



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 12 DECEMBER 2017 AT 1.00PM

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 Objectives that identify strategic intent of Townsville City Council >>

Corporate Plan >>

Goal 1 - A Prosperous City

Deliver a strong and innovative economy for Townsville with sustainable growth and support for local jobs and businesses.

Objectives that identify our strategic intent:

- 1.1 Support local businesses, major industries, local innovation and employment growth.
- 1.2 Promote our economic and geographic strengths and market Townsville as a vibrant destination for commerce, education, research, tourism, entertainment and lifestyle.
- 1.3 Plan, support, provide and advocate for infrastructure and investment that supports innovation, residential and economic growth.
- 1.4 Maximize opportunities for economic growth by building and maintaining effective partnerships.

Goal 2 - A City for People

Enhance people's experience of Townsville as a liveable and vibrant city by providing services that support the growth of an inclusive, knowledgeable, active, safe and healthy community.

Objectives that identify our strategic intent:

- 2.1 Provide services and local infrastructure that meet community expectations, support growth and provide for the needs of our community.
- 2.2 Improve the liveability of Townsville and encourage active and healthy lifestyles by providing accessible public facilities and community infrastructure.
- 2.3 Improve the vibrancy of Townsville by supporting the community's access to, and participation in, a range of artistic, cultural and entertainment activities.
- 2.4 Enhance community knowledge of and access to council services to improve community wellbeing, health and safety.

Goal 3 - A Clean and Green City

Create a sustainable future for Townsville through the protection, maintenance and enhancement of our unique, natural and built environment.

Objectives that identify our strategic intent:

- 3.1 Plan, design and deliver sustainable development and support this by actively managing the natural environment and increasing green infrastructure, at both a city, suburb and place level.
- 3.2 Develop and implement long term solutions for the management of water and waste that are socially, financially and environmentally sound.

Goal 4 - A Simpler, Faster, Better Council

Transform the Townsville City Council into a simpler, faster and better council that is easy to work with, and for, and gains community trust by being transparent and managing its resources.

Objectives that identify our strategic intent:

- 4.1 Provide customer-focused services that meet the expectations of our community in a dynamic and adaptive manner.
- 4.2 Ensure that council's plans, services, decisions and priorities reflect the needs and expectations of the community.
- 4.3 Be a valued and committed employer who provides a productive, inclusive and respectful environment for staff and the community.
- 4.4 Improve financial sustainability and provide value and accountability to the community for the expenditure of public funds.
- 4.5 Ensure that public funds are expended efficiently and that council expenditure represents value for money whilst supporting the local economy.

ACKNOWLEDGEMENT OF COUNTRY

The Townsville City Council would like to acknowledge the Bindal and Gurambilbarra 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.

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REPORT	COUNCIL MEETING
DATE	Tuesday 12 December 2017 at 1.00pm
ITEMS	1 TO 23
PRESENT	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 Councillor L Walker

Opening of Meeting and Announcement of Visitors

The Chair, the Mayor, Councillor J Hill opened the meeting at 1.00pm.

Acknowledgement to Country

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

Apologies and Leave of Absence

There were no apologies or leave of absence noted.

Prayer

Father Dave Lancini of the Catholic Church delivered the opening prayer.

The Mayor, Councillor J Hill thanked Father Lancini for his 45 years of service to the community. On behalf of Council and the Townsville community, Councillor Hill wished Father Lancini a very Merry Christmas.

Confirmation of Minutes of Previous Meeting

Councillor M Molachino explained that at the previous Full Council meeting of 28 November 2017 he, in error, seconded items from the Community Health and Environment Committee (meeting of 15 November 2017). As Councillor Molachino is not a member of this Committee and did not attend the meeting he requested a replacement seconder.

The Mayor, Councillor J Hill requested a seconder for these items.

It was MOVED by Councillor V Coombe, SECONDED by Councillor M Soars:

"that the minutes of the Ordinary Council meeting of 28 November 2017 be confirmed subject to the following amendment:

that the seconder for the Community Health and Environment Committee items be replaced with 'Councillor R Cook'."

CARRIED UNANIMOUSLY

Disclosure of Interests

- (i) Officers' Reports - Perceived conflict of interest - Item 21 - Councillor A Greaney - Councillor Greaney sits on the Board of the Cowboys Leagues Club.

