



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 23 OCTOBER 2012 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 robust, diverse and sustainable economy

The outcomes we want to achieve:

A robust, prosperous economy which provides opportunities for business and investment.

- 1.1 Promote investment and assist the development of emergent industries and businesses.
- 1.2 Engage with regional, state and national stakeholders in the creation of a strong and resilient economy.
- 1.3 Increase the city's profile through marketing initiatives, the delivery of festivals and events and support for other community based activities.
- 1.4 Promote the city's distinctive physical character and strong sense of place and identity.

An integrated approach to long term planning which supports a growing city.

- 1.5 Develop an integrated approach to the long term provision of infrastructure.
- 1.6 Undertake city and regional planning to reflect the aspirations of the community and create an attractive place to live, work and visit.

Infrastructure that meets community needs.

- 1.7 Provide and maintain timely and sustainable infrastructure.
- 1.8 Provide asset management practices which reflect the community's expectations regarding service levels and its ability to pay.

Goal 2 - Environmental Sustainability. Our environment is valued, protected and healthy

The outcomes we want to achieve:

Effective management and protection of our natural and built environment through sustainable growth and development.

- 2.1 Provide strategic and integrated planning and policy development to sustain our environment.
- 2.2 Effective management, protection and conservation of our natural environment.
- 2.3 Preserve and protect places of natural and heritage significance.

Demonstrated environmental leadership.

- 2.4 Develop and implement an Integrated Water Management Strategy.
- 2.5 Develop and implement innovative waste management and recycling strategies.
- 2.6 Minimise greenhouse gas emissions from council's infrastructure, operations and services through sustainable energy practices.
- 2.7 Partner with the community and industry stakeholders to develop and promote environmental protection and sustainability initiatives.
- 2.8 Develop and implement environmental compliance programs and promote community awareness.

Climatic effects on our community, natural and built environment are minimised.

- 2.9 Mitigate and communicate the risks and effects of climate change.

Goal 3 - Social Sustainability - Enhancement of opportunities for social engagement and wellbeing

The outcomes we want to achieve:

A safe and healthy community.

- 3.1 Improve the safety and well-being of the community through the management of public health risks.
- 3.2 Plan for and provide active and healthy lifestyle opportunities.
- 3.3 Coordinate council's response to natural disasters to minimise the effects on the community.

A cohesive and self reliant community.

- 3.4 Foster the development of the city as a learning community.
- 3.5 Encourage and facilitate the participation and integration of residents into the community.
- 3.6 Strengthen community networks to collaboratively deliver community services.

A community with access to services and facilities.

- 3.7 Plan for community facilities and services to meet the community's current and future needs.
- 3.8 Provide community services and facilities to meet the needs of the community.
- 3.9 Provide community support services to meet the needs of the community.

A creative community.

- 3.10 Facilitate and showcase artistic learning and expression through performances, exhibitions, activities and programs.
- 3.11 Support community participation in cultural activities, programs and events.

Goal 4 - Responsible Governance - Responsible leadership where decisions are made in a considered and transparent manner

The outcomes we want to achieve:

Transparent and accountable local government.

- 4.1 Develop and implement council's Corporate Governance Framework to ensure strategic planning, compliance with all legislation, policies, Codes of Practice and Standards.
- 4.2 Implement robust risk management strategies.
- 4.3 Encourage community participation and ensure that the community is informed and educated about matters that impact their lives.

A competent, productive and contributing workforce.

- 4.4 Foster a culture of employee health, safety and well-being.
- 4.5 Implement human resource strategies to become an employer of choice.
- 4.6 Foster diversity, merit and equity, reward and recognition in the workplace.

Excellence in customer service delivery and organisational management.

- 4.7 Provide responsive and efficient systems to enable the delivery of council services.
- 4.8 Establish and manage long term financial planning to ensure the future sustainability of council.

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General Business

(i) 2012 National Local Roads and Transport Congress

5901

REPORT	COUNCIL MEETING
DATE	Tuesday 23 October 2012 at 9.00 AM
PRESENT	Acting Mayor, Councillor Vern Veitch Councillor Les Walker Councillor Suzanne Blom Councillor Jenny Lane Councillor Anthony Parsons Councillor Trevor Roberts Councillor Ray Gartrell

Opening of Meeting and Announcement of Visitors

The Acting Mayor, Councillor V Veitch opened the meeting at 9.00 am.

Prayer

Reverend Michael Peters of the Catholic Church delivered the opening prayers.

Apologies and Leave of Absence

It was moved by Councillor T Roberts, seconded by Councillor L Walker:

"that the apologies from the Mayor, Councillor J Hill, Councillor G Eddiehausen, Councillor C Doyle and Councillor P Ernst be received and that for the purposes of Section 162(1)(e) of the *Local Government Act 2009*, the Mayor, Councillor J Hill, Councillor G Eddiehausen, Councillor C Doyle and Councillor P Ernst be granted leave of absence from this meeting."

CARRIED

Confirmation of Minutes of Previous Meetings:

It was MOVED by Councillor J Lane, SECONDED by Councillor R Gartrell:

That the minutes of the Ordinary Council meeting held 25 September 2012 be confirmed.

CARRIED

Disclosure of Interests

There were no conflicts of interest or material personal interests.

Correspondence

There was no correspondence.

Petitions

(i) Petition - Request to make local traffic service road permit parking only

PETITION	
Tabled by	Councillor V Veitch
Date	23 October 2012

Summary

Councillor V Veitch tabled a petition from residents of Stanley Street, living on the service road between Gregory Street and Kennedy Street (formerly called Lower Stanley Street). The petition was regarding the volume of people using the street for parking while exercising on Castle Hill, blocking residents from their driveways and eroding the grassed divider between the service road and Stanley Street.

Petition Request

That council

1. designate the local service road between Gregory Street and Kennedy Street (formerly called Lower Stanley Street) as Permit Parking Only;
2. issue parking permits to the residents along this road; and
3. install 'Permit Parking ONLY' signs at the entrance to this road.

Council Decision

That the petition be referred to the Community and Environment Division for investigation, and a report brought back to the relevant committee.

Deputations

There were no deputations.

Committee Items

Infrastructure Committee

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

"that the committee recommendations to items 1 to 6 be adopted."

CARRIED

1 Technical Services - Procedure: Work Zone Parking Permits

REPORT TO COUNCIL

Authorised by Director Infrastructure Services

Department Infrastructure Services

Date 20 September 2012

Executive Summary

The former pre-amalgamation Townsville City Councils 'Use of Metered Spaces for Building Work Policy 147' was reviewed and replaced by the 'Works Zone Parking Permits Policy' at the 24 April 2012 full council meeting.

At that time, the procedure to accompany the policy was not in a position to be submitted. Subsequently, the 'Works Zone Parking Permits Procedure' has been developed and is submitted to council for adoption.

The prepared Procedure records council's approach to issuing work zone parking permits, under *Subordinate Local Law No. 5 (Parking) 2011*.

Officer's Recommendation

That council adopt the 'Work Zone Parking Permit Procedure' as attached below.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5851) where Council resolved that the Committee Recommendation be adopted.



PROCEDURE

<<PLANNING AND DEVELOPMENT>>

<<DEVELOPMENT INFRASTRUCTURE>>

<TITLE OF PROCEDURE>WORKS ZONE PARKING PERMITS >>

1. PURPOSE >>

This procedure records council's approach to issuing works zone parking permits under *Subordinate Local Law No. 5 (Parking) 2011*.

2. SCOPE >>

This procedure applies to all works zone parking permits issued by the council.

3. RESPONSIBILITY >>

The Executive Managers Development Assessment, Technical Services and Environment Health, and Manager Development Infrastructure are responsible for ensuring this procedure is understood and adhered to by all relevant staff.

