



# **SPECIAL COUNCIL**

## **PUBLIC MINUTES**

WEDNESDAY 6 JULY 2016 AT 10.03AM

**Council Members >>**

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

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## Goals and Strategies of Townsville City Council >>

### Corporate Plan >>

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

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

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

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

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

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

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

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

### ACKNOWLEDGEMENT OF COUNTRY

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

# PUBLIC MINUTES

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<b>REPORT</b>	<b>COUNCIL MEETING</b>
<b>DATE</b>	<b>Wednesday 6 July 2016 at 10.03am</b>
<b>ITEMS</b>	<b>1 TO 6</b>
<b>PRESENT</b>	The Mayor, Councillor J Hill Councillor R Cook Councillor V Coombe Councillor C Doyle Councillor A Greaney Councillor P Jacob Councillor M Molachino Councillor K Rehbein Councillor M Ryder Councillor M Soars

#### **Opening of Meeting and Announcement of Visitors**

The Chair, the Mayor, Councillor J Hill opened the meeting at 10.03am.

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

#### **Apologies and Leave of Absence**

**It was moved by Councillor V Coombe, seconded by Councillor M Molachino:**

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

**CARRIED UNANIMOUSLY**

#### **Disclosure of Interests**

There were no conflicts of interest or material personal interests declared.

## Mayor's Budget Speech:

"Good morning fellow Councillors, Council staff, Ladies and Gentlemen.

Today we lay out our annual budget for the 2016-17 financial year, and the first budget since the election.

After the countless houses visited during the campaign, speaking with residents across the city, it is clear our community is doing it tough and something needed to be done to help our ratepayers.

My team and I went to the election with a promise to the people and business owners of Townsville – no increase to your general rates in the first year.

This budget has not come without sacrifice and council has had to tighten its belt across the board and make some really tough decisions to determine not only the levels of service provided by every area of council, but also smarter ways of performing our duties.

And as a council, in determining this budget, we had some difficult challenges to overcome:

- Reduced revenue from reduced development activity
- Increase costs for materials and services
- 10% increase to our electricity costs
- And \$7.1 million for the pumping of water from the Burdekin as we work our way through the worst drought to hit our city for more than 20 years.

Well Ladies and Gentlemen I am proud to say with this budget – the **community comes first**.

**To everyone across the city** – to residents – property investors – and to business owners, you will have **no rise in your general rates**, and you will have **no rise in your utility charges**.

What you paid last year is what you will pay this year.

Our recent budget history has been good. Between the staff and ***my*** efforts, we delivered ***four*** successive surpluses including a \$9.2 mill surplus to the end June 2016 and reduced our overall debt that provided a buffer for when times are tough for everyone in our city.

Despite the belt tightening, and with the reduced revenue and cost increases, a fifth forecast surplus was not achievable. A worst case scenario of \$6.7 million has been forecast for this financial year based on the cost of pumping water from the Burdekin until the middle of next year.

Rain in the catchment and the reduction in pumping during the wet season is expected to result in a much lower deficit figure.

While I know full well that a deficit never looks good for a council – the times are tough in our community with 13% unemployment, and the council needs to do what it can to help our community.

### **Targeting Cuts**

Councillors, as you are aware this historic rates freeze did not come easy. The hits to council's bottom line over the past twelve months have hurt. As a result, we have been forced to look at what is nice-to-have, and what is council's core business.

Our core business, the services the community expect from the council will remain at the high standard **you** have come to expect.

Council has taken a \$23million hit to our budget bottom line this year – so the nice-to-have programs have had to be looked at long and hard – to determine what can remain and what needs to be cut.

Budget savings of almost \$14 million have had to be made through cutbacks across the board including external labour hire, special events, staff travel and accommodation.

There is also the most significant management review being undertaken since Townsville and Thuringowa councils amalgamated 8 years ago. The targeted savings with this review is \$5million.

### **Responsible management**

Townsville has enjoyed good economic times in the past, but the mining downturn, low resources prices and slowed developments has resulted in an unemployment level not seen since 2003.

During my previous term as Mayor, I made the most out of these good times by:

- paying back debt and saving the city \$2.4million per year in interest payments alone
- delivering four successive surpluses allowing more projects to be built and paid for without having to borrow
- delivering, the lowest general rate increases by any Mayor for a generation.

This budget will increase debt by \$40 million to fund a **\$205.2 million** capital works program that will deliver income producing infrastructure to support construction and the city's future growth.

**The zero increase in rates and charges, combined with the priority spending on key major projects,** is the most effective way we can support our community and provide an economic stimulus for the city.

### **Giving residents a hand up**

On top of the rates freeze, the council will continue its 15% discount on early payment of general rates and concessions for pensioners.

Pensioners will continue to receive concessions of 85% on general rates or up to \$800 a year to assist them to stay in their own homes.

And the pensioner transport subsidy scheme of will continue.

### **Backing investment and jobs**

Our commitment to doing our part to create the environment that provides jobs, investment and economic activity form a major part of this budget.

This year's total council budget is \$568 million to construct capital projects and deliver council services across the community.

The council will spend \$205 million locally over the next year delivering projects and services in the suburbs.

This includes \$136 million in wages 1400 local residents who work full time for council and 340 part time and casual workers to spend at local businesses.