Amendment

Councillor M Molachino referred to the list of Council members on the front pages of the Agenda (for this meeting) which indicates Councillor P Jacob as being on leave.

The Mayor, Councillor J Hill requested this be amended.

Requests for leave of absence

Councillor R Cook requested leave of absence for the periods 18 December 2017 to 8 January 2018 and 15 January to 22 January 2018 (for professional development).

Councillor C Doyle requested leave of absence for the period 18 December 2017 to 22 January 2018.

Councillor M Ryder requested leave of absence for the period 23 December 2017 to 2 January 2018.

Councillor P Jacob requested leave of absence for the period 2 January to 15 January 2018.

Councillor K Rehbein requested leave of absence for the period 15 December 2017 to 12 January 2018.

Councillor A Greaney requested leave of absence for the period 28 December 2017 to 5 January 2018.

The Mayor, Councillor J Hill requested leave of absence for the period 23 December 2017 to 14 January 2018.

Council Decision

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

"that the requests for leave of absence from Councillors R Cook, C Doyle, M Ryder, P Jacob, K Rehbein, A Greaney and the Mayor, Councillor J Hill be approved."

CARRIED UNANIMOUSLY

Correspondence

There was no correspondence.

Petitions

(i) Remote airstrip for Adani's proposed Carmichael coal mine

Overview

Councillor P Jacob tabled a petition stating that billionaire Adani doesn't need Townsville ratepayers' support - Council must say no. The petitioners request that Council give consideration to:

1. at its next meeting withdraw the decision to spend \$18.5m towards building a remote airstrip for Adani's proposed Carmichael coal mine; and
2. make all documents related to this decision available to the public, free of charge so they can be openly viewed.

Councillor Jacob advised that the petition contains approximately 220 signatures, all of which are Townsville residents.

The Mayor, Councillor J Hill thanked the people who put this petition together and advised that this is what Council really does require, the petition to be in a proper format. Councillor Hill advised the petitioner that, at this point, Council has not handed any money over to anyone and that should anything occur in that space, as the project is still up in the air, Council is not funding or paying any money to Mr Adani or his companies. We are to enter into this joint arrangement with Rockhampton City Council, we will be funding the constructor of the airstrip which will be John Wagner, and the mining company will be our prime client.

Council Decision

That the petition be tabled and seek a formal response.

Deputations

Item 8 - Linda Martinsen and Matteo Sandona

Notices of Motion

There were no notices of motion.

Presentations

There were no presentations

Mayoral Minute

(i) North Queensland Defence Advisory Board- Appointment

The Mayor, Councillor J Hill provided the following Mayoral Minute:

"I rise to make a Mayoral Minute on my appointment as a Member of the North Queensland Defence Advisory Board for 2018-2019.

As we know, the Australian Defence Force is very much embedded in our community and in Townsville's rich history.

Townsville hosts the most significant Defence community in Australia, including critical bases and Defence assets being:

1. Lavarack Barracks- the home of the 3rd Brigade, key elements of the 11th Brigade and other Army units totally over 5000 personnel
2. The RAAF Base at Garbutt which is a frontline RAAF support base of approximately 1500 personnel along with
3. Naval capacity at the Port of Townsville.

As a former Army Officer and now Mayor of this great garrison city, I am honoured to be asked as a Member of the inaugural NQ Defence Advisory Board which will work hard to establish North Queensland as the ADF's northern deep maintenance, sustainment and logistics hub.

The NQ Defence Advisory Board is established by Townsville Enterprise Limited (TEL) to leverage the significant Defence presence in Townsville, in order to grow local industry capability and identify opportunities for increased Defence activity which can help drive the local economy and be another shot in the arm for local jobs in our city.

My role on this Board further demonstrates my Team's commitment to our Defence Support Policy which we took to the last election.

I made a commitment to engage widely and work with Defence and community stakeholders to increase commercial opportunities with Defence for local businesses and highlight our capabilities to undertake Defence industries work right here in our city.