The Development Infrastructure Department is responsible for issuing Work Zone Permits to developers/builders. The permit allows works to be undertaken on the road directly in front of the construction site and temporarily alters regulated parking spaces to a works zone.

The Regulatory Services Section is responsible for parking enforcement.

4. DEFINITIONS >>

Building/development works – all lawful works that take place from within the property and on the footpath, including the regulated parking spaces that are used for creation of a works zone.

CBD Parking Fee – an amount equivalent to the value of paid parking foregone because of the existence of the works zone and/or changes to parking conditions caused by the works zone.

Manual of Uniform Traffic Control Devices (Queensland) – within the meaning of the *Transport Operations (Road Use Management) Act 1995*, contains the design of, and the methods, standards

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and procedures in relation to every sign, signal, marking, light or device, installed on a road.

Regulate parking space – marked on-street parking bays with control signs.

Road Work Permit – a permit granted to an applicant to conduct a prescribed activity within the road reserve.

Traffic Control Plan – a plan that is produced by an accredited traffic management company that identifies the exact area of the work zones, the advanced warning signage to be used as well as what traffic control measures that are required to deal with all the likely forms of traffic.

Works Zone – a defined length of road outside a work site, reserved for construction vehicles.

5. PROCEDURE >>

Council will accept an application for a works zone on receipt of a completed road work permit application form. The applicant must submit:

- The Road Work Permit application fee;
- A traffic guidance scheme compliant with Part 3 of the Manual of Uniform Traffic Control Devices;
- A copy of the applicant's certificate of currency for public liability insurance to the value of \$20,000,000; and
- A road corridor permit (if required).

Following the receipt of the application, an onsite meeting with the applicant may be arranged by Development Infrastructure to discuss the work zone permit.

If the work zone permit is approved it will generally be issued with the following conditions that require permit-holders to:

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- (a) remove and replace existing parking signs; the applicant is responsible for the supply/erection/removal of compliant temporary works zone signs in accordance with the traffic guidance scheme;
- (b) alter and reinstate pavement markings associated with the signage changes;
- (c) pay council a permit fee that includes an amount equivalent to the CBD parking fee; and
- (d) conformance with section 1.6 of Part 3 of the Manual of Uniform Traffic Control Devices.

Council reserves the right to modify or cancel a works zone permit at any given time. If there are changes or a cancellation is made the CBD parking fee will be reviewed.

Council applies the following strict operational conditions to all works zones:

(A) LENGTH & DURATION

A works zone will occupy a minimum of 2 parking bays (12 metre in length), or the full frontage of the property where the works are being carried out.

A works zone will apply for work which exceeds 4 weeks or if approved for a specified period. Council reserves the right to modify the works zone at any time and for any reason. If changed, the CBD Parking Fee will be reviewed.

(B) LOADING ZONES (attached to a work zone or as part of a work zone)

Should a loading zone be required as part of the work zone and is located along the frontage of the property, then it may be approved as an extension of the work zone subject to council assessment. If provided then another loading zone will be installed as close as possible to the requested area. An amount equivalent to the value of paid parking foregone, because of the installation of the temporary load zone, will be charged to the applicant.

(C) PEDESTRIANS

Safe pedestrian access must be provided past the works zone at all times. If the footpath is closed, then alternative arrangements are required with appropriate traffic management controls in place which must comply with the Manual of Uniform Traffic Control Devices and provision made for disabled access. Ramps 1.8m wide must be placed over the kerb at both ends of the closed section of footpath to allow safe passage off and onto the footpath.

(D) GOODS AND MATERIALS

Goods and materials are not to be stored or stacked within the works zone for any extended periods, (only for delivery and pickup). Site huts and storage containers are not to be placed in the works zone.

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(E) REFUSE SKIPS

All effort should be made to use a truck for the temporary storage and removal of debris. The use of skip bins in a works zone is subject to council approval, will be included on the permit if agreed to and must be removed outside of business hours, or removed if directed by Council.

(F) VEHICLES

The works zone is only to be used by vehicles that are loading or unloading construction materials and/or equipment. Specialised plant and equipment, such as Mobile cranes, concrete pumps and elevating platforms can be parked within a works zone but only for their intended use and timeframe.

A works zone is not to be used for general parking of vehicles. Council's Parking Officers will patrol works zone and issue parking fines to illegally parked vehicles.

(G) DAMAGE TO COUNCIL INFRASTRUCTURE

The applicant is responsible for the repair of any damage to the road, stormwater drainage assets, kerb and channel, footpath, signs, street furniture or any council services caused through use of the works zone.

(H) CERTIFICATE OF CURRENCY

The applicant is required to lodge with council a certificate of currency for public liability insurance to the value of \$20,000,000. Council is to be listed as an "interested party" on the certificate of currency.

(I) TRANSPORT AND MAIN ROAD APPROVAL

A copy of a road corridor permit from the Department of Transport and Main Roads is required if the work infringes or affects traffic flow on state-controlled roads. A copy of the road corridor permit is to be attached to the approved works zone permit.

(J) POLICE PERMIT

A police permit is mandatory if the works zone requires a partial or full road closure. Police will request a copy of council's road works permit as proof that council has approved the intended work.

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A works zone could be rejected because the proposal maybe deemed to be a significant risk that could cause:

- (i) material harm to human health or safety; or
- (ii) property damage or loss of amenity; or
- (iii) unreasonable nuisance; or
- (iv) unacceptable obstruction of vehicular or pedestrian traffic; or
- (v) environmental harm and nuisance; or
- (vi) have a material adverse affect on the amenity of the area in which the work zone permit is to be request.

If an application is rejected, the applicant will have the opportunity to have the works zone request reviewed. Technical Services will review the application and make a recommendation to council.

If the application is rejected by council the works zone request will not be granted.

6. LEGAL PARAMETERS >>

- Local Government Act 2009*
- Local Law No.5 (Parking) 2011*
- Subordinate Local Law No. 5 (Parking) 2011*

7. ASSOCIATED DOCUMENTS >>

- Works Zone Parking Permits Policy
- Road Work Permit Application
- Work Zone Application

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2 Technical Services - Stabilisation of Riverbank at Bicentennial Park

REPORT TO COUNCIL

Authorised by Director Infrastructure Services

Department Technical Services

Date 05 October 2012

Executive Summary

The Infrastructure Services Committee, at its meeting on 11 September 2012, requested a report indicating methods to stabilise the river bank at Bicentennial Park, Hermit Park, be presented to council.

The request followed receipt of a number of concerns from residents in relation to the stability of the river bank and the erosion which has occurred to the bank exposing refuse from an old dump site.

This preliminary report provides background information on the previous work undertaken to date, and suggests both short-term and long-term measures.

Officer's Recommendation

That council:

1. receive this interim report regarding the current situation of the Ross River bank stability, adjacent to Bicentennial Park, Hermit Park;
2. allocate \$60,000 as part of the next budget review to fund the water quality testing, feature survey, geotechnical tests, minor excavations works, and detail design for the remediation and stabilisation of approximately 350m of the river bank; and
3. allocate \$1.25million as part of the next budget review to fund the remediation and stabilisation of approximately 85m of the eastern end of the eroded river bank section (being the most hazardous), as soon as state government approvals are available.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5851) where Council resolved that the Committee Recommendation be adopted.

3 Technical Services - Bus Services: City and Shuttle buses

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services

Department Technical Services

Date 24 September 2012

Executive Summary

Since the end of July 2012 the RedBus service no longer operates in servicing three (3) distinct customer groups. The State Government has subsequently incorporated the Ferry Terminal into the usual passenger bus service operating within Townsville, and this report outlines what actions have take place on the remaining two (2) services.

