand Waterpark Renewal, Design Supply and Install Water Play Equipment.

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 the tender TCW00116 The Strand Water Park – Design, Supply and Install Water Play Equipment to Whitewater West Pty Ltd for core contract works of \$ 1,000,000.00 plus provisional works and contingencies allowance of \$ 150,000.00 associated with the works.
3. That the Chief Executive Officer be delegated for the approval of construction and design variations and additional provisional items within the funding approval as detailed in this report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 8509) where council resolved that the committee recommendation be adopted.

Community and Cultural Committee

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

- (a) the name of the councillor who have the real or perceived conflict of interest:**
Councillor C Doyle
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor Doyle's son is an apprentice, his apprenticeship is managed by TORGAS.
- (c) how the Councillor 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 officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

In accordance with section 172 of the Local Government Act 2009, Councillor J Lane declared a material personal interest in regards to item 27.

- (a) the nature of the material personal interest as described by the Councillor:**
Councillor Lane's husband has casual employment at James Cook University in the College of Business, Law and Governance.
- (b) how the Councillor dealt with the material personal interest:**
Councillor J Lane vacated the chambers during discussion and voting on the item.

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

"that the committee recommendations to items 25 to 26 and 28 to 31 be adopted and that item 27 be dealt with separately."

CARRIED UNANIMOUSLY

Item 27 Community Services - Community Grants and Sponsorships Program October 2015 round and FAEG Meeting Minutes

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

"that the committee recommendation be adopted."

CARRIED UNANIMOUSLY

25 Library Services - Annual Report on Strategic Plan

Executive Summary

Townsville Library Services is working towards the achievement of goals and strategies in its Strategic Plan 2014-2017. By 2017, CityLibraries will be a learning hub, a place for discovery, information, innovation and creativity and a community hub, where people feel a sense of belonging, and make connections, underpinned by a commitment to excellence in customer service through agile and skilled staff and efficient services and processes.

Each year, the library service, through the State Library of Queensland, receives a grant, largely for the purpose of providing the library's lending collection. In 2014-2015, this amounted to \$811,135. Requirements of the service level agreement are that council provides a free public library services,

adopts management practices which strive to meet the Queensland Public library standards and guidelines, and provide an annual statistical return to State Library. This report combines an update on programs and projects which progress the goals of the Library Services strategic plan, and the data from the annual statistical return

Officer's Recommendation

That this report to council be noted.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the council minutes (page 8517) where council resolved that the committee recommendation be adopted.

26 Learning Communities Leadership Group Minutes 3 August 2015

Executive Summary

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

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

Minutes of the 3 August 2015 meeting are attached for information.

Officer's Recommendation

That the minutes of the Learning Communities Leadership Group meetings held on the 3 August 2015 be received for information.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the council minutes (page 8517) where council resolved that the committee recommendation be adopted.

27 Community Services - Community Grants and Sponsorships Program - October 2015 round and FAEG Meeting Minutes

Executive Summary

Townsville City Council recognises the vital contribution that community organisations make to the social, economic, community and cultural wellbeing of the Townsville Community. The council provides community grants to support the creation, implementation and delivery of community initiatives that align with council's corporate priorities and that demonstrate a positive contribution to improving the wellbeing of the Townsville community.

The following report outlines recommendations from the Financial Assistance and Events Group (FAEG) meeting held on Monday 25 October 2015, based on applications received through the September 2015 round of the Community Grants and Sponsorships Program.

Officer's Recommendation

That council note the minutes of the Financial Assistance and Events Group (FAEG) meeting held 25 October, and approve the grant funding amounts recommended as detailed below:

Recommendations beginning in 2015/2016:

Organisation	Program	Activity/Project	Recommendation (Ext GST)
National Trust of Australia (Qld)	Community Heritage Grants	Towards the costs of repairs to balustrading at Currajong House, Townsville Heritage Centre, 5 Castling Street, West End.	2015/2016 - \$5,000
North Queensland Military Aviation Museum Inc.	Community Heritage Grants	Towards the costs of a special exhibition of photographs and artefacts on "How the women of the RAAF's No. 1 wireless with the Kingsley AR7 Radio won the war in the Pacific". Museum.	2015/2016 - \$3,450
North Queensland Sports Museum and Hall of Fame Ltd.	Community Heritage Grants	Towards the costs to undertake research to establish a North Queensland Sports Museum and Hall of Fame. The initial grant will form the foundation of a strategy aimed at collecting, preserving and displaying documents, photographs and memorabilia relating to the history of sports in North Queensland.	2015/2016 - \$5,000
James Cook University - College of Health Sciences and the College of Arts, Society and Education	T150 Grant Program	Towards the costs of a project: Your Stories, Our Histories: 150 Years of Mixed Marriages and War Brides in Townsville and their Contribution to the Success of Multiculturalism in Townsville.	2015/2016 - \$9,000 (Funding is to host public lectures and archival research only) Funding is recommended on the condition that Townsville City Council is given the rights to reprint the finished material) Waiver: \$3,400
James Cook University - Library Museum and	T150 Grant Program	Towards the costs of the project: Townsville Past	2015/2016 - \$48,786

Art Gallery		and Present: the City's visual history drawn from the Special Collections of James Cook University Library.	
La Luna Youth Arts Association Inc.	T150 Grant Program	Towards the costs of the project: Luxlumin - Lighting Up the City. Fifteen sites have been identified for projection mapping, lighting design, performance or narrative.	2015/2016 - \$51,930.40
North Queensland Military Aviation Museum Inc.	T150 Grant Program	Towards the costs of the project: 'Recognition of Flying Squadrons formed in Townsville'. To erect memorial plaques on rocks within the RAAF Townsville Museum's Memorial Garden.	2015/2016 - \$4,167.32
Townsville Museum and Historical Society Inc.	T150 Grant Program	Towards the costs of the project: Celebrating 150 Years of Townsville. The Townsville Museum and Historical Society Inc. is updating and renewing a timeline of Townsville's history.	2015/2016 - \$3,400
North Queensland Sports Museum and Hall of Fame Ltd.	T150 Grant Program	Towards the costs of the project: North Queensland Sports Museum and Hall of Fame. This project is to develop an exhibition will be a celebration of Townsville's rich sporting history and will be staged over a four week period.	2015/2016 - \$5,000 2016/2017 - \$20,000
Umbrella Studio Association Inc.	T150 Grant Program	Towards the costs of the project: Embedded: Townsville Bulletin photographers, reporters and troops.	2015/2016 - \$7,500
Happy Feat Inc.	Community Capacity Building Grants Program - Partnerships and Sponsorships	Funding allows Happy Feat to use of a suitable venue at the Holy Spirit School.	2015/2016 - \$5,000 2016/2017 - \$5,000