The current regime of taking Defence assets to other locations- outside of our city- for maintenance is nothing short of absurd. It is inefficient, logistically challenging and put simply a very costly exercise. As I outlined in my Team's policy document, I will be lobbying for a major new Defence logistics hub at the Stuart Industrial Area. This commitment aligns with the Federal Government's Decentralisation and Developing Northern Australia agenda and is aimed at boosting front line service delivery.

The NQ Defence Advisory Board will be chaired by Lieutenant General Professor Peter Leahy AC (Retired) and will include other community leaders such as:

- Lieutenant General John Caligari AO (Retired)
- Professor Sandra Harding – Vice Chancellor, James Cook University
- Andy Keogh- Managing Director – SAAB Australia (ex -Chief Executive Defence South Australia)
- Brendan Sargeant- Associate Secretary of the Department of Defence (Retired)

I look forward to working with other Members of the Board to develop our region's Defence sector, work on long-term business strategies and lobby for positive change to ADF procurement policies.

We want Defence Industry right here in our city – and- delivering jobs for our locals."

Council Decision

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

"that Council support the Mayor, Councillor J Hill's appointment to the North Queensland Defence Advisory Board."

CARRIED UNANIMOUSLY

Committee Items

Planning and Development Committee

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

"that the committee recommendations to items 1 to 3 be adopted."

CARRIED UNANIMOUSLY

1 MI17/0014 - Warehouse (Storage Sheds), Child Care Centre and Caretakers Residences x 2

Executive Summary

The application is for a number of uses being Childcare Centre (88 places), Warehouse (Self Storage Sheds – 512) and Caretaker's Accommodation (2) at 847 Riverway Drive, Condon. The site is zoned Low density residential and has major constraints due to the high traffic flows from the adjoining Ring Road and Riverway Drive.

The application was referred to the State Assessment Referral Agency (SARA) due to its location on a State Controlled Road. Conditions were imposed by SARA to assist with safety in terms of traffic entering and exiting the site.

The application was impact assessable and during the public notification period two properly made submissions were received. The issues raised related to the development being inconsistent with the Low density residential zone, traffic implications, site appearance, built form and non-compliance with the City Plan 2014 Strategic Framework. Where concerns have been raised on planning grounds, reasonable and relevant conditions have been applied to address these matters. Overall, it is considered that the development is suitable for the subject site and the application is recommended for approval.

Officer's Recommendation

That Council approve application MI17/0014 for a development permit for Warehouse (Storage Sheds), Child Care Centre and Caretaker's Accommodation x 2 under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 102 RP 860270, Lot 9 SP 271020, 847 Riverway Drive, Condon. The application is generally consistent with the relevant codes of the Townsville City Plan and any non-compliance can be mitigated through conditions.

SCHEDULE OF CONDITIONS

MATERIAL CHANGE OF USE

WAREHOUSE (512 STORAGE SHEDS), CHILD CARE CENTRE AND CARETAKERS RESIDENCES X 2

1. Approved Plans and Supporting Documentation

Condition

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

Plan Name	Plan No.	Revision No.	Revision Date
Site Plan Sheet 1	VK4590SK/02G	G	06/02/2017
Play Areas Childcare Carparks Car turning Path Locations of Refuse bins	VK4590SK/03C	C	13/12/2016
Childcare Centre elevations	VK4590SK/04B	B	13/12/2016
Caretakers Units Floor Plan /Elevations	VK4590SK/05B	B	13/12/2016
Site Plan Sheet 2	VK4590SK/07C	D	07/02/2017
Sketch 1			08/11/2017
Associated Reports			
Noise Impact Assessment Report (ASK, report number 7774R01V02, dated 13/01/2016 inclusive of addendum dated 28/07/2016)			
Proposed Childcare Centre and Storage Sheds - Riverway Drive, Townsville - Traffic Impact Assessment (Northern Transport Consulting, dated 11/05/2016)			
Childcare Centre and Self Storage Units - Stormwater Management Plan and Flood Study (LCJ Engineers, report number RAHA006, dated 07/2016)			

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

Reason

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

Timing

During the operation and life of the development.

2. Amended Plans

Condition

The following amendments are required:

- a) Amend the site plan to show the location of the Control Gate further inside of the site and clear of the Child Care Centre entrance.
- b) Amend the site plan to show the location of the acoustic fence in accordance with Condition 23.