The report also recommends actions on council's continued support for the city shuttle service and the city loop service.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council:
 - a) continue provide the City Shuttle bus service, utilising Townsville Sunbus as the provider, at the cost of \$106,870 (ex GST) per annum with council retaining the fees collected, until a contract can be awarded;
 - b) increase the fee on the City Shuttle bus service to \$2 for each one-way trip, with the increase to take effect from Monday, 5 November 2012;
 - c) start the development a specification for the provision of a charter service between Dean St car park and the city centre, and invite public tenders as soon as possible; and
 - d) develop and implement a marketing plan for the shuttle bus service between the Dean St car park and the city centre in conjunction with the appointed contractor, and that the marketing plan include the development of a new name for the service, a new logo, signage and timetables with the intent of maximising patronage.
3. That council initiate discussions with Transport and Main Roads to provide a new tourist orientated charter service, operating in a route comparable to the former City Loop service, including the Ferry Terminal, The Strand, City Centre and Dean St car park.
4. That a report be presented to council on the viability of reinitiating a bus service, comparable to the former City Loop service, after discussions with all stakeholders, with a view to resuming a new service early in the 2013/14 financial year.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5851) where Council resolved that the Committee Recommendation be adopted.

4 Construction and Maintenance - RPS6767 Supply of Asphaltic and Bituminous Products and Services

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Construction and Maintenance
Date 24 September 2012

Executive Summary

Townsville City Council called for a panel of providers for Tender RPS6767 Supply of Asphaltic and Bituminous Products and Services for capital and operational works to be undertaken within the 2012/13 financial year. The contract period is 12 months, with an option to extend for a period of up to 12 months.

The contract has three separable portions as follows:

- Separable Portion (i) - Supply of asphaltic and bituminous products
- Separable Portion (ii) - Supply and lay of asphaltic products
- Separable Portion (iii) - Supply and lay of bituminous products

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender RPS6767 Supply of Asphaltic and Bituminous Products and Services to each of the four (4) tenderers for a period of 12 months and thereby place them on the Register of Pre-qualified Suppliers for a fixed price contract as per their offered schedules of rates as follows:
 - Boral Resources (QLD) Pty Ltd - all schedules under Separable Portions (i), (ii) & (iii)
 - Fulton Hogan Industries Pty Ltd - all schedules under Separable Portions (i), (ii) & (iii)
 - RMS (NQ) Pty Ltd - all schedules under Separable Portions (ii) & (iii)
 - Stabilised Pavements of Australia Pty Ltd - all schedules under Separable Portion (iii)

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5851) where Council resolved that the Committee Recommendation be adopted.

5 Construction and Maintenance - PSA6735 Preferred Supplier Arrangement for Supply and Delivery of Pre-Mix Concrete

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services

Department Finance Services

Date 14 September 2012

Executive Summary

Townsville City Council (TCC) has the responsibility of maintaining a range of Infrastructure throughout Townsville and surrounds. To simplify the procurement process for the goods and services that are required to conduct this maintenance, TCC is establishing preferred supplier arrangements for various commodity groups.

One (1) of these commodity groups is Pre-Mixed Concrete. As such, TCC issued Tender PSA6735 - Preferred Supplier Arrangement for Supply and Delivery of Pre-Mix Concrete.

The contract is for 12 months with the option of a further two (2) 12-month periods. At the completion of the 12 month contract period, the contract performance will be reviewed and if the performance is satisfactory, extension options will be negotiated. Extensions to existing contracts will allow council to reduce administrative costs required as part of the full tender process.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA6735 - Preferred Supplier Arrangement for Supply and Delivery of Pre-Mix Concrete to Holcim Australia Pty Ltd for a 12 month fixed price contract with the option of two (2) 12-month extensions.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5851) where Council resolved that the Committee Recommendation be adopted.

6 Quality of Recent Road Repairs

GENERAL BUSINESS ITEM

Raised by	Councillor S Blom
Committee	Infrastructure
Date	9 October 2012

Councillor S Blom advised that area's of bitumen laid within the last few months in the Northern Suburbs are degrading back to gravel. Councillor Walker advised that this was occurring in his division also. The committee requested that this matter be investigated.

Committee Recommendation

That council investigate the quality of road repairs conducted in the June to September 2012 period.

Council Decision

Refer to resolution preceding item 1 on the Council Minutes (page 5851) where Council resolved that the Committee Recommendation be adopted.

Planning and Development Committee

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

"that the committee recommendations to items 7 to 10 be adopted."

CARRIED

7 Outcome of Appeal - Loxwood Pty Ltd v TCC & DTMR (P & E Court Appeal No. 193 of 2008)

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Planning and Development
Date 24 September 2012

Executive Summary

On 25 July 2008, an appeal was lodged with the Planning and Environment Court against the deemed as a refusal for a Material Change of Use (M46/07:9810) and the Reconfiguration of lot into 8 Residential Lots (R353:9452) at Brabon Road, Beach Holm. Land more particularly described as Lot 256 on SP196179.

On the 13 September 2012, the appellant filed a Notice of Discontinuance in the Planning and Environment Court.

This matter is now at an end.

Officer's Recommendation

That council receive this report.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 7 on the Council Minutes (page 5862) where Council resolved that the Committee Recommendation be adopted.

8 MI12/0007 MCU (Impact) Major Telecommunications Facility - 445 Bayswater Road, Garbutt

REPORT TO COUNCIL

Authorised by	Director Planning and Development
Department	Planning and Development, Development Assessment
Date	24 August 2012
Address	Lot 2 on SP177406 - 445 Bayswater Road, Garbutt
Applicant/Owner	Total Communications Infrastructure Pty Ltd
Description	Material Change of Use (Impact) Major Telecommunications Facility

Executive Summary

A Development Application for Material Change of Use (Impact) - Major Telecommunications Facility on Lot 2 on SP177406, situated at 445 Bayswater Road, Garbutt has been received from Applicant: Total Communications Infrastructure Pty Ltd - MI12/0007 1042081 and has been recommended for approval.

Officer's Recommendation

That council approve application MI12/0007 for a Development Permit for Major Telecommunications Facility under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 2 on SP177406, more particularly 445 Bayswater Road, Garbutt subject to the following conditions -

1. Site Layout

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

DRAWING NAME	DRAWING No.	REVISION No.	PLAN SUBMITTED & DATE STAMPED
Preliminary	4172-00	-	30 March 2012
Site and Locality Plans	4172-G1	C	30 March 2012
Site Setout Plan	4172-G2	B	30 March 2012
Site Elevation	4172-G3	C	30 March 2012
Site Elevation (Western)	4172-G5	A	30 March 2012
Site Elevation (Southern)	4172-G6	A	30 March 2012
Site Elevation (Northern)	4172-G7	A	30 March 2012

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

2. Building Materials

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

3. Protection of Operational Airspace

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

4. Storage of Materials and Machinery

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

5. Lighting

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.

6. Relocation of Utilities

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

7. Stormwater Drainage

- a) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- b) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

8. Soil Erosion Minimisation, Sediment Control and Dust Control

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

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with *City Plan Policy 2 – Development Standards*.
- b) During the construction and maintenance phases of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.

9. Roadworks and Traffic

During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

Advice Agency - Department of Environment and Resource Management
--

Pursuant to Section 292 of the *Sustainable Planning Act 2009*, Department of Environment and Resource Management advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, as attached.

ADVICE

1. Noise

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

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

2. Environmental Considerations

DERM Requirements

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

3. Building Over/Adjacent to Services

The developer is advised that the proposed building structures are over/adjacent to an existing sewer. In accordance with Council's Policy 1201 (*Building Over or Adjacent to Services*) – the applicant is to make an application to Council for consent under Section 191 of the *Water Supply (Safety and Reliability) Act 2008* for building over or adjacent to services.

4. Defence Registration

The developer is advised that a structure of this height is required to be registered on the RAAF Aeronautical Information Service database in accordance with the Civil Aviation Safety Authority. For further information please contact the Aeronautical Data Office at ais.data@defence.gov.au or (03) 9282-6400.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 7 on the Council Minutes (page 5862) where Council resolved that the Committee Recommendation be adopted.