**The council will also continue to provide career opportunities for young people, employing 37 apprentices and 32 trainees.**

### **Major Projects**

This year's \$205 million list of capital works is focused on income-producing assets that will support Townsville's future growth.

These projects include:

- \$21.1 million CBD Utilities Upgrade replacing inner-city water, sewerage infrastructure.
- \$7.1 million for the first year of the three-year \$51M Cleveland Bay Treatment Plant Upgrade.
- \$5 million for stage 2 of the Townsville Recreational Boating Park
- \$3.68 million for advanced planning for proposed Haughton Pipeline duplication that will secure our water supply for the next 50 years.
- \$4.135 million Southern Suburbs Rising Main to upgrade services to support new development on the southern side of the Ross River.
- \$3.3 million to complete stage 1 of the Peggy Banfield Park upgrade and \$1.8 million to complete the new Strand Waterpark, which when finished will show off the great lifestyle Townsville has to offer.

### **Water and waste water**

Townsville is in the midst of its worst drought in more than 20 years. Significant rain is unlikely in the short term and as a result, we will have to pump water from the Burdekin until the rains arrive.

Council has been negotiating with Sunwater for the past few months to calculate how much water the city will need, to guarantee that Townsville will not run out of water.

The negotiations began in November with water purchase and pumping costs starting at \$12 million.

I was not prepared to accept this large cost to the community and negotiations continued until recently an agreement was reached that will save council \$5 million from the starting cost.

In addition to this, council will invest in renewing and rehabilitating water and waste water mains, pumps stations, reservoirs and treatment plants will continue this year.

\$40 million will be spent on projects to secure the city's water supply and \$38 million on the city's sewerage network.

This includes:

- \$9.2 million for rehabilitation of water mains
- \$2.1 million for construction of upgraded pump station in North Ward
- \$1.9 million for new sewage pump station and rising main to service Stockland Shopping Centre and new North Shore development.
- \$2.2 million for a new wastewater main in Jensen to support growth in that area

### **Local roads, road safety and drainage**

Townsville City Council will inject \$31M into reconstruction, reseals and overlays of 105 streets and other priority projects to support the city's growth.

Key roads projects include:



- a project I promised would be delivered this year being the \$4.1 million upgrade to the William Angliss Drive and Merv Crossman Drive roundabout at Annandale, and

**Road safety also remains a priority** with this year's budget. \$3.66 million is being spent on upgrades around the city to improve known black spots, footpaths, traffic signals and road signage.

A major highlight is the half million dollar upgrade to the second stage of the Marina Drive footpath upgrade for Bushland Beach residents.

\$472,000 has been allocated for Black Spot upgrades to the:

- Bamford Lane / Mill Drive intersection,
- Kern Brothers Drive / Bel Air Avenue intersection and
- Fulham Road / Cambridge Street intersection.

**\$10 million** has also been allocated for drainage works across the city. And top of this list is a \$3.2 million for the realignment of underground stormwater drains on Lamington Street, Greer Street and Ingham Road.

A further \$1 million will fund reconstruction of drainage in Sturges Street, Hermit Park.

Our kerb and channel replacement program will continue to the tune of \$5 million across the city.

### **Waste**

Construction of a \$3 million state of the art transfer station at the Stuart landfill is the treasure of the waste management budget this year.

This transfer station will provide residents with a convenient area to dispose of waste without having to go to the tip face.

\$10.4 million is dedicated to managing the city's kerbside collection services including 74,500 domestic waste collections, and 37,000 residential recycling services each week.

\$11.9 million has been allocated for the operation of the city's three landfills and five transfer stations, which now includes the transportation of waste from Magnetic Island to the mainland.

Council will also continue its eight dump vouchers per household and a free three-day pre-cyclone dumping weekend.

Council will also spend \$575,000 for an interim cap and detail design of the rehabilitation plan for the Picnic Bay landfill which is now closed to taking waste.

### **Safe and secure community**

Construction will commence in November on a \$3.6 million Disaster Coordination Centre in Walker Street. This will vastly improve the city's emergency response capabilities as the centre will remain operational even during a Category 5 cyclone.

\$2.12 million will be spent on CCTV, security network upgrades and security patrols that will greatly assist the police by providing rapid information on people breaking the law or threatening the safety of others.

### **Maintaining our outdoor lifestyle**

Townsville's outdoor lifestyle is treasured and this Budget will continue to keep the city's parks, gardens, roads and verges in healthy shape.

While all parks will have reduced watering as long as water restrictions are in place, our major utilised outdoor areas will continue to receive the attention they deserve.

**\$8.3 million** will be spent on capital works in 31 local parks from Kalynda Chase to Alma Bay on Magnetic Island.

The parks allocation includes \$1.2 million for the completion of the upgrade of Illich Park in Aitkenvale, \$3.3 million for Peggy Banfield Park upgrades.

This year \$108 million will be spent on maintaining our public areas - including The Strand, Jezzine and Riverway to fund daily work our council outdoor staff do to mow and maintain parks, trees, median strips and road verges, pot hole repairs, maintaining stormwater drains, footpaths and boat ramps.

### **Supporting our community**

Council will continue its strong commitment to the community who do so much to improve the lifestyle and opportunities available in our city.

The council will provide \$2.15 million to the Community Grants Scheme that will afford some community groups the opportunities to upgrade facilities or host special events.