Reason

- a) To ensure the development does not compromise the function and safety of the transport network; in accordance with, 9.3.5.2 Purpose (2) (a) of the Transport impact, access and parking code.

It is recommended that the gate be repositioned to the front of the Caretaker's accommodation.

Timing

Items a) and b) are to be provided with a Certificate of Compliance application prior to work commencing onsite.

3. Building Materials**Condition**

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

Reason

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

Timing

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

4. Property Numbering**Condition**

Legible property numbers must be erected at the premises and must be maintained.

The site identification numbers should be of reflective material. Maintained free from foliage and other obstructions, and be large enough to be read from the street.

Reason

To allow the general public, service and emergency service providers to effectively identify the property.

Timing

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

5. Relocation of Services or Facilities**Condition**

Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to Council.

Reason

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

Timing

Prior to the development achieving on maintenance or commencement of use.

6. Storage

Condition

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

Reason

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

Timing

At all times following the commencement of the use.

7. Dust Management

Condition

A dust management plan must be submitted for approval by council.

Reason

To ensure mitigation of potential adverse impacts of dust hazards in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.5.2.1(12) Suppression of dust of the Townsville City Plan.

Timing

To be submitted to council as part of a Certificate of Compliance application.

8. On-site Sewerage Disposal

Condition

The development must be serviced by an on-site sewerage facility.

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

Reason

Development is not located within a service area for a sewerage service under the Water Supply (Safety and Reliability) Act 2008 and must be appropriately serviced by a wastewater treatment and disposal facility that is appropriate for the level of demand generated by the development.

Timing

Following issue of a Hydraulics Permit and prior to the development achieving final completion.

9. Water Supply

Condition

The development must connect to Council's reticulated water system.

Reason

To ensure that the premises is appropriately serviced by reticulated water supply infrastructure in accordance with relevant code/s and policy direction.

Timing

Technical details to be submitted to council as part of a Certificate of Compliance application.

10. Electricity and Telecommunications

Condition

Electricity and telecommunications must be provided in accordance with Part 9.4.7 Works code of the Townsville City Plan.

Reason

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

Timing

Prior to the development achieving on maintenance or final completion. Where electricity or telecommunication services have not been provided, confirmation from the relevant regulatory authority must be submitted to council indicating that appropriate arrangements have been made for the provision of the infrastructure to allow the development to achieve on maintenance or prior to commencement of use.

11. Stormwater Drainage

Condition

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage achieves the outcomes in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan.

Reason

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.4.2 Healthy waters code of the Townsville City Plan.

Timing

To be submitted to council as part of a Certificate of Compliance application and be maintained for the life of the development.

12. Stormwater Quality Management

Condition

A stormwater quality management plan (SQMP) must be prepared by a suitably qualified person in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan.

The SQMP must be implemented in accordance with the guideline and incorporate any further reasonable requests from council. All works must be carried out in accordance with SC6.4 Development manual planning scheme policy of the Townsville City Plan.

Reason

To manage and to minimise the risk of causing environmental harm to receiving waters, damage to council infrastructure, and unnecessary financial burdens to council and the community in accordance with relevant code/s and policy direction.

Timing

To be submitted to council as part of a Certificate of Compliance application and maintained for the life of the development.

13. Roadworks and Traffic

Condition

- a) A new access driveway and crossover from the existing kerb and channel/edge of bitumen to the property boundary must be constructed generally in accordance with Part 9.4.6 Transport impact, access and parking code of the Townsville City Plan.

- b) The existing vehicle access including the crossover in the kerb and channel must be replaced in accordance with Part 9.3.5 of the Transport, impact, access and parking code of the Townsville City Plan. Kerb and channel is to be reinstated at this location.
- c) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with Council's standards.

Reason

To provide development with access in accordance with council standards.

Timing

To be submitted to council as part of a Certificate of Compliance application.

14. Car Parking

Condition

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.4.6 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) A minimum of 28 car spaces including disabled parking must be provided on site in accordance with SC6.10 Parking rates planning scheme policy of the Townsville City Plan.
- c) 13 car parking spaces at the car parking access/egress are to be identified for staff car parking only, as per SKETCH 1.

Reason

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

To minimise the likelihood of manoeuvring vehicles blocking entrances, thereby assisting traffic flow.