North Queensland Wildlife Care Inc.	Community Capacity Building Grants Program - Partnerships and Sponsorships	Project: Glove box Booklet and Fridge Magnet & distribution of resources.	2015/2016 - \$2,500 2016/2017 - \$2,000 2017/2018 - \$1,500
Queensland Police-Citizens Youth Welfare Association	Community Capacity Building Grants Program - Partnerships and Sponsorships	Towards the costs of Project Booyah which is represents an integrated program embracing a community-wide inclusive approach to deliver real change to young people's lives.	2015/2016 - \$5,000
Townsville Community Music Centre Inc.	Community Capacity Building Grants Program - Partnerships and Sponsorships	This request is for operational expenses for The Townsville Music Centre provides a free service of referral and music information.	2015/2016 - \$30,000 Waiver of venue hire Fees: Civic Theatre 2016/2017 - \$25,000 Waiver of venue hire Fees: Civic Theatre 2017/2018 - \$20,000 Waiver of venue hire Fees: Civic Theatre
Reef Check Australia	Community Capacity Building Grants Program - Partnerships and Sponsorships	Towards the costs of the project: Reef Check Ambassadors. The Reef Check Ambassadors will offer a framework to support and expand outcomes to benefit local reef, volunteers, communities, our partners and the environment.	2015/2016 - \$5,000 2016/2017 - \$5,000
Kirwan Scout Group	Community Capacity Building Grants Program – Community Organisation Support	Funding will enable Kirwan Scout group to provide additional training to current leaders and to recruit and train new leaders in 2016-2017	2015/2016 - \$3,265
Townsville Region Committee on the Ageing (TRCOTA)	Community Capacity Building Grants Program – Community Organisation Support	This funding will be used towards the production of bimonthly newsletter. TRCOTA is a volunteer organisation which advocates on behalf of seniors for over 40 years.	2015/2016 - \$3,500
The Townsville Chinese Club Inc.	Festivals and Events	Towards the costs of the Townsville Chinese New Year Festival 2016 on 9 February 2016 at Townsville Bulletin Square.	2015/2016 - \$2,720

The Youth Network NQ Inc.	Festivals and Events	Towards the costs of National Youth Week. Funding will enable YNNQ to host four key events across a number of locations across Townsville	2015/2016 - \$12,000 2016/2017 - \$10,000 2017/2018 - \$8,000
TORGAS INC.	Festivals and Events	Waiver of fees for the Smart Futures 4 North Queensland (SFNQ) "Skills on Show" Careers Expo 2016/2017/2018. This expo aims to support young people in their transition from education to secure employment.	2015/2016 - Waiver of venue hire fees: \$4,200 (Reid Park Pit Complex) 2016/2017 - Waiver of venue hire fees: \$4,200 (Reid Park Pit Complex) 2017/2018 - Waiver of venue hire fees: \$4,200 (Reid Park Pit Complex)
Townsville Bicycle User Group	Festivals and Events	Waiver of fees for Style Over Speed - Black Tie Bike Ride Dinner at the Old Magistrates Court.	2015/2016 - Waiver of venue hire fees: \$420 (Old Magistrates Court)
Townsville Fashion Festival Inc.	Festivals and Events	Towards the costs of the Townsville Fashion Festival - Al Fresco Fashion on Flinders. This funding is to assist in presenting a high-calibre arts and culture event.	2015/2016 - \$10,000 Waiver of venue hire Fees: \$1,300 (Victoria Bridge Forecourt and Ogden Street)
Celtic Fyre Society Inc.	Festivals and Events	Waiver of fees for Riverway Arts Centre for The Celtic Fyre Dancer of the Year Award aimed at discovering the most promising talented dances within the Highland and Irish dancing communities in the region.	2015/2016 - \$2,000 Waiver of venue hire fees: \$450 (Riverway Arts Centre)
Rockclimbers Association of North Queensland Incorporated	Sport and Recreation Grants – Club Capacity Building Grants	Towards the costs of a Top Rope Training Course which will train six Rock climbers Association of NQ members (RANQ), the skills needed to set-up Top Rope anchors and some basic rescue skills.	2015/2016 - \$2,000
Townsville and JCU Rowing Club	Sport and Recreation Grants – Club Capacity Building Grants	Funding will enable the club to undertake a Coach & Leadership Development Program 2016" and to stage public come & try day.	2015/2016 \$1,539.50

Recommendations beginning in 2016/2017

Organisation	Program	Activity/Project	Recommendation (Ext GST)
Stable on the Strand Inc.	Festivals and Events	Towards the costs of Stable on the Strand. This event provides free family entertainment to celebrate Christmas.	<p>2016/2017 \$40,000</p> <p>Waiver of venue hire fees: \$12,000 (The Strand Park and Burke Street Headland)</p> <p>2017/2018 \$40,000</p> <p>Waiver of venue hire fees: \$12,000 (The Strand Park and Burke Street Headland)</p> <p>2018/2019 -\$40,000</p> <p>Waiver of venue hire fees: \$12,000 (The Strand Park and Burke Street Headland)</p>
Townsville Greek and Cultural Festivals Incorporated	Festivals and Events	Towards the costs of Glencore Greek Fest Townsville. This festival attracts people of all ages and family groups. This free entry event is staged to promote social/cultural entertainment for the whole community.	<p>2016/2017 - \$40,000</p> <p>Waiver of venue hire fees: \$7,000 (Riverway)</p> <p>2017/2018 - \$40,000</p> <p>Waiver of venue hire fees: \$7,000 (Riverway)</p> <p>2018/2019 - \$40,000</p> <p>Waiver of venue hire fees: \$7,000 (Riverway)</p>

The following applicant/s are not recommended for funding:

Organisation	Program	Activity/Project	Recommendation (Ext GST)
<p>Cranky Curlew Productions</p> <p>(Auspiced by Magnetic Island Community Development Association Inc.)</p>	T150 Grant Program	Project: Alternative Rock Production of a high definition video - 30 minute's duration - on and about the Magnetic Island's distinct history, character and identity.	Nil
Sandi Robb	T150 Grant Program	Project: What's in a name? Councillors, dignitaries, and visitors - the world comes to town: Townsville	Nil

		City Council Official Visitor Book: 1909 – 1956.	
Townsville & District Rugby League Inc.	T150 Grant Program	Project: Townsville District Rugby League Centenary Project 1914 - 2014: A Digital Collection	Nil

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the council minutes (page 8517) where council resolved that the committee recommendation be adopted.