9 Best Practice Planning Tour (New Planning Scheme), Brisbane

GENERAL BUSINESS ITEM

Raised by	Councillor A Parsons
Committee	Planning and Development
Date	10 October 2012

The Chair advised that the City Planning Unit (Planning and Development Division) was organising a Best Practice Study Tour (New Planning Scheme) in Brisbane and an invitation to attend was being extended to all councillors. It was requested that RSVP's be made via email to the Director Planning and Development.

The committee requested that an itinerary be emailed to the councillors. It was suggested that the Field Trip be held on 25 October 2012, to coincide with the conclusion of the LGAQ Conference in Brisbane thus enabling all councillors to attend as well as reducing travel costs for the four councillors attending the conference. The Director Planning and Development advised this would be taken under consideration in the planning of the field trip.

Committee Recommendation

That council

1. approve travel for all councillors to attend the Best Practice Study Tour (New Planning Scheme) in Brisbane; and
2. in accordance with section 162(1)(e) of the Local Government Act 2009 grant leave of absence to all councillors to attend the Best Practice Study Tour (New Planning Scheme) in Brisbane.

Council Decision

Refer to resolution preceding item 7 on the Council Minutes (page 5862) where Council resolved that the Committee Recommendation be adopted.

10 Royalties for Regions - Funding Applications

GENERAL BUSINESS ITEM

Raised by	Councillor A Parsons
Committee	Planning and Development
Date	10 October 2012

The Royalties for Regions grants fall into three categories: Communities, Roads and Flood Mitigation. Two applications have been developed by Townsville City Council which must be formalised by Council. These applications, falling under the categories of Community and Roads, are:

Flinders Street East Waterfront Plaza

The Flinders Street East Waterfront Plaza will create a new community hub on the banks of Ross Creek. It is a key initiative in integrating the future development of the Townsville Port and its facilities with the revitalisation of Townsville's CBD. By strengthening lifestyle amenity, the project also helps sustain Townsville's role as the major services base for the region's resources sector and its workers. The proposed waterfront plaza will revitalise the streetscape as a primary pedestrian and cultural destination, featuring spaces for outdoor dining, functions and weddings. It will help create a renewed physical and visual connection between Townsville's CBD, the Strand beachfront and the new cruise ship terminal at the Port of Townsville.

The Flinders Street East Waterfront Square Project is identified as a priority city-building project within the Townsville CBD Master Plan. Townsville City Council is currently reviewing its Ten Year Capital Works Infrastructure Program. The Flinders Street East Waterfront Square Project is identified for inclusion within the Capital Works Program and this inclusion will be confirmed if the application to the Resource Community Building Fund is successful. Construction work will commence in August 2013.

Dalrymple Road Bridge Project (Bohle River)

The Dalrymple Road Bridge Project will construct a new two-lane bridge across the Bohle River, replacing a low-lying causeway that is highly susceptible to prolonged flooding during the wet season. This section of Dalrymple Road provides access for key industrial estates and processing facilities servicing North Queensland's mining sector. It also provides access for new residential areas that are catering for strong population growth driven significantly by the migration of resource sector workers to the region. The project will ensure reliable access between these key areas and Townsville's Port, CBD and major employment nodes.

Project work consists of construction of a bridge and/or culvert structures over the Bohle River, including the adjacent overflow channel on the western side of the Bohle River. Specifically, the project will provide:

- two lanes (a 3.5 metre lane in each direction), totalling approximately 450 metres;
- shared pathway for bicycles and pedestrians;
- significant earth works, including rock fill, select fill, asphalt, seals and pedestrian pavement works; and
- channelling works, including table drains and culverts to divert and drain water during flooding.

The Dalrymple Road Bridge is a priority infrastructure project identified within Townsville City Council's Ten Year Capital Works Infrastructure Program (CWIP). Under the CWIP, work on the Dalrymple Road Bridge is funded to begin in 2014-15. Should the project's application for funding be successful, Townsville City Council will bring forward work and commence project construction in the first quarter of 2013-14.

Committee Recommendation

That council approve the Royalties for Regions funding applications for the Flinders Street East Waterfront Plaza and the Dalrymple Road Bridge Project (Bohle River).

Council Decision

Refer to resolution preceding item 7 on the Council Minutes (page 5862) where Council resolved that the Committee Recommendation be adopted.

Community and Cultural Committee

It was MOVED by Councillor S Blom, SECONDED by Councillor T Roberts:

"that the committee recommendations to items 11 to 19 be adopted."

CARRIED

11 Headspace

PRESENTATION

Authorised by	Director Community and Environment
Department	Community Services
Committee	Community and Cultural Committee
Date	11 October 2012

Executive Summary

Headspace is a national initiative to proactively address youth mental health issues. A facility has been approved to be developed at the Riverway site for the purpose of accommodating the Townsville site for the delivery of services under this initiative. The Mental Health Director of Medicare Local Townsville - Mackay (Aileen Colley) and Communications Manager (Brett Judge) provided a briefing to Councillors on the initiative, and status of the development.

Officer's Recommendation

That council note this presentation

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 2 October 2012

Executive Summary

The Community Services Department, through the Community Development Section, coordinates the Community Grants and Sponsorships Scheme. The aim of this program is to support local initiatives and pursuits of excellence that enhance community wellbeing and opportunity via the provision of financial assistance to individuals, community organisations and businesses who deliver not-for-profit activities in Townsville.

This report provides an overview and analysis of funds distributed through this program throughout the 2011/2012 financial year.

In the period 1 July 2011 to 30 June 2012, council provided a total of 323 grants totalling \$1,812,021.58 (ex GST).

Officer's Recommendation

That council receive the report.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

13 Partnerships and Sponsorships Program - Recommendations

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 3 October 2012

Executive Summary

Council has received a number of applications for financial support through the Partnerships and Sponsorships Program. This program is part of the Community Grants and Sponsorships Scheme which sits under the Community Development Section of the Community Services Department. The following recommendations are made in accordance with the Financial Assistance Policy adopted by council in April 2010.

The Partnerships and Sponsorships Program aims to assist Townsville organisations to provide community services, cultural development and sport and recreation development activities in Townsville by contributing funds for capital costs, events, programs and operational expenses.

The following report outlines recommendations from the Financial Assistance and Events Group meeting held 2 October 2012. There were two grant applications submitted through this program during September 2012 and it is recommended council fund both applications.

The report also recommends the gifting some of the decommissioned lane ropes from Long Tan Pool to the Kirwan Aquatic Centre. The total value of this assistance is \$700 (ex GST).

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance and Events Group (FAEG) through the Partnerships and Sponsorships Program as detailed in the following table.

Organisation	Activity/Project	Recommendation (Ex GST)
Volunteering North Queensland Inc.	Operational Support and waived hire fees for the delivery of the Community Skilling Program for the next 3 years 2012/13, 2013/14, 2014/15	2012/2013 - \$14,000 2013/2014 - \$14,000 2014/2015 - \$14,000 plus waiving of venue hire for TI Stadium to value of \$690 per year
Gardens Swimming Club	To cover the cost of pool hire (Long Tan Pool) for the annual Long Course Meet to be held 10 to 11 November 2012	2012/2013 - \$1,200
Kirwan State School Aquatics Centre	Gifting of decommissioned lane ropes previously used at Long Tan Pool (seven ropes in total)	2012/2013 – total value \$700

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

14 Festivals and Events Grant Program - Recommendations

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 2 October 2012

Executive Summary

Council has received a number of applications for financial support through the Festivals and Events Grant Program. This program is part of the Community Grants and Sponsorships Scheme which sits under the Community Development Section of the Community Services Department.