Other community highlights include:

- \$1.1 million for the Libraries Lifelong Learning Programs
- \$893,000 for recreation and sporting activities
- \$4 million public pools, Riverway Lagoons, Strand waterpark, Rockpool and
- \$5.3 million for sports facilities including Townsville Stadium, Tony Ireland Stadium, Riverway sport ground

### **Year of events and festivals**

Townsville is in the midst of its 150<sup>th</sup> anniversary that started in February this year.

The T150 celebrations will provide a spectacular finale with the October 15 Townsville Bulletin Skyshow as a milestone for the \$2.2 million budget for public and civic events over the next year.

Council will present more than 35 significant events including ANZAC Day and Australia Day, Carols by Candlelight, New Year's Eve, Heritage Day and Eco Fiesta in the coming financial year.

The City Budget will also satisfy the arts and cultural enthusiasts with another full calendar.

70 exhibitions featuring local national and international artists will feature in some of the city's creative spaces and at the Perc Tucker and Pinnacles Galleries.

Townsville's theatres and outdoor performance spaces will offer a collection of performances from headline companies including Circus Oz, Queensland Symphony Orchestra, Opera Queensland and Australian Dance Theatre in the coming year.

## **Sustainability and environment**

Despite the cuts made to this year's budget, Townsville City Council remains committed to environmental sustainability.

**\$5.7 million** will go towards a range of programs and partnerships with community and government groups to protect and maintain the region's natural assets.

These programs include; the Rowes Bay Sand Renourishment program; funding to protect 400 individual sites including creeks, river banks, wetlands and revegetation projects; Land protection, biosecurity and wild dog trapping.

## **Conclusion**

This budget lacks the bells and whistles and grandeur of previous budgets – but does contain many highlights.

More importantly it delivers on our contract with the community to deliver a rates freeze in our first year.

It provides help to our residents who need relief from the rising cost of living, and it provides a boost to our businesses that may be struggling as we work our way through these tough times.

The entire city will benefit from the freeze in their rates. It will free up some hard-earned income that will be spent in the community and benefit our local businesses.

And the businesses will be able to invest in their business either through extra employees or other improvements.

This budget took some extraordinary efforts from my fellow councillors and the dedicated council staff and I thank them for their extended hours and commitment and contributions to this budget.

Councillors this budget leaves no doubt that our **community comes first**.

I submit the budget for your consideration."

## Officers Reports

### Corporate Services

#### 1 Finance - 2016/17 Operational Plan and Budget

##### Executive Summary

In accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*, council must adopt a Budget and Operational Plan for each financial year. The Budget is integral to council's revenue raising powers and its planned spending. The recommendations in this report support the adoption of the Budget and Operational Plan for 2016/17.

The 2016/17 Budget complies with the *Local Government Act 2009* and associated Regulations.

The *Local Government Regulation 2012* states that the annual Operational Plan must:

- (a) be consistent with the annual Budget; and
- (b) state how the local government will:
  - (i) progress the implementation of the five (5) year Corporate Plan during the period of the annual Operational Plan; and
  - (ii) manage operational risks.

The Operational Plan and Budget have been developed in consultation with all departments and approved by the Executive Management Team.

The Operational Plan and Budget 2016/17, with supporting documentation and commentary, was tabled under separate cover, as follows:

Attachment 1 – Statement of Estimated Financial Position;  
Attachment 2 – Operational Plan and Budget 2016/17; and  
Attachment 3 – Fees and Charges 2016/17.

All attachments will be available to the public on council's website following the special meeting.

##### Officer's Recommendation

#### 1. FINANCIAL POLICIES >>

That council adopt:

- 1.1. The Debt Policy as set out in Attachment 2 – Appendix 4 – *Debt Policy*;
- 1.2. The Investment Policy – as set out in Attachment 2 – Appendix 5 – *Investment Policy*;
- 1.3. The Pensioner Rates Concession Policy as set out in Attachment 2 – Appendix 6 – *Pensioner Rates Concession Policy*;
- 1.4. The Charitable and Community Organisations Rates and Charges Concessional Policy as set out in Attachment 2 – Appendix 7 - *Charitable and Community Organisations Rates and Charges Concession Policy*
- 1.5. The Revenue Policy as set out in Attachment 2 – Appendix 3 – *Revenue Policy*.

#### 2. REVENUE STATEMENT >>

That, pursuant to sections 169(2)(b) and 172 of *Local Government Regulation 2012*, council adopt the Revenue Statement for 2016/17 as set out in Attachment 2 – Appendix 2 – *Revenue Statement*.

**3. FEES AND CHARGES >>**

- 3.1. That council adopt the Fees and Charges for 2016/17 in Attachment 3 (as tabled); and
- 3.2. That council note the register of fees and charges includes details of cost-recovery fees pursuant to section 98 of the *Local Government Act 2009*; and
- 3.3. That council note cost-recovery and commercial fees and charges may be amended by resolution at any time during the financial year.

**4. DIFFERENTIAL RATING CATEGORIES >>**

That, pursuant to section 81 of the *Local Government Regulation 2012*, council adopt the differential rating categories and criteria for each category as set out in the Attachment 2 – Appendix 8 – *Differential Rating Categories 2016/17*.

**5. RATEABLE VALUE OF LAND >>**

That, pursuant to section 74 of the *Local Government Regulation 2012*, council resolve that the calculation of the rates for land is by using the rateable value of the land and the rateable value of the land for a financial year is the site or unimproved value of land for the financial year as advised by the Department of Natural Resources and Mines.