28 Community Services - Report - Inclusive Community Advisory Committee - 22 October 2015

Executive Summary

Attached to the Report to Council are the minutes of council's Inclusive Community Advisory Committee meeting held on 22 October 2015.

Officer's Recommendation

1. That council note the minutes of the Inclusive Community Advisory Committee meeting of 22 October 2015.
2. That the following Inclusive Community Advisory Committee recommendations be investigated and assessed to determine if a report is required for council's consideration.
 - » That the investigation and feasibility of public notice board mediums in the CBD be supported. ICAC facilitator will follow up operational response with internal TCC referral to Marketing and Communications.
 - » That the use of the television screen in the Townsville Bulletin Square by not for profit groups be supported. ICAC facilitator will follow up operational response (with internal TCC referral to Economic Development).
 - » That council be advised that ICAC endorses the proposal to install two beach access mats for wheelchair bound persons at two beaches in Townsville and that ICAC recommends further community engagement (led by the Community Services Department) be undertaken to ensure relevant stakeholders (internal and external to Council) are consulted on this possible opportunity. That a representative of the ICAC be involved in the engagement process.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the council minutes (page 8517) where council resolved that the committee recommendation be adopted.

29 Community Services - RADF Funding Recommendations October 2015 Round

Executive Summary

The Regional Arts Development Committee convened on 13 October 2015 to assess the October 2015 round of RADF grant applications. The RADF Committee assessed the applications against the Townsville RADF Guidelines and eligibility requirements and the outcome recommendations are presented for Council approval.

Officer's Recommendation

That council approve the recommendations of the Regional Arts Development Fund Committee and the Financial Assistance and Events Group (FAEG) for the October 2015 round of the Regional Arts Development Fund Grants Program as detailed below;

Table 1 - Applications recommended for funding:

Applicant	Activity/project proposed	Request	RADF Committee Recommendation (Excl GST)
Full Throttle (Theatre) Inc.	Project: The Lullaby Project - is aimed at bringing together local community with culturally diverse citizens. This is a bilingual project that will give workshop facilitators experience with working on a major multicultural project that will see the facilitators collaborating with a number of other artists and cultural groups. The artists will need to work with one another to present a final public performance piece that will bring all of the elements of the eleven week program together.	\$4,750	Total: \$4,700 (For 3 x Artists: \$2,200 Visual artist: \$2,550)
RADF Committee Assessment Notes: The RADF Committee felt that this was a positive and well-constructed application and brought together a number of multicultural groups in Townsville.			
Julie Johnson	Project: DISPLACED is inspired by the true story of applicant's husband's Polish grandparents who emigrated to Australia as displaced persons after WW2 and spent living in the Stuart Migrant Camp, Townsville. Funding is for support of concept development of DISPLACED to enable applicant to conduct research and to write the full length script.	\$4,100	\$4,100
RADF Committee Assessment Notes: RADF Committee recommended RADF funding of script development only for this overall project.			

<p>La Luna Youth Arts Association Inc.</p>	<p>Project: Projection Mapping Master class</p> <p>In 2014, La Luna youth Arts coordinated the first Luxlumin - Lighting up the city. In planning for Luxlumin 2016, La Luna has identified the need for a more advanced skill - Blending. This project will involve conducting a two day Master class to enable participants to learn new skills which can be used in creating artworks for Luxlumin 2016.</p>	<p>Costs: \$2,460</p> <p>Equipment: \$400</p> <p>Total request: \$2,860</p>	<p>Total: \$2,860</p> <p>(For: Costs: \$2,460 Equipment: \$400)</p>
<p>RADF Committee Assessment Notes: The RADF Committee felt that this was a great project and was well supported. This project utilises artists with variety of skills and provides valuable training to participants to learn new skills which can be used to create artworks for Luxlumin 2016. The RADF Committee commented that Luxlumin is a positive event for community.</p>			
<p>Sandi Robb History and Heritage Consultant</p>	<p>Project: 150 years: History of Chinese settlement in Townsville</p> <p>This is a multi-staged project. Funding requested in this stage is for the third stage of this project.</p> <p>The overall project is to research and write the history of the Chinese community in Townsville.</p>	<p>Costs, fees and allowances: \$5,000</p> <p>Interviewing equipment: Cash \$1,000</p> <p>Total request - \$6,000</p>	<p>\$5,000</p> <p>(For costs, fees and allowances)</p>
<p>RADF Committee Assessment Notes: The RADF Committee recommended the funding of the third stage of this project of \$5,000 Salaries, fees and allowances. The RADF Committee did not recommend the \$1,000 request for the purchase of equipment as this component does not meet RADF guidelines, The RADF Committee noted that the application did not fully address RADF Key Performance Outcomes (KPO's)'s and that that the applicant be advised that future applications must fully address RADF KPO's.</p>			
<p>Michelle Hall</p>	<p>Project: This project will focus on Townsville's history for both members and the community. This project will focus on product development of the eight dresses which are symbols of women's work in the community and highlight leading female community members.</p>	<p>Costs, fees and allowances - \$7,762</p> <p>Printing: \$42.30</p>	<p>Total: \$7,804.30</p> <p>(For costs, fees and allowances \$7,762 and Printing \$42.30)</p>
<p>RADF Committee Assessment Notes: The RADF Committee supported this project and noted that the project will highlight the contributions that women from various sectors of the community have made to Townsville. The RADF Committee did not support the payment of the full amount requested for printing as the amount is not in line with the RADF Guidelines.</p>			

Table 2 – Application not recommended for funding.