Timing

To be submitted to council as part of a Certificate of Compliance application and maintained for the life of the development.

15. Limitation of Vehicle Access

Condition

To maintain the safety and efficiency of the adjoining road network/integrity of Council infrastructure, vehicle access is only permitted as shown on the approved drawings, Site Plan Sheet 1, Drawing no. VK4590SK/02G and must only access Riverway Drive.

Reason

To address road safety in accordance with relevant code/s and policy direction and to ensure development does not adversely affect council infrastructure.

Timing

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

16. Landscaping

Condition

A landscaping and Irrigation Design plan is required to be submitted to and be approved by Council. The Landscape and Irrigation Design Plans must be prepared in accordance with Part 9.4.3 Landscape code and include the following:

- a) The landscape plans are to include the provision of a concrete footpath with a minimum width of 1.5m along the Riverside Drive frontage of the site.
- b) The landscape plans are to include irrigated turf to the Riverway Drive footpath and street trees. The recommended species are Parrot Tree (*Schotia brachypetala*), or Red Coondoo (*Mimusops elangi*).
- c) The landscape plans are to include trees and shrubs in the landscape areas along the side and rear boundaries of the site, to create a mixed height screen. Species included must be able to attain a height of 3m within 5 years of planting.
- d) Landscaping plans are to show shade trees incorporated into the Child Care centre carpark at a rate of 1 tree per 3 carparks.

Reason

To ensure compliance with the purpose of the Landscape code, 9.3.3.2 Purpose (1) and (2)(a) - (h) and policy direction.

Timing

To be submitted to council as part of a Certificate of Compliance application and maintained for the life of the development.

17. Hours of Operation - Warehouse (Storage Sheds)

Condition

Unless otherwise approved by Council, the Warehouse (Storage Sheds) activities associated with the use must only be conducted between 6am to 6pm Monday to Saturday inclusive. Hours of operation on Sunday and Public Holidays are to be limited to 9am - 6pm.

Reason

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

Timing

At all times following the commencement of the use.

18. Hours of Operation – Childcare Centre

Condition

Unless otherwise approved by Council, the Childcare Centre and activities associated with the use must only be conducted between 6am to 6pm Monday to Friday inclusive.

Reason

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

Timing

At all times following the commencement of the use.

19. Minimum Floor Levels

Condition

Floor levels must achieve immunity from flood hazards by ensuring;

- a) Floor levels of all non-residential buildings are above the defined flood event; and
- b) Floor levels for residential buildings are 300mm above the defined flood event.

Documentation signed by an engineer (who must be an RPEQ) must be submitted to a Building Certifier identifying the required minimum floor height of all habitable rooms to achieve storm tide/flood immunity.

Reason

To ensure developments are appropriately immune from rising flood water in accordance with relevant code/s and policy direction.

Timing

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

20. Signage

Condition

- a) Plans of any signage to be associated with the use that is deemed to be assessable development in accordance with Part 5.8 Levels of assessment - Operational work specifically Table 5.8.2 Operational work being placing an advertising device on premises of the Townsville City Plan must be submitted to council for assessment; and
- b) Signs must be designed in accordance with Part 9.4.1 Advertising Devices Code of the Townsville City Plan; and
- c) To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by Council.

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

Reason

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

Timing

Prior to the commencement of the use.

21. Soil Erosion Minimisation, Sediment Control

Condition

Erosion and sediment control management must be installed and maintained in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan.

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.8.6 MUSIC modelling requirements of the Townsville City Plan.

Reason

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

Timing

At all times during the construction phase.

22. Vegetation Disposal**Condition**

The disposal of vegetation must be carried out in accordance with Part 9.4.7 Works Code of the Townsville City Plan.

Reason

Vegetation to be disposed of in an environmentally responsible manner in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.5 Construction management and SC6.4.6.11 Clearing and grubbing of the Townsville City Plan.

Timing

Prior to, or during construction of the development.