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

The objectives of the Festivals & Events Grant Program are to:

- Encourage opportunities for participation in community life by the diverse range of groups which comprise Townsville's community.
- Support the development and sustainability of local events and festivals.
- Encourage accessibility and community participation from all sectors of the community.
- Positively contribute to the quality of life for the Townsville community.
- To provide a contribution to the economic growth of Townsville (corporate & feature events only).

Applications submitted through this program will be considered under the following five categories:

- Corporate Events – Funding between \$1,000 and \$250,000
- Feature Events – Funding between \$1,000 and \$100,000
- Developing Events – Funding between \$1,000 and \$15,000
- Community Events – Funding between \$1,000 and \$15,000
- One –Off Events – Funding between \$1,000 and \$25,000

The following report outlines recommendations from the Financial Assistance & Events Group meeting held 2 October 2012. There were two applications submitted through this program during September 2012 and it is recommended that council fund one application.

Officer's Recommendation

That council approve the amounts recommended by the Financial Assistance & Events Group (FAEG) through the Festivals & Events Grant Program as detailed in the following table:

Organisation	Activity/Project	Recommendation (Ex GST)
Event Category: Feature Event		
APBA Offshore Council Inc.	Sponsorship of the 2013 APBA Offshore Powerboats event to be held in July 2013, plus the waiving of associated park hire fees for Strand Park.	2012/2013 - \$10,000 Plus waiving of park hire fees to the value of \$200

The following applications are **not recommended** by the Financial Assistance & Events Group (FAEG).

Organisation	Activity/Project	Rationale Declining
<p>Twin Cities Rock 'n' Roll Dance Club</p>	<p>Waiver of venue fees associated with the Rock 'n' Rodz Nostalgia Festival held at Townsville RSL Stadium on 15 September 2012 Request: \$5,952 worth of waived hire fees</p>	<p><i>This application was unsuccessful through the Community Organisations Grants Program in March 2012 and was resubmitted in September 2012 to be considered for a waiving of hire fees. The budget provided with the application was difficult to articulate and demonstrated a profit of \$17,000 would be made from the event, therefore demonstrating council support was not a priority and the event income from ticket sales could cover the cost of the venue.</i></p>

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

15 Lease Dean Park by the Totally and Permanently Disabled Ex Servicepersons Association (Townsville Branch) Inc

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 2 October 2012

Executive Summary

The Totally and Permanently Disabled Ex Servicepersons Association (Townsville Branch) Inc seek to enter into a new lease of the building previously known as the Sunbus depot shed at Dean Park. The building is a council asset situated on crown land located on Lot 718 on Survey Plan 111999 and Lot 734 on Crown Plan EP1695. The TPI intend to utilise the building as their office and a facility to operate the multiple programs they offer community members of Townsville.

The Totally and Permanently Disabled Ex Servicepersons Association (Townsville Branch) Inc currently occupy a premise at Percy Street, Garbutt which they rent through the Department of Communities. The Totally and Permanently Disabled Ex Servicepersons Association (Townsville Branch) Inc have been advised that their lease will not be renewed in August 2013 and must relocate to another premise.

Officer's Recommendation

That council approve entering into a lease with The Totally and Permanently Disabled Ex Servicepersons Association (Townsville Branch) Inc over the building at Dean Park identified on Lot 718 on Survey Plan 111999 and Lot 734 on Crown Plan EP1695 for a period of up to 10 years, for the rental amount of \$1 per year if requested by council.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

16 Lease renewal Dean Park by Townsville Brass Band

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 2 October 2012

Executive Summary

The Townsville Brass Band has occupied the former bandshell premises at Dean Park for quite a number of years and seek to renew their currently expired lease of this building at Dean Park. The building is a council asset situated on council land located on Lot 49 on Crown Plan T118106 and Lot 50 on Crown Plan T118106.

Officer's Recommendation

That council approve the entering into a lease with the Townsville Brass Band over the building at Dean Park identified on Lot 49 on Crown Plan T118106 and Lot 50 on Crown Plan T118106 for a period of up to 10 years, for the rental amount of \$1 per year if requested by council.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

17 Gallery Services Annual Report 2011-12

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 2 October 2012

Executive Summary

The annual report summarising the exhibitions, activities, acquisitions, and achievements in the area of the visual arts by the Gallery Services section of the Community Services Department on behalf of Townsville City Council in 2011-12 is presented.

Officer's Recommendation

That council accept the Gallery Services Annual Report for 2011-12

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

18 Wulguru Scout Group Lease

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 27 September 2012

Executive Summary

The Wulguru Scout Group, on behalf of The Scout Association of Australia, Queensland Branch Inc., has occupied the building they are currently located in under lease since 1988. The lease is overdue for renewal and they are seeking approval to continue the leasing arrangement.

Officer's Recommendation

That council approve renewing the lease with The Scout Association of Australia, Queensland Branch Inc on behalf of the Wulguru Scout Group for the building on Lot 231 on Crown Plan EP2216 – marked Lease A for a period of 10 years, at the peppercorn fee of \$1.00 per year if and when requested, commencing 1 January 2013.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

19 Invitation to attend Aged-Friendly Community Forum

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community and Environment Services Divisional Support

Date 4 October 2012

Executive Summary

Correspondence has been received from COTA Queensland advising that COTA has a commitment to work with local governments, where possible, to better meet the needs of their older residents by helping to create physical and social urban environments that promote healthy and active ageing and a good quality of life. COTA are jointly hosting an Age-Friendly Forum with Mackay Regional Council on 23 October 2012.

The invitation to attend the forum has been extended to the Mayor, Councillor J Hill or a representative from council.

Officer's Recommendation

1. That council approve the attendance of the Mayor, Councillor J Hill or a representative from council to attend the COTA Age-Friendly Forum in Mackay on 23 October 2012.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Councillor J Hill or a representative from council to allow attendance at the COTA Age-Friendly Forum.

Committee Recommendation

1. That council approve the attendance of a representative from council to attend the COTA Age-Friendly Forum in Mackay on 23 October 2012.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to a representative from council to allow attendance at the COTA Age-Friendly Forum.
3. That apologies on behalf of the Mayor be forwarded to COTA Age-Friendly Forum.

Council Decision

Refer to resolution preceding item 11 on the Council Minutes (page 5869) where Council resolved that the Committee Recommendation be adopted.

Smart City Sustainable Future Committee

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

"that the committee recommendations to items 20 to 23 be adopted."

CARRIED

Councillor Lane commended the Great Northern Clean Up and its importance to the Townsville region.

20 Great Northern Clean Up 2012

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Integrated Sustainability Services
Date 04 October 2012

Executive Summary

The Great Northern Clean Up is an opportunity for communities across the top end of Australia (north of the Tropic of Capricorn) to get together and take part in Clean Up Australia Day at a time more suited to the northern climate. It is also a more effective time for undertaking these activities in the north, as litter and waste is removed from our waterways before the first flush of the wet season.

The 2012 Great Northern Clean Up was held from 14 to 16 September. A total of 16 sites were registered within the Townsville City Council region comprising of 10 community sites, one business, four youth groups and one school. It is estimated that 18 tonnes of rubbish were removed from the environment of Townsville.

Overall, the participation in this year's Great Northern Clean was lower when compared to last year. Integrated Sustainability Services will review the outcomes of the 2013 event, with the possibility of refocusing on Clean up Australia Day in March after 2013. This event has greater recognition in the community and therefore potential for greater participation.

Officer's Recommendation

That council continues to support the Great Northern Clean Up event in 2013, with a review to be undertaken post event.

Committee Recommendation

1. That the Officer's Recommendation be adopted.
2. That council contact Clean Up Australia Ltd to request that when advertising Clean Up Australia Day nationally that they mention dates for the Great Northern Clean Up which is scheduled for September, a time more suited to the northern climate and avoiding the wet season.