Applicant	Activity/project proposed	Request	RADF Committee Recommendation (Excl GST)
Matthew Gianoulis	<p>Project: Beauty in the Making.</p> <p>The exhibition display of "Beauty in the Making" will greatly increase the applicant's exposure of his photographic artwork to the general public and arts community.</p>	Funding requested: \$10,000	2015/2016 - \$0
<p>RADF Committee Assessment Notes: The RADF Committee does not support funding this project and is of the opinion that this private, commercial venture and does not fit the RADF Guidelines. The RADF Committee identified the following weaknesses in the application - budget incorrect; components applied for not fully eligible under guidelines and the application does not address RADF KPO's.</p>			

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the council minutes (page 8517) where council resolved that the committee recommendation be adopted.

30 Community Services - LED Screen for Townsville RSL Stadium

Executive Summary

The need to install LED Display Screens at Townsville RSL Stadium (TRSLs) has been identified by the facility's anchor tenant (the JCU Townsville Fire), as well as community sporting groups, and event organisers. The equipment will be used to enhance the atmosphere at events through the large scale visual presentation of video, camera feed, and graphics to the audience at the events. Council approval to purchase and install such equipment is sought.

Officer's Recommendation

That council endorse inclusion in the 2015-16 capital budget at the four month review of the expenditure of up to \$200,000 exclusive of GST for the purchase and installation of LED Display Screens at Townsville RSL Stadium.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the council minutes (page 8517) where council resolved that the committee recommendation be adopted.

31 Community Services - Fibres & Fabrics Lease Surrender

Executive Summary

Fibres & Fabrics Association Incorporated wishes to relinquish their lease at Gill Park over a portion of Lot 1 on SP 148260.

Officer's Recommendation

That council approve the surrender of the Fibres & Fabric Association Incorporated lease over a portion of Lot 1 on SP 148260.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 25 of the council minutes (page 8517) 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 S Blom declared a perceived conflict of interest in regards to item 36.

- (a) the name of the councillor who has the real or perceived conflict of interest:**
Councillor S Blom
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor Blom is a member of the Rollingstone and District Lions Club.
- (c) how the Councillor 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 vacated the Chambers during discussion and voting on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

In accordance with section 173 of the Local Government Act 2009, Councillor V Veitch declared a perceived conflict of interest in regards to item 36.

- (a) the name of the councillor who has the perceived conflict of interest:**
Councillor V Veitch
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor Veitch is a member of Lions Northern Suburbs Townsville.
- (c) how the Councillor dealt with the perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter 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 officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

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

"that the committee recommendations to items 32 to 35 and 37 be adopted and that item 36 be dealt with separately."

CARRIED UNANIMOUSLY

Item 36 Request for concession - property number 551087

It was MOVED by Councillor J Lane, SECONDED by Councillor G Eddiehausen:

"that the committee recommendation be adopted."

CARRIED UNANIMOUSLY

32 Budget Variance Report - Whole of Council - October 2015

Executive Summary

On behalf of the Chief Executive Officer, the Director Corporate Services will present and discuss the Budget Variance Report for the whole of council for October 2015, pursuant to section 204 of the *Local Government Regulation 2012*.

The Director Corporate Services will circulate separately to the Agenda the Budget Variance Report for the whole of council for October 2015.

Officer's Recommendation

That council note the financial report for October 2015 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation 2012*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 32 of the council minutes (page 8529) where council resolved that the committee recommendation be adopted.

33 Treasury Report - October 2015

Executive Summary

Attached to the Report to Council is an internal treasury report to provide council with information on cash, investments and debt. The report informs council on its monthly cash position.

Officer's Recommendation

That council note the treasury report for October 2015 and the information contained therein.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 32 of the council minutes (page 8529) where council resolved that the committee recommendation be adopted.

34 Establishment fee for preparation of an agreement to defer water connection charges

Executive Summary

Council has recently received a request from a community group to enter into an agreement for the deferral of a water service connection charge to land that is leased by the community organisation from Townsville City Council. Council does not currently have any approved infrastructure agreements. To consider such an agreement, council would first have to approve an establishment fee and formalise an application process including listing specific conditions as part of the approvals process.

Officer's Recommendation

1. That council resolve to consider this application as 'extenuating circumstances' based on the recommendation of the Director of Community Services;
2. That the council resolve to approve an agreement application fee being 1.6% of the value of the connection costs or \$300 (whichever is greater);
3. That council resolve a bank guarantee covering the full value of the connection costs be required upon application for an agreement to defer payment.
4. That council resolve that on approval of the agreement, considering all conditions have been met by the applicant, the payment of the connection charges will be 50% up front and the balance to be levied via a commercial invoice in 12 months from the date of approval.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 32 of the council minutes (page 8529) where council resolved that the committee recommendation be adopted.

35 Request for concession - property number 333098

Executive Summary

A request has been received for a concession for the general rate for property number 333098. The application has been made under council's concessions policy specifically in relation to a not-for-profit community organisation.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to grant a concession for the general rate for the property number 333098 and that the concession include general rates dating back to the 1 of July 2015; and
3. That council resolve that the concession will continue to be granted until such time that the land use changes or change of ownership for the property or lease is recorded or council decides otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 32 of the council minutes (page 8529) where council resolved that the committee recommendation be adopted.

36 Request for concession - property number 551087

Executive Summary

A request has been received for a concession for the general rate and volumetric water charge for property number 551087. The application has been made under council's concessions policy specifically in relation to a not-for-profit community organisation.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to grant a concession for the general rate and volumetric water charge for the property number 551087 and that the concession include general rates dating back to the 1 of July 2015; and
3. That council resolve that the concession will continue to be granted until such time that the land use changes or change of ownership for the property or lease is recorded or council decides otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 32 of the council minutes (page 8529) where council resolved that the committee recommendation be adopted.

37 Request for concession - property number 512513

Executive Summary

A request has been received for a concession on sewerage service charges for property number 512513. The application has been made under council's concessions policy specifically in relation to a land that is used for the purpose of a caravan park.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to grant a 30% concession for sewerage service charges for property number 512513 and that the date of effect be from the 1 of July 2015; and
3. That council resolve that the concession will continue to be granted until such time that the land use changes or change of ownership for the property is recorded or council decides otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 32 of the council minutes (page 8529) where council resolved that the committee recommendation be adopted.

Townsville Water and Waste Committee

In accordance with section 173 of the Local Government Act 2009, Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane declared a perceived conflict of interest in regards to item 44 and 45.