**6. LIMITATION OF INCREASE IN RATES LEVIED (CAPPING) >>**

That, pursuant to section 116 of the *Local Government Regulation 2012*, council resolve that for 2016/17 to apply capping as set out in Attachment 2 - Appendix 2 - *Revenue Statement*.

**7. DIFFERENTIAL RATES, LIMITATION ON INCREASES, MINIMUM GENERAL RATE >>**

That, pursuant to part 4, part 5 and section 116 of the *Local Government Regulation 2012*, council resolve to set the differential general rates, minimum general rates and limitation of increase in rates levied for 2016/17 as set out in Attachment 2 – Appendix 9 – *Differential Rates, Limitations on Increases and Minimum General Rate*.

**8. UTILITY CHARGES >>**

**8.1. Water >>**

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy the utility charges for water for 2016/17 as set out in Attachment 2 – Appendix 10 – *Utility Charges - Water*.

**8.2. Sewerage >>**

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy the utility charges for sewerage for 2016/17 as set out in Attachment 2 – Appendix 11 – *Utility Charges - Sewerage*.

**8.3. Refuse and Recycling >>**

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy utility charges for refuse and recycling for 2016/17 as set out in Attachment 2 – Appendix 12 – *Utility Charges - Refuse and Recycling*.

## **9. SPECIAL RATES >>**

### **9.1. Nelly Bay Harbour Development >>**

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the annual implementation plan, and make and levy a special rate for the Nelly Bay Harbour Development on the following basis:

- To rateable land identified in the overall plan adopted by council at its meeting held 22 June 2010;
- To recover the cost of service and activity outlined in the Nelly Bay Harbour Overall Plan adopted by council at its meeting held 22 June 2010;
- The annual implementation plan, as set out in Attachment 2 – Appendix 13 – *Nelly Bay Harbour Operational Plan*; and
- At the rate of \$0.00 applied to the rateable value of the land.

## **10. SPECIAL CHARGES >>**

### **10.1. Rural Fire Levy >>**

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the following overall plan and annual implementation plan, and to make and levy a special charge for Rural Fire Brigades on the following basis:

- The Rural Fire Levy Special Charge will apply to all rateable land identified in the gazetted Rural Fire Board area maps for the following areas and on the following bases; and
- The overall plan for the Rural Fire Brigades Special Charge is to provide financial assistance to the brigades to enable provision of a rural fire service in each area on an ongoing basis. The amount of the charge is based upon the 3 year budget for each brigade that has been provided to council by the Queensland Fire and Rescue Service; and
- The annual implementation plan is to remit to the respective brigades the levy collected, twice a year; and
- The annual charges per property in each rural fire brigade area be as detailed in Attachment 2 – Appendix 14 – *Rural Fire Levy*.

### **10.2. Julago and Alligator Creek Water Supply Scheme >>**

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the annual implementation plan, and make and levy a special charge of \$1,050.00 per property per annum for the Julago and Alligator Creek Water Supply Scheme to repay a capital contribution of \$10,500 per property for the Julago and Alligator Creek Water Supply Scheme on the following basis:

- The overall plan for the Julago and Alligator Creek Water Supply Scheme was adopted by council at its meeting held on 19 August 2008.
- The properties to which the charge applies are identified in the overall plan for the Julago and Alligator Creek Water Supply Scheme was adopted by council at its meeting held on 19 August 2008.
- The annual implementation plan for the Julago and Alligator Creek Water Supply Scheme is to levy the charge to each property identified in the overall plan for the period stated in the overall plan.

## **11. WHEN RATES OR CHARGES MUST BE PAID >>**

That, pursuant to section 118 of the *Local Government Regulation 2012*, council resolve that all rates and charges must be paid within 30 days after the rate notice is issued.

## **12. INTEREST ON OVERDUE RATES >>**

That, pursuant to section 133 of the *Local Government Regulation 2012*, council resolve that overdue rates and charges will bear interest from 30 days after it becomes overdue and the interest will be calculated at a rate of 11.0% per annum compounding on a daily basis unless, the property owner is an Approved Pensioner as detailed in the Pensioner Rates Concession Policy, in which case overdue rates and charges will bear interest from 1 July 2017.

## **13. DISCOUNT FOR PROMPT PAYMENT >>**

That, pursuant to section 130 of the *Local Government Regulation 2012*, council resolve that a discount for prompt payment of 15% will apply to the General Rate, and the Nelly Bay Harbour Development Special Rate upon full payment of all rates and charges, including arrears, by the due date shown on the notice.

## **14. LEVYING OF RATES >>**

That, pursuant to section 94(2) of the *Local Government Act 2009*, council resolve to levy rates notices for 2016/17 as follows:

- General Rates, Special Rates, Special Charges and Utility Charges will be levied in advance on a half-yearly basis, utility charges for water consumption on certain properties may also be levied on a monthly basis.

## **15. CONCESSIONS>>**

### **15.1. Pensioner Rates Concession >>**

That, pursuant to section 119 of the *Local Government Regulation 2012*, council resolve to allow a concession of up to 85% of the general rate to a maximum of \$800 as detailed in Attachment 2 – Appendix 6 - *Pensioner Rates Concession Policy*.