Council Decision

Refer to resolution preceding item 20 on the Council Minutes (page 5879) where Council resolved that the Committee Recommendation be adopted.

21 Everyone's Environment Submission - Castle Hill to Town Common

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Integrated Sustainability Services

Date 3 October 2012

Executive Summary

Under the *Creek to Coral* program, Townsville City Council's Integrated Sustainability Services has partnered with Mundy Creek Catchment Care, Conservation Volunteers Australia and active community members to submit a funding application to the *Department of Environment and Heritage Protection* under the *Everyone's Environment* grants program.

The submission proposes active catchment management in three prioritised locations:

1. Mundy Creek Catchment
2. Kissing Point to Pallarenda Foreshore
3. The Townsville Town Common

If successful, the project will benefit the community through their involvement in the project (social and health benefits) as well as restoring native vegetation and removing exotic species. In addition, the project will also help to set up the management arrangements to allow for ongoing community involvement in coastal area habitat management.

Funding Sought - \$62,000

In-kind contribution total (TCC and Conservation Volunteers Australia) - \$105,000

Total Community Value - \$167,000

Officer's Recommendation

That council endorse the submission of the funding application under the *Everyone's Environment* grants program.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 on the Council Minutes (page 5879) where Council resolved that the Committee Recommendation be adopted.

22 Cungulla Shoreline Erosion Management Plan development

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Integrated Sustainability Services

Date Wednesday, 3 October 2012

Executive Summary

Various beaches throughout the whole of Queensland experience recurring or persistent shoreline erosion problems as a result of the dynamic nature of the coastal environment. This includes the approximately 2km long Cungulla foreshore that has been experiencing variable rates of erosion in recent decades, threatening private and public assets.

A Shoreline Erosion Management Plan (SEMP) is a non-statutory planning document that sets out an agreed framework and management strategy for responding to Local Government's current and potential future beach erosion problems. A SEMP is the Department of Environment and Heritage Protection's preferred method for councils to address shoreline erosion issues at the local level.

The SEMP will enable the Townsville City Council to proactively plan for erosion management in a way that is consistent with all relevant legislation (Commonwealth, State and Local) as well as all relevant coastal and environmental policies. The role of the Steering Committee is to act as an overseeing body for the project and to incorporate government, industry and public requirements and views.

Officer's Recommendation

That council endorse Integrated Sustainability Services' participation as its' representative on the steering committee for the development of the Cungulla Shoreline Erosion Management Plan.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 on the Council Minutes (page 5879) where Council resolved that the Committee Recommendation be adopted.

23 Banksia Awards - Melbourne - 26 October 2012

GENERAL BUSINESS ITEM

Raised by	Councillor V Veitch
Committee	Smart City Sustainable Future Committee
Date	11 October 2012

Councillor V Veitch advised that council has been announced as a finalist in the Banksia Awards. An invitation to attend was extended to the Councillors.

Councillor L Walker expressed interest in attending.

Committee Recommendation

1. That council approve the attendance of two Integrated Sustainability staff and Councillor Walker to attend the Banksia Awards Ceremony to be held on Friday 26 October in Melbourne.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor L Walker to attend the Banksia Awards Ceremony on Friday 26 October in Melbourne.

Council Decision

Refer to resolution preceding item 20 on the Council Minutes (page 5879) where Council resolved that the Committee Recommendation be adopted.

Sports Recreation and Parks Committee

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

- "1. that the committee recommendations to items 24, 25 and 27 be adopted; and
2. that the order of business be changed and item 26 be considered separately, after item 27".

CARRIED

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

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

CARRIED

Councillor Walker requested that his dissent to this decision be noted in the minutes.

24 Presentation by Andrew Bligh of North Queensland Sports Foundation - Activities of the organisation

PRESENTATION

Authorised by Director Community and Environment
Department Community Services
Committee Sport, Recreation, and Parks Committee
Date 11 October 2012

Executive Summary

Andrew Bligh of the North Queensland Sports Foundation provided a presentation on the activities of this organisation.

Officer's Recommendation

That council note the presentation by Andrew Bligh of the North Queensland Sports Foundation on the activities of this organisation.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 24 on the Council Minutes (page 5883) where Council resolved that the Committee Recommendation be adopted.

Councillor A Parsons advised that the 2014 North Queensland Sports Foundation Games would be held in Townsville.

25 Restriction of concerts at Tony Ireland Stadium

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community & Environmental Services

Date 27 September 2012

Executive Summary

In September 2012, in response to the Hilltop Hoods concert event on 1 September 2012, a petition was received requesting that council restrict the time when amplified music is allowed at Tony Ireland Stadium to be prior to 9pm.

In response to the petition an investigation into the arrangements implemented to control the noise at the stadium at concerts, and in particular at this event, was performed. In addition, research was performing into what other similar venues do in relation to concert events.

The conclusions of the investigation are that due to the primary use of the stadium for sport there are very few times each year when concerts are able to be staged and that when they are the arrangements involved to ensure compliance with *Environmental Protection Act (EPA)* noise regulations, and thus to minimise impact on the local residents, are appropriate.

Officer's Recommendation

That council continue to allow the use of Tony Ireland Stadium for the purpose of the staging of entertainment events, in a manner that is in accordance with *Environmental Protection Act (EPA)* noise regulations, up to four times per year.

Committee Recommendation

That council continue to allow the use of Tony Ireland Stadium for the purpose of the staging of entertainment events up to four times per year, in a manner that is in accordance with *Environmental Protection Act (EPA)* noise regulations and subject to no obscene language being used.

Council Decision

Refer to resolution preceding item 24 on the Council Minutes (page 5883) where Council resolved that the Committee Recommendation be adopted.

26 Commercial Permit for Kite Boarding at Pallarenda

Refer to resolution preceding item 24 of the Council Minutes (page 5883) where Council resolved that the order of business be changed and item 26 be considered separately, after item 27.

Refer page 5886 of the Council Minutes for item 26 - Commercial Permit for Kite Boarding at Pallarenda.

27 Council representation on North Queensland Sports Foundation

GENERAL BUSINESS ITEM

Raised by	Councillor R Gartrell
Committee	Sports Recreation and Parks Committee
Date	11 October 2012

Councillor R Gartrell proposed that he resign from the position of council's representative on the North Queensland Sports Foundation and that Councillor P Ernst be appointed as council's representative on this organisation as he is Chair of the Sports Recreation and Parks Committee.

Committee Recommendation

That the committee accept the resignation of Councillor R Gartrell from the position of council's representative on the North Queensland Sports Foundation and that the Chair, Councillor P Ernst be appointed as council's representative on the North Queensland Sports Foundation.

Council Decision

Refer to resolution preceding item 24 on the Council Minutes (page 5883) where Council resolved that the Committee Recommendation be adopted.

26 Commercial Permit for Kite Boarding at Pallarenda

Refer to resolution preceding item 24 of the Council Minutes (page 5883) where Council resolved that the order of business be changed and item 26 be considered after item 27.

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services Department
Date 26 September 2012

Executive Summary

In April 2012 in response to kite-boarding activities making use of the beach at Pallarenda, Council received a petition from the community requesting that activities of the permitted kite boarding commercial operator be limited to the area of beach south of Three Mile Creek.

In response to the petition, the impact of kite-boarding on the general public by the permitted commercial operator in the Pallarenda area was investigated and the appropriateness and feasibility of restricting such activity to occur in a defined area of the Pallarenda beachfront was considered.

The conclusions were presented in a report in August 2012 and the recommendation presented that the activities of the permitted kite boarding commercial operator be limited to the area of beach south of Three Mile Creek at Beach Access Points 13 and 14.

In response to that report, a second petition was received requesting that Council not restrict the activities of the permitted kite boarding commercial operator.

In response to the second petition, Council deferred its decision in relation to the recommendations of the first report, until a second report could be prepared responding to the second petition.