- (a) the name of the councillors who have the perceived conflict of interest:**
Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane
- (b) the nature of the conflict of interest as described by the Councillors:**
NQ Excavations donated to the Townsville First election campaign.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of the item, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the Local Government Act 2009, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The councillors voted as per the officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

In accordance with section 173 of the Local Government Act 2009, Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane declared a perceived conflict of interest in regards to item 46.

- (a) the name of the councillors who have the perceived conflict of interest:**
Councillors G Eddiehausen, A Parsons, R Gartrell, V Veitch, S Blom, T Roberts and J Lane
- (b) the nature of the conflict of interest as described by the Councillors:**
Urbex Pty Ltd donated to the Townsville First election campaign (Urbex is a subsidiary of BMD).
- (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 officer's recommendation.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

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

"that the committee recommendations to items 38 to 49 be adopted."

CARRIED UNANIMOUSLY

38 Townsville Water & Waste - Cairns Townsville Mackay (CTM) Water Alliance - Meeting Minutes - March & July 2015

Executive Summary

Townsville Water entered into a formal water alliance with Cairns and Mackay Regional Councils in December 2009. The objectives of the alliance are to achieve efficiencies through a combined approach to improve service levels, share resources and jointly meet the challenges of reform within the water industry.

The Cairns Townsville Mackay (CTM) Water Alliance Executive Committee meet three times a year and minutes from these meetings are presented to the Townsville Water and Waste Committee for their information. The meeting minutes from the last two CTM meetings on 27 March 2015 and 23 July 2015 are attached to the Report to Council.

Officer's Recommendation

That council note the minutes of the Cairns Townsville Mackay Water Alliance meeting held on 27 March 2015 in Mackay, and 23 July 2015 in Cairns.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

39 Townsville Waste Services - Free Dumping Weekend

Executive Summary

A free dumping weekend was held at all council waste facilities on 30 and 31 October and 1 and 2 November 2015. This report summarises the event.

Officer's Recommendation

1. That council note the outcomes of the 2015 free dumping weekend.
2. That council resolve to increase the budgeted community service obligation paid to Townsville Waste Services from \$144,165 to \$149,109 as part of the four month budget review.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

40 Programs & Technical Support - Investigation into purchase of second vehicle to carry non-potable water

Executive Summary

Councillor V Veitch requested staff to investigate the purchasing of a second vehicle to carry non-potable water for the purpose of watering street trees during the council meeting held on 25 August 2015. This report outlines the options and conditions applicable to available non-potable water sources and also analyses delivery options considered suitable for watering street trees.

Officer's Recommendation

1. That council note the report investigating options for non-potable water irrigation of street trees.
2. Council support the development of a business case to further analyse the cost, benefits and opportunities of using non-potable water for irrigation of street trees by Maintenance Services.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

41 Wastewater Operations- Systematic Inspection Program - Infiltration and Inflow Study of Sewers, Program 16 - Toomulla, Hyde Park, Mysterton, Gulliver, Pimlico, Currajong, Garbutt, West End, Belgian Gardens (Catchments T1, T2, 5C, 5E, 10C, 10D, 10F, 10K, 1

Executive Summary

Townsville City Council resolved at its meeting of 26 August 2008 to undertake a Systematic Inspection Program, namely Infiltration and Inflow Study (I/I) of sewers and private house drains of all premises to identify illegal connections to council's sewerage system.

Townsville Water's Wastewater Operations section seeks approval to undertake program 16 in Toomulla, Hyde Park, Mysterton, Gulliver, Pimlico, Currajong, Garbutt, West End, Belgian Gardens (specifically sewerage catchments T1, T2, 5C, 5E, 10C, 10D, 10F, 10K, 10E, B6, A10D, A11B, 11C, 11B, A11C, 8C, 8A, 8B) pursuant to section 134 of the *Local Government Act 2009*. The program is expected to commence between 14 and 29 March 2016 and will be completed within a period of three months.

Council's approval is sought for the systematic inspection program to commence.

The Chief Executive Officer will authorise the relevant council staff to enter properties to undertake these inspections.

Officer's Recommendation

That council approve the undertaking of a systematic inspection program pursuant to *section 134 of the Local Government Act 2009*, in Toomulla, Hyde Park, Mysterton, Gulliver, Pimlico, Currajong, Garbutt, West End, Belgian Gardens (specifically sewerage catchments T1, T2, 5C, 5E, 10C, 10D, 10F, 10K, 10E, B6, A10D, A11B, 11C, 11B, A11C, 8C, 8A, 8B) starting between 14 and 29 March 2016 and completed within three months.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

42 Business Management and Compliance - Customer Service Standard Scorecard - Quarter 1, 2015/2016

Executive Summary

Townsville Water and Townsville Waste Services each published their first Customer Service Standard Scorecard in October, reporting on their performance against targeted service standards during 2014/2015.

Each of the businesses will now report quarterly moving forward, and the results for Quarter 1 of the 2015/2016 financial year are available and ready to be published on council's website.

Officer's Recommendation

1. That council note the results to be published in the Quarter 1, 2015/2016 Customer Service Standard Scorecards for Townsville Water and Townsville Waste Services during Quarter 1, 2015/2016, which will be published on council's website.
2. That council note a change in the Townsville Water Customer Service Standard Scorecard for 2014/2015, to the result of the key performance indicator "Incidence of unplanned water interruptions per 1,000 connections per year" from 14.71, to 66.83. The amended result of 66.83 is still within the Target for the key performance indicator, which is "Less than (<) 100".

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

43 Townsville Waste Services - Regional Garden Organics Processing Contract

Executive Summary

With the expiration of the existing garden organics processing contract T6477, Townsville Waste Services identified the opportunity to establish a Regional Garden Organics Processing Contract with members of the North Queensland Waste Reduction and Recycling Working Group (NQWRRWG) including Burdekin Shire Council and Hinchinbrook Shire Council.

NQWRRWG councils are actively involved with resource recovery and recycling and maximising the diversion of products from landfill. This tender was developed to achieve best value for money from the management of garden organics for participating signatory councils to this plan.

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 TOW00033 - Regional Green Waste Processing Contract for 24 months with the option of a further three 12 month extensions.
3. That council award TOW00033 - Regional Green Waste Processing Contract to ARG trees. The estimated annual contract value for Townsville City Council is \$620,000.00 (Ex GST).
4. That council delegate responsibility to the Chief Executive Officer to approve any required contract variations to contract TOW00033 in line with the allocated budget for this program.