### **15.2. Not-for-profit >>**

That, pursuant to section 120(b) of the *Local Government Regulation 2012*, council resolve to continue granting a concession to entities whose objects do not include making a profit and that applications made to council for consideration of a concession must meet the criteria as defined in section 120 of the Regulation and as detailed in Attachment 2 – Appendix 7 - *Charitable and Community Organisations Rates and Charges Concession Policy*.

### **15.3. Water and Sewerage Concessions >>**

That, pursuant to part 10 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to apply concessions for water and sewerage utility charges as detailed in Attachment 2 – Appendix 7 - *Charitable and Community Organisations Rates and Charges Concession Policy*.

## **16. LONG-TERM FINANCIAL FORECAST >>**

That, pursuant to section 171 of the *Local Government Regulation 2012*, council adopt the long-term financial forecast as set out in the *Strategic Financial Framework* in Attachment 2.

## **17. OPERATING FUND BUDGET >>**

**17.1** That, pursuant to section 169 of the *Local Government Regulation 2012*, council note the 2016/17 Budget is consistent with the 5-year corporate plan adopted by council on 25 March 2014;

**17.2** That, pursuant to section 169 of the *Local Government Regulation 2012*, council adopt as its Budget the *Budgeted Financial Statements* for 2016/17 as set out in tables 5 – 8 of the Budget 2016/17 in Attachment 2.

**18. STATEMENT OF ESTIMATED FINANCIAL POSITION >>**

That, pursuant to section 205 of the *Local Government Regulation 2012*, council note the Financial Report and explanation of material variances relating to council's estimated financial position as at 30 June 2016 as set out in Attachment 1 of this report.

**19. OPERATIONAL PLAN AND BUDGET 2016/17 >>**

That, pursuant to section 174 and 175 of the *Local Government Regulation 2012*, council adopt the Annual Operational Plan as set out in Attachment 2.

**Council Decision**

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**2 Review - Debt Recovery Policy**

**Executive Summary**

It is recommended that the council change its Debt Recovery Policy to reduce the risk of creating a "debt trap" for pensioner ratepayers.

**Officer's Recommendation**

That council resolve to adopt the attached amended Debt Recovery Policy.



## POLICY

### CORPORATE SERVICES

#### FINANCIAL SERVICES



## DEBT RECOVERY POLICY

### 1. POLICY STATEMENT >>

This policy provides the framework that will be used in the collection of rates, charges and commercial debts payable to Council.

### 2. PRINCIPLES >>

The Council has a responsibility to recover monies owing to it in a timely and efficient manner to finance its operations and ensure effective cash management. When recovering rates, charges and commercial debts the council will:

- make the recovery processes clear, simple to administer and cost effective;
- make clear to debtors their payment obligations and the processes used by Council to assist them to meet those obligations;
- consider each debtors capacity to pay, while endeavouring to treat debtors consistently; and
- demonstrate flexibility when necessary in responding to changes in the local economy.

### 3. SCOPE >>

This policy applies to the recovery of rates, charges and commercial debt only and does not apply to the recovery of all debt owed to council.

### 4. RESPONSIBILITY >>

The Chief Executive Officer, Executive Manager Finance and Manager Revenue are responsible for ensuring that this policy is understood and adhered to by all staff involved in the recovery of rates, charges and commercial debtor's arrears.

### 5. DEFINITIONS >>

Any term used in this policy that is defined in the *Local Government Act 2009* or *Local Government Regulation 2012* has that definition.

**Accounts Receivable/Sundry Debt** - means an amount owed to council in payment for the supply of goods or services, other than services for which a Charge is payable.

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## POLICY

### CORPORATE SERVICES

#### FINANCIAL SERVICES



**Charges** – Any amount that is charged to the property that is not considered a rate.

**Debt** – amount owed to the council, including Rates, Charges, or payment for goods and/or services provided.

**Debtor** – means any person, group or entity that owes council a debt.

**Overdue** – a debt is **overdue** if any portion of it is unpaid on the day after the due date for payment stated in the original notice/invoice. For clarity, later dates set out in reminder notices, payment arrangements or other documents do not change that original due date.

**Receivable** – the value of an amount owing to council by a debtor.

## 6. POLICY >>

### 6.1 Safeguarding Council's and Community's Interests

The Chief Executive Officer or delegate may direct that recovery action for any debt be conducted in a way that differs from the processes set out in this Policy when that is considered to be in the Council's or the community's interest.

Nothing in this policy binds the Council to precisely follow any process set out in this policy, and a failure to follow any process does not change or relieve a debtor's obligation to pay a debt when due.

### 6.2 Rates and Charges:

Legal action for the recovery of outstanding rates and charges may commence any time after a rate becomes overdue for the purposes of the *Local Government Act 2009*. Unless there are circumstances which justify taking an alternative course of action, the Council's usual process to recover overdue rates or charges is set out in this section.

#### Steps:

Rates and charges are levied by a rates notice (or a supplementary notice if the customer is not liable to pay rates but receives services for which charges are payable). The notice will show a due date for payment and in some cases a discount date.

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**POLICY**  
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**Overdue reminder letters**

Council will issue an overdue reminder letter if:-

- 7 days after the due date on the rates notices the ratepayer has \$20.00 or more in rates (or charges) owing to council; and
- a current payment plan has not been entered into; and
- no other recovery action has been commenced.