The conclusions of research and consultation in relation to the second petition are presented in this report.

They are that kite-boarding is an activity that is appropriate for the waters adjacent to the Pallarenda area. However, in the interests of public safety, restricting the space where physical interactions between kite boarders and beach users have the potential to occur is desirable.

Officer's Recommendation

That council modify the commercial permit that has been issued to In the Loop Kite Boarding, for the use of Pallarenda Beach for the purpose of kite-boarding equipment hire and education, to allow kite board rigging, launching, and retrieval to the area immediately to the south of Three Mile Creek that is serviced by Beach Access Points 13 and 14 until such time as an overall recreation master-plan for the overall Rowes Bay to Pallarenda area can be developed.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 24 on the Council Minutes (page 5883) where Council resolved that the Committee Recommendation be adopted.

The order of business was resumed

Healthy and Safe City Committee

It was MOVED by Councillor T Roberts, SECONDED by Councillor S Blom:

"that the committee recommendation to item 28 be adopted."

CARRIED

28 Infrastructure Services - Townsville Local Disaster Management Group - Minutes of Members' Meeting 31 August 2012

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Emergency Management
Date 27 September 2012

Executive Summary

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

Attached to the report are the minutes of the meeting held on 31 August 2012.

Officer's Recommendation

That council endorse the minutes of the Townsville Local Disaster Management Group Members' Meeting held on 31 August 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 on the Council Minutes (page 5887) where Council resolved that the Committee Recommendation be adopted.

Governance and Finance Committee

*It was **MOVED** by Councillor J Lane, **SECONDED** by Councillor S Blom:*

"that the committee recommendations to items 29 to 34 be adopted."

CARRIED

29 TRADE MARK - SAINT

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Legal Services
Date 05 October 2012

Executive Summary

Council is aware of recent attempts by an individual to secure registration of the Castle Hill "Saint" as a trademark.

Registration of that trade mark would empower the individual to restrict the use of the Castle Hill "Saint" image, which would directly affect many Townsville sporting and community groups. The council is presently opposing the trade mark registration application.

To ensure that the community uses of the Castle Hill "Saint" image are protected into the future, it is recommended the Council itself seeks to register the Castle Hill "Saint" as a trade mark in respect of four categories of use.

If the Council successfully registers the trade mark, the council will then be able to license community and charitable users of the "Saint" image to use it without payment of a fee or royalty.

Cullens Patent Attorneys has advised that if the trade mark applications proceed in the usual way and without complications, the cost to the council of making the registration application and then registering the trade mark in four categories will be \$10,836.00.

Council is asked to resolve to apply for registration of the "Saint" trade mark, and to register that trade mark for an initial 10-year period.

Officer's Recommendation

That council resolve:

1. That council resolve to engage Cullens Patent Attorneys to apply for registration of, and if possible register, the Castle Hill "Saint" image as a trade mark in four classes.
2. That council resolve that upon registration of the Castle Hill "Saint" image as a trade mark, the council will not charge a license fee for the use of that trade mark for community and charitable purposes in or associated with Townsville.

3. That council resolve that upon registration of the Castle Hill "Saint" image as a trade mark the Council:
 - a) will not charge a license fee for the limited use of that trade mark by commercial operators where those operators can demonstrate that they have made use of image in their business activities prior to 1 October 2012; and
 - b) will impose a licensing fee upon any other commercial use of the Castle Hill "Saint" image.
4. That council resolve the funding of the registration costs will come from within the existing budget.

Committee Recommendation

1. That council resolve to engage Cullens Patent Attorneys to apply for registration of, and if possible register, the Castle Hill "Saint" image as a trade mark.
2. That the Officer's Recommendations numbers 2, 3 and 4 be adopted.

Council Decision

Refer to resolution preceding item 29 on the Council Minutes (page 5888) where Council resolved that the Committee Recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 4 October 2012

Executive Summary

On behalf of the Chief Executive Officer, the Executive Manager Finance will present and discuss the Budget Variance Report for the whole of council for September 2012, pursuant to section 152 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.

The audit of the 2011/12 financial report is still in progress. It is possible that changes may result from the audit process and that certain types of changes may affect the 2012/13 result. Should any such changes be made they will be identified clearly in the relevant Budget Variance Report. At the time of writing this report no material changes had been identified by the Queensland Audit Office.

The Executive Manager will circulate separately to the Agenda the Budget Variance Report for the whole of council for September 2012.

Officer's Recommendation

That council note the financial report for September 2012 and budget variance explanations, pursuant to section 152 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 29 on the Council Minutes (page 5888) where Council resolved that the Committee Recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Corporate Governance

Date 24 September 2012

Executive Summary

Please find the Governance Reports and Minutes of the Audit Committee meeting held on 11 September 2012 attached to the agenda item.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council receive the Governance Reports and Minutes of the Audit Committee meeting held on 11 September 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 29 on the Council Minutes (page 5888) where Council resolved that the Committee Recommendation be adopted.

32 Request For Concession Of General Rate

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Financial Services

Date 05 October 2012

Executive Summary

A request has been received for a concession for the general rate for property number 3260. In accordance with Part 10, Section 53 of the Local Government (Finance, Plans and Reporting) Regulation 2010, council may grant a concession for rates or charges under certain eligibility criteria.

The registered owner of the land complies with the regulation and the criteria for granting a concession, specifically in relation to land owned by an entity whose objects do not include making a profit and it is recommended a concession be granted.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That a concession be granted for the general rate for the property number 3260 and that the concession include general rates dating back to the 1st of July 2012.
3. That the concession will continue to be granted until such time that the land use changes or a change of ownership of the property is recorded.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 29 on the Council Minutes (page 5888) where Council resolved that the Committee Recommendation be adopted.

33 Notice of Intent to Acquire Property for Unpaid Rates

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance Department

Date 05 October 2012

Executive Summary

The property listed has overdue rates which have remained outstanding for a period greater than three years which is in excess of the period specified in the regulation.

An investigation into the land has identified that due to the nature of the lot being deemed unable to be sold, an amendment was made to the subdivisional plan for the lot in question to be created for the purpose of a road reserve which was to be transferred to Council. The transfer of the land to council was not completed during the subdivisional process which has resulted in rates continuing to be levied against the land.

As the arrears are now greater than three years, the property can now be acquired by council under Part 12 section 81 of *Local Government (Finance Plans and Reporting) Regulation 2010* and the arrears of rates and charges can be subsequently written off.

Officer's Recommendation

That council commence the notice of intent to acquire proceedings pursuant to part 12 section 81 of *Local Government (Finance Plans and Reporting) Regulation 2010* for property number 517709.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 29 on the Council Minutes (page 5888) where Council resolved that the Committee Recommendation be adopted.

34 Preferred Supplier Arrangement PSA6659

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Communications and Customer Relations

Date 04 October 2012

Executive Summary

Council invited submissions for suitably qualified suppliers to enter into a preferred supplier arrangement for the collection, delivery and banking of cash.

This service includes:

- Delivery of cash to bank
- Movement of cash between locations
- Collect, count and bank parking meter money

Collection of cash from the following locations:

- Administration Building – Walker Street
- Administration Building – Thuringowa Drive
- Perc Tucker Gallery
- RSPCA
- Landfill Sites (5)

The arrangement will be for a period of 12 months with the option of three by twelve month extensions based on performance. The contract estimated value for the first year is \$ 119,050.00. Based on the "All Groups" CPI Index the estimated total value of the contract is \$ 484,840.00.