Committee Recommendation

That this item be referred to a future Ordinary Council meeting pending clarification of tender arrangements for TOW00033 - Regional Green Waste Processing Contract to exclude Magnetic Island.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

44 Program and Technical Support - Tender Assessment - TCW00125 Shaw Road Connection Water Main and Sanctum Water Main Extension

Executive Summary

Townsville City Council is proceeding with the supply and construction of Shaw Road connection water main and Sanctum water main extension. The works include the supply and construction of DN300 water mains, connections and envelopers.

The Shaw Road works will involve a water main construction along Department of Transport and Main Roads road reserve and underneath Shaw Road near Bruce Highway and Shaw Road intersection. Sanctum works involve extension of the existing water main along Sanctum Boulevard and connection to existing water main at Mt Low Parkway.

These works have been tendered as a package of two separable portions to enhance the work value for tenderers and maximise internal contract management efficiencies for council. Provisions have been made to award the separable portions either to two contractors separately or jointly to one contractor. Tenderers have been asked to nominate a discount for the joint award of separable portions.

Tenders were called for the contract, which is a lump sum contract for supply and construction under the *General Conditions of Contract AS4000 – 1997*. The tender closed at 10am on 14 October 2015. Seven tenders were received.

This report provides an analysis and evaluation of the tenders received for these projects.

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 TCW00125 for the Supply and Construction of the Shaw Road Connection Water Main and Sanctum Water Main Extension (Separable Portions A and B) to NQ Excavations Pty Ltd for a lump sum price of \$1,103,816.00 (excluding GST).
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

45 Programs & Technical Support - TCW00067 - W4A Rising Main -Tender Evaluation

Executive Summary

Detailed planning identified the need to redirect Pump Station W4A sewage rising main to a different downstream maintenance hole (mh) due to capacity issues. The proposed works entails the construction of 428m DN315 rising main from sewage pump station W4A to maintenance hole number MH 25/C5C.

Tenders from external contractors were invited for the supply and construction of the sewage rising main. The tender was advertised on 19 September 2015 and submissions closed at 10am on 14 October 2015. This report provides an analysis and evaluation of the tenders received for this project.

Officer's Recommendation

1. That the report including attachments 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 TCW00067 for the Supply and Construction of a DN315 (OD) Rising Main Redirection for Pump Station W4A to NQ Excavations Pty Ltd for the lump sum price of \$329,935 (excluding GST).
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved revised project budget of \$456,000 (excluding GST) provided the variations are for the completion of the work under the contract.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

46 Programs and Technical Support - Charters Towers Road Water Main Replacement

Executive Summary

This report provides an update on matters related to the Charters Towers Road water main replacement works.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approve an increase to the project budget for the supply and construction of the Charters Towers Road water main replacement works, sufficient to complete the work under the contract as outlined in the body of this Report to Council and subject to negotiation by the contract principal and the contractor.
3. That council delegate authority to the Chief Executive Officer, or his delegate, to award variations up to the approved revised project budget, provided the variations are for the completion of the work under the contract.
4. That council note amendments to the negotiated project budget will be referred to the next scheduled budget review.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

47 Wastewater Operations - Trade Waste Approvals Application Fee

Executive Summary

The trade waste application fee was not charged consistently between 1 July 2012 and 30 June 2014. There were 140 category 1 trade waste applications in that period. 12 paid the application fee, 128 did not.

For transparency and consistency it is necessary to either cancel the application fee retrospectively and refund these trade waste customers or maintain the application fee and seek recovery in retrospective charges from 128 trade waste customers.

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 agree to waive the trade waste application fee, for category 1 customers, as of 1 July 2012 and refund \$1,668 to the trade waste customers, who paid the application fee after that date.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

48 Business Management & Compliance - Monthly Report Card - October 2015

Executive Summary

Townsville Water and Townsville Waste's monthly report cards containing year to date operating results for 2015/16 are submitted for the month of October 2015.

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 cards from Townsville Water and Townsville Waste for the month of October 2015.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

49 Request to consider Envirolock Bins

Overview

Councillor L Walker provided information, including showing a video, on Envirolock Bins (bins with locks) and requested that consideration be given to providing these bins to residents.

Committee Recommendation

That the Manager Townsville Waste Services investigate the proposal to provide Envirolock Bins to residents.

Council Decision

Refer to resolution preceding item 38 of the council minutes (page 8534) where council resolved that the committee recommendation be adopted.

Officers Reports

Corporate Services

50 Ordinary Council and Committee Schedule - 2016

Executive Summary

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

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

Officer's Recommendation

1. That all meetings be held at council's public office located at 103 Walker Street, Townsville.
2. That council, in accordance with Section 277(1) of the *Local Government Regulation 2012*, adopt and publicly notify the following schedule of Ordinary Council for the months January to December 2016 and Standing Committee Meetings for the month of February 2016:

2016 Council and Committee Meeting Calendar		
Date	Time	Council/Committee
Wednesday 27 January 2016* (*Tuesday 26 is Australia Day public holiday)	9.00 am	Ordinary Council
9 February 2016	9.00 am	Infrastructure Committee
10 February 2016	12.00 pm	Planning and Development Committee
11 February 2016	9.30 am	Healthy and Safe City Committee
11 February 2016	10.00 am	Smart City Sustainable Future Committee
11 February 2016	11.00 am	Sports Recreation and Parks Committee
11 February 2016	11.30 am	Community and Cultural Committee
16 February 2016	9.00 am	Governance and Finance Committee
16 February 2016	11.00 am	Townsville Water and Waste Committee
23 February 2016	9.00 am	Ordinary Council
26 April 2016	9.00 am	Ordinary Council
24 May 2016	9.00 am	Ordinary Council
28 June 2016	9.00 am	Ordinary Council
26 July 2016	9.00 am	Ordinary Council
23 August 2016	9.00 am	Ordinary Council
27 September 2016	9.00 am	Ordinary Council
25 October 2016	9.00 am	Ordinary Council
22 November 2016	9.00 am	Ordinary Council
13 December 2016* (*2nd Tuesday)	9.00 am	Ordinary Council

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

51 2014/15 Annual Report Adoption

Executive Summary

In accordance with section 182 of the *Local Government Regulations 2012*, council must prepare an Annual Report for each financial year and adopt within 1 month of the Auditor-General's report on the financial statements.