**Letter of Demand**

Council will issue a letter of demand if:-

- 7 days after the date for payment set out in the overdue reminder letter the ratepayer has \$100.00 or more in rates (or charges) owing to council; and
- a current payment plan has not been entered into; and
- no other recovery action has been commenced.

**Claim and Statement of Claim**

The usual practice of council is that legal action will be commenced if:

- a letter of demand has been sent; and
- the ratepayer has \$600.00 or more in rates (or charges) owing to council; and
- there is no current payment plan to pay the outstanding rates, or the payment plan has not been adhered to.

**Properties with a Payment Plan**

If there is a current payment plan in place, the council will commence legal action if:-

- the ratepayer has not fully complied with the terms of the agreed payment plan; and
- the ratepayer has \$600.00 or more in rates (or charges) owing to council.

Legal action may be temporarily suspended if the debtor enters into a payment plan satisfactory to council which includes the provision for the payment of legal costs.

**Sale of Land - Residential**

Where rates and charges remain unpaid for 3 years and no approved payment plan exists, council may, by resolution, commence proceedings to sell the property subject to and by virtue of its powers under the *Local Government Act 2009* and Regulations.

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**Sale of Land - Vacant Land and Commercial Property**

Where rates and charges remain unpaid on vacant land or land used solely for commercial purpose for 1 year or more and no approved payment plan exists and judgment has been obtained, Council may, upon resolution, and by virtue of its powers under the *Local Government Act 2009* and Regulations, commence proceedings to sell the property.

In recognition of individual privacy and to ensure all ratepayers are treated consistently, the list of properties on which council is required to resolve to commence land sale for rates and/or charges recovery in accordance with this policy is to be presented identifying the property number, property location and real property description only.

**6.3 Costs**

All costs incurred with respect to formal recovery action will be passed on to the ratepayer.

Once formal recovery action has been commenced it will not be discontinued until the amount of the claim and any further interest levied in accordance with the *Local Government Act 2009* has been paid in full.

Legal action may be temporarily suspended if the debtor enters into a payment plan satisfactory to Council which includes the provision for the payment of legal costs.

**6.4 Agreed Payment Plan**

Council may grant a payment plan for the payment of rates and charges. There is no limitation of the scope of the payment plan that can be provided by the Act. However, due to practical and economic reasons this council has determined that the arrears, including any additional charges applied in return for council agreeing to defer payment of rates or charges, should be paid in full by the end of the relevant rating period.

All payment plans will be confirmed in writing. Failure to meet the agreed payments will result in the cancellation of the payment plan. A broken payment plan letter will be forwarded to the ratepayer upon cancellation of the agreed payment plan. The broken arrangement letter should allow the ratepayer at least 7 days in which to bring the payment plan back into order. In particular circumstances, legal recovery action may commence immediately in the event of default by the ratepayer.

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### 6.5 Pensioners

Council recognises that Pensioners as a class may face financial difficulties in meeting their obligations however, as specific concessions are provided to them and extended times to pay, pensioners with arrears are encouraged to take advantage of payment schedules that will ensure that the balance in arrears does not escalate beyond their means.

All pensioners that are in arrears as at 30 June 2016, will be required to negotiate an acceptable payment arrangement with council.

All pensioners who fall into arrears after 1 July 2016 will be subject to council's usual recovery action for overdue rates in accordance with this policy.

### 6.6 General Accounts Receivable /Sundry Debtors

Prior to a debtor being given an account with council, a credit check is to be completed and references contacted. The following exceptions can be excluded from this requirement, Government Departments, Hall Hirers, Emergency repairs, waste collection customers who are invoiced and pay in advance for services and various one off debtors.

The Council's usual process to recover overdue Accounts Receivable/Sundry Debts is set out in this section.

#### Steps:

Accounts Receivable/Sundry Debts are created after council makes a supply of goods or services to a customer. An Invoice is then raised showing details of the goods and/or services provided and a due date for payment.

Council's commercial credit terms are strictly 30 days. Where invoices remain outstanding after 30 days from issue of the invoice:-

- Overdue Notices will be issued monthly on all invoices that have an outstanding balance.
- Letters of Demand may be issued if the customer fails to pay the outstanding balance within the prescribed time frame set out in the Overdue Notice. The account will then be placed on hold.
- if the invoice remains unpaid upon expiry of the Letter of Demand, legal recovery action may be commenced.

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## POLICY

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#### Claim and Statement of Claim

The usual practice of Council is that legal action will be commenced if:

- a letter of demand has been sent;
- the commercial debtor has \$500.00 or more in outstanding invoices owing to council;
- there is no current payment plan to pay the outstanding accounts, or the payment plan has not been adhered to.

#### 6.7 Agreed Payment Plan

- Council may grant a payment plan for the payment of commercial debts. There is no limitation of the scope of the payment plan that can be provided by the Act. Due to practical and economic reasons Council has determined that the arrears should be paid in full by the end of the relevant financial year.
- All Payment Plans will be confirmed in writing. Failure to meet the agreed payments will result in the cancellation of the payment plan. A broken payment plan letter will be forwarded to the debtor upon cancellation of the agreed payment plan. The broken arrangement letter will allow the debtor at least 7 days in which to bring the payment plan back into order. In particular circumstances, legal recovery action may commence immediately in the event of default by the debtor.