Officer's Recommendation

1. That council resolve the report and associated attachments be deemed confidential and be treated as such in accordance with sections 171 and 200 (9) of the Local Government Act 2009 and that the document remain confidential unless council decides otherwise by resolution;
2. That council resolve to enter into a preferred supplier arrangement with Linfox Armaguard Pty Ltd Trading as Armaguard Group for the collection, delivery and banking of cash (the service) for an initial twelve month period commencing 1st of November 2012, with the option of extending the arrangement with a further three, twelve month extensions.
3. That council resolve in accordance with section 187 of the Local Government (Finance, Plans and Reporting) Regulation 2010, authorise the Chief Executive to:
 - a. Approve the price variations each year arising out of negotiations with the preferred tenderer and the conditions of contract to a maximum price increase of the yearly CPI "All Groups" index figure; and
 - b. Approve the extension periods based on agreed acceptable performance of the service, for a maximum of three twelve month extensions.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 29 on the Council Minutes (page 5888) where Council resolved that the Committee Recommendation be adopted.

Townsville Water and Waste Committee

It was MOVED by Councillor R Gartrell, SECONDED by Councillor L Walker:

"that the committee recommendations to items 35 to 39 be adopted."

CARRIED

35 Townsville Waste Services - Attendance at WasteQ Conference

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Waste Services
Date 27 September 2012

Executive Summary

This report details the attendance of Councillor Gartrell at the WasteQ Conference held in Mackay on 3 and 4 October 2012.

Officer's Recommendation

That council endorse the action taken to register Councillor Ray Gartrell for the annual WasteQ Conference held in Mackay on 3 and 4 October 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 on the Council Minutes (page 5895) where Council resolved that the Committee Recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste

Department Strategic Planning

Date 19 September 2012

Executive Summary

A planning report has been prepared by council for the Townsville's bulk water supply system. The Integrated Water Supply Strategy (IWSS) has been developed as a high level strategy that examines the future water supply needs for Townsville over a 50 year horizon. The strategy considers infrastructure from the source supply (Ross, Paluma and Burdekin sources) to the treatment plant level (Douglas, Northern, and future Toonpan Water Treatment Plants) and accounts for operational and infrastructure solutions to meet the growing water demands for our city.

A water balance model, the Integrated Bulk Water Model (IBWM) established by Townsville City Council, was employed as a tool to plan and manage the water supply infrastructure operation over a 50 year time period to ensure the most efficient and secure options are selected for the overall ability to meet the long term water demands of the city.

The IWSS assessed many infrastructure, operational management, and source options with the key options considered by the strategy including:

- Houghton pipeline duplication, as a single upgrade of 198 ML/d to enable the full allocation to be delivered from the Burdekin, if required;
- Toonpan Treatment Plant – built in three stages up to a full capacity of 130 ML/d;
- effluent reuse schemes from Mt St John and Cleveland Bay Wastewater Purification Plants;
- demand management; and
- altering operating conditions.

Officer's Recommendation

1. That council receive the report 'Townsville City Council, Integrated Bulk Water Supply Strategy: Technical Report, dated August 2012'.
2. That council adopt the preferred infrastructure strategy as outlined within 'Townsville City Council, Integrated Bulk Water Supply Strategy: Technical Report, dated August 2012'.
3. That council adopt and implement the action plan identified as part of the Integrated Bulk Water Supply Strategy.
4. That council discuss with Department of Energy and Water Supply with regards to the securing of additional high priority allocation from the Burdekin system.
5. That council discuss with Department Environment Heritage and Protection regarding the outcomes of the strategy with respect to satisfying local licence conditions at wastewater treatment plants.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 on the Council Minutes (page 5895) where Council resolved that the Committee Recommendation be adopted.

37 Wastewater Operations - Review of Trade Waste Charges for Assessment No. 2140075

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Water and Waste
Date 25 September 2012

Executive Summary

A low risk trade waste customer of Assessment No. 2140075 has applied to council to have their trade waste charges reviewed based on more appropriate determination of trade waste volume.

In the current rates notice, the customer had their trade waste volume calculated using the standard formula, as defined in the Liquid Trade Waste Management Policy. Townsville Water and Waste have determined that this formula was not suitable for the customer and that a better determination of volume can be made based on metered data from similar activities.

Data has been obtained for some Townsville and Mackay schools which have installed consumption meters at the tuckshop. The data from these schools is considered to be representative of the trade waste discharge which could be expected to occur from the school in question.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council amend and reissue the rates notice for the trade waste customer of Assessment No. 2140075 with the trade waste volume levy revised from \$5263.72 to \$40.20 to more adequately reflect the trade waste volume discharged. The access fee of \$40.50 remains unchanged.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 on the Council Minutes (page 5895) where Council resolved that the Committee Recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Water and Waste
Date 25 September 2012

Executive Summary

A low risk trade waste customer of Assessment No. 2232013 has applied to council to have their trade waste charges reviewed based on more appropriate determination of trade waste volume.

In the current rates notice, the customer had their trade waste volume calculated using the standard formula, as defined in the Liquid Trade Waste Management Policy. Townsville Water and Waste have determined that this formula was not suitable for the customer and that a better determination of volume can be made based on the installed fixtures and the trade waste activities conducted on-site.

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council amend and reissue the rates notice for the trade waste customer of Assessment No. 2232013 with the trade waste volume levy revised from \$10,232 to \$16.75 to more adequately reflect the trade waste volume discharged. The access fee of \$40.50 remains unchanged.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 on the Council Minutes (page 5895) where Council resolved that the Committee Recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste

Department Commercial Performance

Date 1 October 2012

Executive Summary

Townsville Water and Waste's monthly report card containing year to date operating results for 2012/2013 is submitted for the month of September 2012

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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the report card from Townsville Water and Waste for the month of September 2012.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 35 on the Council Minutes (page 5895) where Council resolved that the Committee Recommendation be adopted.

Officers Reports

Corporate Services

40 Australian Local Government Women's Association National Conference 8 - 10 November 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Corporate Services

Date 16 October 2012

Executive Summary

ALGWA National Conference will be held on 8 - 10 November 2012 at Ipswich. The national conference, held every two years, attracts delegates from all over Australia in the fields of Local Government (elected officials and employees), Women's Industry Groups, Business and Community Leaders.

Officer's Recommendation

1. That council approve the attendance of Councillor representative/s to attend the ALGWA National Conference at Ipswich on 8-10 November 2012.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Councillor/s to allow attendance at the ALGWA National Conference.

Council Decision

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

- "1. *that the Officers Recommendation be adopted; and*
2. *that interested councillors register for the ALGWA National Conference before the close of 'early bird registrations'.*"

CARRIED

Motions of which previous notice has been given

There were no motions.

General Business

(i) 2012 National Local Roads and Transport Congress

GENERAL BUSINESS ITEM	
Raised by	Councillor V Veitch
Committee	Ordinary Council
Date	23 October 2012

Councillor V Veitch tabled an invitation to the 2012 National Local Roads and Transport Congress, being held in Hobart from 14 to 16 November 2012.

Council Decision

It was MOVED by Councillor J Lane, SECONDED by Councillor L Walker:

- "1. that the 2012 National Local Roads and Transport Congress be attended by either the Mayor, Councillor J Hill or, the Chair of the Infrastructure Committee, Councillor T Roberts;*
- 2. that council approve the attendance of either the Mayor, Councillor J Hill or Councillor T Roberts to attend the 2012 National Local Roads and Transport Congress at Hobart on 14 to 16 November 2012; and*
- 3. that in accordance with section 162(1)(e) of the Local Government Act 2009 leave of absence be granted to either the Mayor, Councillor J Hill or Councillor T Roberts to allow attendance at the 2012 National Local Roads and Transport Congress."*

CARRIED

Close of Meeting

The Chair, Acting Mayor V Veitch declared the meeting closed at 9.20 am.

CONFIRMED this

day of

2012

MAYOR

TOWNSVILLE CITY COUNCIL
ORDINARY COUNCIL
TUESDAY 23 OCTOBER 2012

CHIEF EXECUTIVE OFFICER