The Townsville City Council Annual Report for the 2014/2015 financial year is presented for adoption.

Officer's Recommendation

That in accordance with section 182 of the *Local Government Regulations 2012*, council adopt the Townsville City Council Annual Report for the 2014/2015 financial year.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

The Mayor and Councillors thanked the Corporate Governance staff for the production of the Townsville City Council Annual Report for the 2014/2015 financial year.

52 2015/16 Quarter 1 Corporate Performance Report

Executive Summary

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

Officer's Recommendation

1. That in accordance with section 174 of the *Local Government Regulation 2012* council adopt the Corporate Performance Report for the first quarter of 2015/16, being the period from 1 July 2015 to 30 September 2015.
2. That in accordance with section 174 of the *Local Government Regulation 2012* council note the change made to the Operational Plan in the first quarter.

Council Decision

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor C Doyle:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

53 Corporate Services - Correspondence Royal Australian Air Force, No 27 (City of Townsville) Squadron - Invitation for position on Steering Group for RAAF Townsville Aviation Heritage Centre

Executive Summary

Correspondence dated 20 October 2015 has been received from the Royal Australian Air Force, no 27 (City of Townsville) Squadron extending an invitation to council to accept a position on the Steering Group for the RAAF Townsville Aviation Heritage Centre.

Officer's Recommendation

That council appoint a Councillor/staff member to represent council on the Steering Group for the RAAF Townsville Aviation Heritage Centre.

Council Decision

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

"that Councillor V Veitch be appointed as council's representative on the Steering Group for the RAAF Townsville Aviation Heritage Centre."

CARRIED

54 Local Government Group meeting - New Zealand 17 - 19 February 2016

Executive Summary

The Local Government Chief Officer Group (LGCOG) forum provides opportunities for participants from around Australia and New Zealand to share knowledge around contemporary management practices and best practice projects of the host council.

There are three meetings of this forum per year and Townsville hosted the July conference in 2015. The Chief Executive Officer (CEO) did not attend the November forum in Coffs Harbour NSW due to business commitments. The first meeting for 2016 will be held 17 – 19 February in the New Zealand coastal township of Whakatane which is situated in the Eastern Bay of Plenty.

Council's travel policy requires the CEO to obtain Council approval to travel overseas and while a detailed program is not yet available, there may be the opportunity to secure early travel and accommodation in order to save cost.

Officer's Recommendation

That council approve the Chief Executive Officer to attend the Local Government Chief Officer Group meeting in New Zealand 17 – 19 February 2016.

Council Decision

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor A Parsons:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

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

"that the order of business be changed to consider item 58 in open session rather than in closed session."

CARRIED

Council agreed to change the order of business to consider item 58 as the next item of business.

In accordance with section 173 of the *Local Government Act 2009*, Councillor J Lane declared a perceived conflict of interest in regards to item 58.

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

Councillor J Lane

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

Councillor Lane has a relative who has a legal issue with the Townsville Golf Club.

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

The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.

(d) if the Councillor voted on the issue – how the Councillor voted:

The councillor voted as per the 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 real conflict of interest in regards to item 58.

(a) the name of the councillor who has the real conflict of interest:

Councillor T Roberts

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

Councillor Roberts is a member of the Townsville Golf Club.

(c) how the Councillor dealt with the real conflict of interest:

The Councillor determined that he had a real conflict of interest and left the meeting and did not participate in debate or voting on the matter.

(d) if the Councillor voted on the issue – how the Councillor voted:

The councillor vacated the Chambers during discussion and voting on this item.

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

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

58 Townsville Water & Waste - Townsville Golf Club - Water Supply Agreement

Executive Summary

As a result of recent development the Townsville Golf Club is using significant amounts of potable water for irrigation rather than the recycled effluent that has been historically used for that purpose.

The club's irrigation water use is presently greatly constrained by the water restrictions applicable across the city. When those restrictions are lifted the council may experience difficulty in supplying the volume of potable water that the club may wish to use - particularly given that the club pays for water at a greatly reduced rate under the council's adopted concessions for water used in the irrigation of sporting facilities. The council therefore is at risk of not achieving quality of supply standards and having to provide a concession on water charges at the club of approximately \$700,000 each year.

To better manage the council's risks and to provide greater certainty to the club, the council and the club wish to enter into an agreement about the club's water use.

At its meeting held on 28 April 2015 council resolved to:

"... authorise the Chief Executive Officer to negotiate a water supply contract with the Townsville Golf Club to use potable water for irrigation until a suitable alternative water supply system is in place but no longer than a period of three years, with the terms of agreement to be approved through an ordinary council meeting."

This report outlines the negotiations that have occurred to date and recommends that the council formally offer to contract with the club on the terms of the attached draft.

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 authorise the Chief Executive Officer to offer the attached water supply contract to the Townsville Golf Club.
3. That council does not support the Townsville Golf Club's request for reimbursement of costs as detailed in this report.

Council Decision

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

"that officer's recommendations 2 and 3 be adopted."

CARRIED

Councillor L Walker requested a division which was seconded by Councillor A Parsons.

FOR: Councillors P Ernst, R Gartrell, V Veitch, S Blom, J Lane, A Parsons and G Eddiehausen.

AGAINST: Councillors C Doyle, L Walker and J Hill.

The order of business was resumed.

Confidential Items

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

"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(1) (e) contracts proposed to be made by it."(Items 55, 56, 57 and 59.)

CARRIED

The council discussed the items.

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

"that council RESOLVE to open the meeting."

CARRIED

55 Maintenance Services - Contract T6382 for Parks and Open Space Management

Executive Summary

Contract T6382 for Parks and Open Space Management has completed its first three (3) years and is progressing through the first year of two (2) one (1) year extensions. The expiry milestone for the first contract extension is 1 April 2016.

Part 4 General Conditions of Contract 4.3 offers the option to extend the contract a further two (2) periods of 12 months, if mutually agreed by the contractor and council.

The contractor has requested in writing, council's consideration to extending their existing contract a further 12 months to 1 April 2017. It is acknowledged that the expiry date follows soon after the 19 March 2016 Local Government elections and therefore the timing will prohibit a report to council in time. The contractor has also acknowledged that council's early advice will provide a level of security for the company and its employees that will subsequently provide a continuity of service in accordance with the contract provisions.

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 receive and acknowledge this report.
3. That council approve the final extension of Contract T6382 for Parks and Open Space Management to 1 April 2017.