## 7. LEGAL PARAMETERS >>

*Local Government Act 2009*

*Local Government Regulations 2012*

## 8. ASSOCIATED DOCUMENTS >>

Revenue Policy

Revenue Statement

Pensioner Rates Concession Policy

Debtor Management Administrative Directive

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## Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## Community and Environment

### 3 Subordinate Local Law No. 5 (Parking) Amendment to penalty amount

#### Executive Summary

Under Queensland Legislation, Local Governments have the authority to set fees and fine amounts and it is appropriate to review the penalties for some offences, to bring Townsville City Council into line with other local governments in Queensland.

The current schedule of fees and charges relative to parking infringements is set out in "Subordinate Local Law No. 5 (Parking) 2011" and is a direct copy from the SPER (State Penalty Enforcement Registry) Regulations.

A footnote within the Subordinate Local Law refers to a "Penalty Unit" as having a value of \$100, and this has now been superseded by changes to State legislation. A "Penalty Unit" value is currently \$117.80, however is subject to increase from 1 July annually, with the amount increasing to \$121.90 on 1 July 2016. To eliminate the inconsistency, it is recommended that the reference to "\$100" in the Subordinate Local Law be deleted.

#### Officer's Recommendation

That footnote 3 on page 5 of the *Subordinate Local Law No.5 (Parking) 2011* be amended to read, *'The value of a penalty unit for a local law, or an infringement notice under the State Penalties Enforcement Act 1999 for an offence against a local law, is as prescribed under a regulation. See section 2B of the Penalties and Sentences Regulation 2005 for the value of a penalty unit. The value of the penalty unit for a local law made by a local government mentioned in schedule 2 of the Regulation, or an infringement notice under the State Penalties Enforcement Act 1999 for an offence against a local law made by a local government mentioned in schedule 2 of the Regulation is as prescribed under section 5 of the PSA. The value of a penalty unit for a local law made by a local government not mentioned in schedule 2 of the Regulation, or an infringement notice under the State Penalties Enforcement Act 1999 for an offence against a local law made by a local government not mentioned in schedule 2 of the Regulation, is as prescribed under a regulation'*, thereby removing the reference to a penalty unit having a value of \$100.

## Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

#### **4 Subordinate Local Law No. 5 (Parking) Amendment to Penalty Unit Percentages**

##### **Executive Summary**

Under Queensland Legislation, Local Governments have the authority to set fees and fine amounts and it is appropriate to review the penalties for some offences, to bring Townsville City Council into line with other Local Governments in Queensland.

A benchmark review of the Brisbane, Sunshine Coast, Cairns and Mackay councils identified variations with offence penalties, therefore it is recommended to increase the penalty unit percentages for certain offences to better align with comparative councils.

##### **Officer's Recommendation**

1. That council resolve that changing existing penalty amounts for parking offences in *Subordinate Local Law No. 5 (Parking) 2011* is an insubstantial change that does not affect an anti-competitive provision, and that accordingly such a change may be made without following steps 2 to 4 of the Subordinate Local Law Making Process set out in council's Local Law Making Process adopted on 8 March 2011.
2. That council resolve to propose to make changes to Schedule 3 of *Subordinate Local Law No. 5 (Parking) 2011* to better align the penalty amounts imposed by council with the amounts imposed by other Local Governments.
3. That council resolve to change Schedule 3 of *Subordinate Local Law No. 5 (Parking) 2011* by deleting the existing Schedule and inserting in its place the following:



<b>Column 1</b>		<b>Column 2</b>
<b><i>Transport Operations (Road Use Management) Act 1995 provision</i></b>	<b>Minor Traffic Offence</b>	<b>Infringement notice penalty amount</b>
106(1)(a)(i)	Parking a vehicle in a designated parking space unless a parking meter or parkatarea installed for the space indicates that the parking fee has been paid	0.6 penalty units
106(1)(a)(ii)	Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space	0.6 penalty units
106(1)(b)	Parking a vehicle in a designated parking space for a time longer than the maximum time indicated on the official traffic sign installed for the space	0.5 penalty units
106(1)(c)	Parking a vehicle in a designated parking space if another vehicle is parked in the space	0.4 penalty units
106(1)(d)	Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space	0.4 penalty units
167	Stopping on a length of road or in an area to which a no stopping sign applies	0.8 penalty units
169	Stopping at the side of a road marked with a continuous yellow edge line	0.8 penalty units
170(1)	Stopping in an intersection	0.2 penalty units
170(2)	Stopping within 20m of an intersection with traffic lights unless permitted by a sign	0.2 penalty units
170(4)(a)	Stopping within 10m of an intersection without traffic lights unless permitted by a sign	0.2 penalty units
172(1)	Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.2 penalty units

172(1)	Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.2 penalty units
176(1)	Stopping on a road contrary to a clearway sign	0.4 penalty units
179(1)	Stopping an unauthorised vehicle in a loading zone	0.8 penalty units
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	0.8 penalty units
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	0.8 penalty units
181	Unauthorised driver stopping in a works zone	0.5 penalty units
182(1)	Stopping an unauthorised vehicle in a taxi zone	1 penalty unit
183(1)	Stopping an unauthorised vehicle in a bus zone	1 penalty unit
183(1)	Stopping a bus in a bus zone contrary to a bus zone sign	1 penalty unit
185(1)	Stopping an unauthorised vehicle in a permit zone	1 penalty unit
186(1)	Stopping in a mail zone	1 penalty unit
189(1)(a)	Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road	0.4 penalty units
191	Stopping on a road so as to obstruct traffic	0.4 penalty units
195(1)	Stopping within 20m before a bus stop unless permitted by a sign	0.4 penalty units
195(1)	Stopping within 10m after a bus stop unless permitted by a sign	0.4 penalty units

197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign	0.6 penalty units
198(2)	Stopping on or across a driveway unless dropping off or picking up, passengers	0.3 penalty units
199	Stopping near a postbox	0.2 penalty units
202	Stopping contrary to a motorbike parking sign	0.3 penalty units
203(1)	Stopping contrary to a people with disabilities parking sign	1.5 penalty unit
205(1)(a)	Parking for longer than the period indicated on a permissive parking sign	0.5 penalty units
208(1)	Parking on a two way road other than parallel and as near as practicable to the far left side of the road	0.4 penalty units
208(1)	Parking on a one way road other than to the far left or far right of the road unless permitted by a sign	0.4 penalty units
208(1)	Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign.	0.4 penalty units
210(1)	Angle parking - failing to properly position the vehicle.	0.3 penalty units
211(2)	Parking otherwise than completely within the confines of a parking bay	0.2 penalty units
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	0.5 penalty units

## Council Decision

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

- "1. that officer's recommendations 1 and 2 be adopted; and
2. that officer's recommendation 3 be adopted subject to the following amendments to Schedule 3 of *Subordinate Local Law No. 5 (Parking) 2011*:

167	Stopping on a length of road or in an area to which a no stopping sign applies	0.6 penalty units
179(1)	Stopping an unauthorised vehicle in a loading zone	0.6 penalty units
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	0.6 penalty units
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	0.6 penalty units"

**CARRIED UNANIMOUSLY**

## Confidential Items

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

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

- Section 275 (c) the local government's budget (Item 5); and  
Section 275 (a) the appointment, dismissal or discipline of employees (Item 6)."

**CARRIED UNANIMOUSLY**

The council discussed the items.

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

"that council RESOLVE to open the meeting."

**CARRIED UNANIMOUSLY**

## **5 Engineering Services - CBD Paid on-Street and Off-Street Parking Charges**

### **Executive Summary**

The purpose of this report is to set the 2016/17 fees for Regulated Parking, and recommend extended areas to paid parking and changes to the time limits in Townsville's Central Business District (CBD) to ensure the balance and effective utilisation of paid car parking across the CBD.

### **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 extend the paid parking area as per the plan in Attachment A attached to the Report to Council.
3. That council agree to change the duration (hours) for timed parking as per the plan in Attachment A attached to the Report to Council.
4. That council adopt the fees for Regulated Parking as set out in *Schedule 1* below.

Schedule 1 - Townsville City Council - Schedule of Fees

Description	Fee Type	Unit	New Base Fee (exc GST)	GST	New Total Fee 2016/2017	Previous Fee 2015/2016	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority	Provision of the Local Govt Act the charge is raised under
<b>REGULATED PARKING</b>												
Zone 1 - Parking Fee (Hourly Charge)	Service	Each	\$1.00	\$0.00	\$1.00	\$1.00	\$0.00	0%	01/07/2016	30/06/2017	Transport Operations (Road Use Management) Act 1995, Section 103 (6) a & b	Local Government Act 2009 S.262(3)(c)
Zone 1 - Regulated Parking - Daily charge (9 am – 5 pm)	Service	Each	\$6.00	\$0.00	\$6.00	\$6.00	\$0.00	0%	01/07/2016	30/06/2017	Transport Operations (Road Use Management) Act 1995, Section 103 (6) a & b	Local Government Act 2009 S.262(3)(c)

**Council Decision**

**It was MOVED by Councillor A Greaney, SECONDED by Councillor M Soars:**

- "1. that officer's recommendations 1, 3 and 4 be adopted; and
2. that officer's recommendation 2 be adopted subject to the following:  
amend the CBD Car Parking Plan to remove Blackwood Street."

**CARRIED**

## **Mayoral Minute**

"Councillors,

The position of CEO for this council attracted over sixty high quality candidates from around Australia. Many with local government experience and many with experience in both private and government sectors.

This position of CEO will require someone with skills in change management, project delivery, advocacy, a background in government but importantly organisational leadership.

A panel that included the Deputy Mayor, the former Mayor of Mackay and I, interviewed four outstanding candidates, three of whom were from traditional local government.

However, the candidate we chose unanimously was Ms Young.

Her background in private and the public sector as well as her knowledge of Northern Australia, understanding of all levels of government and her organisation leadership skills made her a natural choice."

## **6 Appointment of Chief Executive Officer**

### **Executive Summary**

The Councillors discussed the appointment of the Chief Executive Officer.

### **Council Decision**

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

"that council endorse the appointment of Adele Young to the position of Chief Executive Officer to Townsville City Council. That negotiation of her contract conditions be delegated to the Mayor, Councillor J Hill."

**CARRIED UNANIMOUSLY**

**Councillor Greaney and the Mayor, Councillor Hill thanked Neil Allen for acting in the position of Chief Executive Officer.**

**Close of Meeting**

The Chair, Mayor Councillor J Hill, declared the meeting closed at 10.58am

**CONFIRMED this TWENTY-SIXTH day of JULY 2016**

**MAYOR**

**ACTING CHIEF EXECUTIVE OFFICER**