Council Decision

It was MOVED by Councillor V Veitch, SECONDED by Councillor P Ernst:

"that the officer's recommendation be adopted."

Councillor L Walker requested a division which was seconded by Councillor V Veitch.

FOR: Councillors P Ernst, R Gartrell, C Doyle, V Veitch, A Parsons, J Lane, S Blom, T Roberts, G Eddiehausen and J Hill.

AGAINST: Councillor L Walker.

CARRIED

56 Property Management - Riverway Arts Centre Roof Renewal

Executive Summary

Townsville's Riverway Arts Centre was completed in 2006 and is an iconic community facility heavily used by the public and visitors annually. Over the past five years the Arts Centre has experienced a number of water ingress issues causing damage to the building, the bulk of the issues stem from the failing roofing system. Property Management have been working with the original roofing suppliers in an effort to have these issues rectified under warranty. Discussions indicate the roofing supplier will replace the roof at no cost to council. This will result in significant saving to council and provide a long term reduction in maintenance and capital expenditure that would have resulted due to total failure.

Additional works to renew and upgrade the box gutter system need to be undertaken in conjunction with the roof renewal works being undertaken. The roofing supplier will be engaging a contractor to undertake the roof renewal works on their behalf and it is requested that this contractor be engaged to renew the box gutter system as these works need to be coordinated simultaneously.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approve the roofing and guttering works to be undertaken at Riverway Arts Centre as a priority and budget allocation of up to \$100k be made for completion of council obligations under the agreement.
3. That council delegate approval to the CEO to authorise engagement of contractor under Local Government Regulations 2012 Section 235 (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.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

57 Chief Executive Officer - Performance Review 2014/15

Council agreed to change the order of business to consider item 57 - Chief Executive Officer - Performance Review 2014/15 after item 59.

Refer to page 8550 of the Council Minutes for item 57 - Chief Executive Officer - Performance Review 2014/15

58 Townsville Water & Waste - Townsville Golf Club - Water Supply Agreement

Refer to resolution following item 54 of the Council Minutes (page 8545) where council resolved that the order of business be changed and item 58 be considered after item 54.

Refer to page 8545 of the Council Minutes for item 58 - Townsville Water & Waste - Townsville Golf Club - Water Supply Agreement

59 Townsville Waste Services - Regional Garden Organics Processing Contract

Executive Summary

With the expiration of the existing garden organics processing contract T6477, Townsville Waste Services identified the opportunity to establish a Regional Garden Organics Processing Contract with members of the North Queensland Waste Reduction and Recycling Working Group (NQWRRWG) including Burdekin Shire Council and Hinchinbrook Shire Council.

NQWRRWG councils are actively involved with resource recovery and recycling and maximising the diversion of products from landfill. This tender was developed to achieve best value for money from the management of garden organics for participating signatory councils to this plan.

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 TOW00033 - Regional Green Waste Processing Contract for 24 months with the option of a further three 12 month extensions.
3. That council award TOW00033 - Regional Green Waste Processing Contract to ARG trees. The estimated annual contract value for Townsville City Council is \$620,000.00 (Ex GST).
4. That council delegate responsibility to the Chief Executive Officer to approve any required contract variations to contract TOW0003 in line with the allocated budget for this program.

Council Decision

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

"that the officer's recommendation be adopted."

Councillor L Walker requested a division which was seconded by Councillor S Blom.

FOR: Councillors P Ernst, R Gartrell, C Doyle, V Veitch, A Parsons, J Lane, T Roberts, G Eddiehausen and J Hill.

AGAINST: Councillors S Blom and L Walker.

CARRIED

57 Chief Executive Officer - Performance Review 2014/15

Executive Summary

Council's Chief Executive Officer Ray Burton is in his eighth year of employment with this council having completed two years of his second five year contract term. In accordance with his Contract of Employment a formal performance review has been undertaken each quarter. The Review Panel was made up of the Mayor, the Deputy Mayor and the Governance and Finance Committee Chair.

The Review Panel considered Mr Burton's performance against the responsibilities outlined in the *Local Government Act*, the Employment Contract and Role Statement, and the 27 key performance indicators outlined in the 2014/15 Performance Plan as adopted by council in September last year.

As required under the contract a Performance Agreement (Performance Plan) has been prepared for the 2015/16 financial year against which Mr Burton's performance will be monitored for that period. A copy of that Performance Plan is attached and a copy of the performance report on the achievements against the key performance indicators in the 2014/15 Performance Plan is on the S drive for information of councillors.

Human Resource specialist firm Mercer is utilised under council's remuneration strategy as the remuneration system for its contracted staff (staff at first, second and third levels of the Corporate Structure). Mercer has assessed the movement in executive remuneration for the 12 month period ended June 30 2015 and advised that at the 25th percentile for the applicable salary band the movement for 2014/15 was 2.9%. The Panel has recommended to council the payment of this increment based on Mr Burton's performance in the achievement of the key performance indicators listed in the 2014/15 Performance Plan and the contractual obligation to maintain remuneration at market levels.

Officer's Recommendation

1. That council receive and note the Chief Executive Officer's 2015/16 Performance Plan.
2. That council approve a 2.9% increment to the remuneration package of the Chief Executive Officer applicable from to 1 July 2015 as provided under the Chief Executive Officer's Employment Contract.

Council Decision

It was **MOVED** by Councillor V Veitch, **SECONDED** by Councillor J Lane:

"that the officer's recommendation be adopted."

CARRIED

General Business

(i) Commendation for Brianna Coop

Councillor G Eddiehausen commended Brianna Coop, a seventeen year old Townsville Athlete who has cerebral palsy. At her first major international competition, the 2015 International Paralympic World Athletics Championships in Qatar, she won the bronze medal thanks to a thrilling finish in the T35 classification 100m sprint after edging out the race's fourth place getter by three hundredths of a second. In the Women's 200m T35, she finished fourth.

Brianna is planning to compete in the 2016 Paralympics in Rio de Janeiro.

Councillor G Eddiehausen on behalf of council wished Brianna all the very best for her training program into the future and success at the 2016 Paralympics.

Close of Meeting

The Chair, Mayor J Hill declared the meeting closed at 11.00am

CONFIRMED this FIFTEENTH day of DECEMBER 2015

MAYOR

CHIEF EXECUTIVE OFFICER