23. Noise Management**Condition**

To ensure compliance with the recommendations outlined in the Noise Impact Assessment prepared by ASK Consulting Engineering Pty Ltd dated 13/01/2016 and the DILGP letter (ASK Consulting Engineering Pty Ltd, dated 28/07/2016) the following acoustic mitigation measures are to be incorporated into the proposal:

- a) A 2m noise barrier at the location shown within Figure 1 of the DILGP letter;
- b) Air conditioning is to be provided to all rooms within the Childcare Centre; and
- c) Upgrades to the windows and doors of the Child Care Centre to achieve 35dBA Leq (1 hour).

* Noise monitoring to confirm the noise level stated in c) must be provided to council.

Reason

To ensure that the use does not cause a noise nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby noise sources in accordance with the Queensland Environmental Protection Act 1994 Section 440.

Timing

Demonstration of all aspects within this condition are to be submitted to council as a Certificate of Compliance prior to operation of any aspect of the development.

24. Fencing**Condition**

Fencing for the development is to be provided in accordance with the details below:

- a) The location of the noise barrier is to be in accordance with Figure 1as shown in the ASK Consulting Engineering Pty Ltd letter dated July 28, 2016;
- b) The Noise barrier is to be constructed of a material other than wood and is to incorporate colouring and design features to provide an attractive addition to the streetscape; and

- c) Where fencing is proposed to adjoin a residential property, unless a noise barrier is required, the developer is to negotiate an acceptable fencing style with affected properties.

* A design incorporating all of the aspects of a - c must be submitted to Council for approval.

Reason

To minimise the visual impact on the surrounding land and to provide an appropriate level of noise amenity within the site in accordance with PO9 of the Low density residential zone code.

Timing

Plans demonstrating (a) to (c) are to be provided as part of a Certificate of Compliance application prior to work commencing onsite.

25. Public Lighting

Condition

Lighting must be provided in accordance with SC6.4 Development manual planning scheme policy, specifically SC6.4.3.20 Public lighting and utility services of the Townsville City Plan.

Reason

For public safety and enhancement of public amenity.

Timing

Details of lighting design must be submitted with an application for Operational Work.

ADVICE

1. Infrastructure Charges

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

2. Water Restrictions

- a) To manage Townsville's water resources, council regulates water restrictions on a permanent basis. All development undertaken in Townsville must be mindful of the current and projected level of water restrictions that may affect development activities such as landscaping establishment and/or soil erosion and sediment control;
- b) Developers remain responsible for compliance with any water restrictions as directed by council;
- c) During times of significant water shortage, council may refuse to grant developers exemptions from water restrictions for the purposes of landscaping works or soil erosion and sediment control activities;
- d) In circumstances where exemptions to water restrictions are no longer issued by council, bonding of soft landscaping works will be permitted to enable the release of plans of survey and / or compliance certificates. In cases where the soft landscaping is a component of permanent soil erosion and sediment control (such as an open drain) the use of "bonded fibre matrix" type hydro-mulch products or other suitable soil erosion and sediment control methods can be carried out as alternatives to demonstrate compliance with water restrictions;
- e) The responsibility for compliance with all relevant environmental protection requirements (in particular sediment and erosion control) remains with the developer; and

- f) All existing approvals should already include appropriate conditions to allow for the bonding of landscaping works. Should you find that an existing approval does not provide for this flexibility, a permissible change request to amend the conditions of approval can be lodged with Council free of charge (provided no other changes are requested).

3. Further Approvals Required

a) **Compliance Assessment**

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

Condition 2	Amended Plans - Control gate location
Condition 7	Dust management Plan
Condition 9	On-site Water Supply
Condition 11	Stormwater drainage
Condition 12	Stormwater Quality Management
Condition 13	Roadworks and Traffic
Condition 14	Carparking
Condition 16	Landscaping
Condition 23	Noise management
Condition 24	Fencing

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

b) **Plumbing and Drainage Works**

A Hydraulics Permit to carry out works associated with an On-site Sewerage Disposal unit must be obtained prior to the commencement of sanitary drainage works.

c) **Building Works**

A Development Permit for Building Works to carry out building works prior to works commencing on site.

d) **Road Works Permit**

A Roadworks permit for the construction of a driveway or access within the road reserve must be obtained.

e) **Operational works - Signage**

A Development Permit for Operational works is required for signage deemed to be code assessable in accordance with the Planning Scheme.

4. Energy Efficiency

The addition of screens to windows on the northern elevation of the Child Care Centre and relevant Caretaker's Accommodation is recommended to assist with Energy Efficiency.

5. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council with the appropriate application form for connection to Council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

6. Building Work Noise

The hours of audible noise associated with construction and building work 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.

7. Specifications and Drawings

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

8. Environmental Considerations

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

9. Dilapidation Report

(a) It is advisable that the developer undertake a dilapidation report, prior to the commencement of any works on the site to mitigate against any possible future civil action. The report is designed to document evidence of the existing condition of adjoining properties internally and externally prior to any rock breaking or construction work commencing. Hence the report should document and provide photographs that clearly depict any existing damage to neighbouring properties.

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

10. Asbestos

All asbestos being removed from the site must be transported and disposed in accordance with relevant legislation.

11. Dust

Implement dust control measures on-site during construction and also after commencement of the use so as to prevent a dust nuisance from occurring to surrounding properties.

12. Energy Efficiency – Child Care Centre

The northern elevation of the Childcare Centre shows the provision of three windows. To ensure maximum efficiency of cooling systems it is recommended that screening be provided to these windows.

REFERRAL AGENCY CONDITIONS

Concurrence Agency Conditions - Department of Infrastructure, Local Government and Planning

Pursuant to Section 285 and Section 287 of the Sustainable Planning Act 2009, the North Queensland State Assessment Referral Agency advises that it has no objection to Townsville City Council issuing a Development Permit for a Material Change of Use - Childcare Centre, Warehouse (Self Storage sheds), 2 x Caretaker's accommodation subject to the conditions, as attached.

Committee Recommendation

That the officer's recommendation be adopted subject to the following additional condition (under the heading 'Advice'):

3 Noise Mitigation

The child-care centre and caretakers dwellings are sensitive receptors to noise. The applicant is advised to incorporate design features including acoustic treatment to mitigate noise from the surrounding road network.

Council Decision

Refer to resolution preceding item 1 of the Council minutes (page 9797) where Council resolved that the Committee recommendation be adopted.

2 MI17/0017 - Health Care Facility and Caretakers Accommodation - 155 Ross River Road, Mundingburra

Executive Summary

The application involves the Material Change of Use of premises to convert an existing Dwelling house, which currently also operates a Home-based health care facility, to a Health care service use combined with a Caretaker's accommodation at 155 Ross River Road, Mundingburra.

The subject site is located within the Ross River Road corridor precinct in the Low density residential zone under the Townsville City Plan. The site is considered constrained by its location at the corner of Gulliver Street and Ross River Road where, by its proximity to this busy intersection, lends itself to a low-scale, low-impact non-residential use. Similarly, the impacts of the proposed use are unlikely to detract from the residential amenity of the surrounds any greater than that which residential properties already experience due to the noise and traffic of the surrounding road network. The use will provide some buffering of these existing impacts to the adjoining residential properties and those located to the north of the site.

The application is impact assessable in the Low density residential zone and therefore underwent public notification for 15 business days. Council received three submissions objecting to the proposed development during this time. The key grounds for objections were based on:

- perceived oversupply of existing Health and Medical Centres in area - Inability to support day to-day needs of surrounding residential community;
- use better located in the Fulham Road medical precinct;
- additional traffic congestion at intersection;
- potential unsafe traffic movements on Gulliver Street to access site; and
- compliance with required car parking rates and construction standards.

Responses to the submission content are discussed in detail under section 6 of this report. Concerns regarding traffic impacts, car park rates and construction standards can be clearly addressed through conditions. Objections based on conflict with the underlying land use zoning and purpose of the Low density residential zone, whilst valid in nature, are not considered to provide substantial grounds to refuse the application particularly when weighed on balance with the nature of the proposed use, scale of the likely impacts and the existing locational factors of the site.

The proposal has reasonable planning merit and has subsequently been assessed as consistent with the provisions of the Townsville City Plan. The development application is therefore recommended for approval subject to reasonable and relevant conditions contained within this report.

Officer's Recommendation

That Council approve the application MI17/0017 for a development permit for Health care services and Caretaker's accommodation under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 563 EP 1587, more particularly 155 Ross River Road Mundingburra , subject to the following conditions -

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE – HEALTH CARE SERVICES AND CARETAKER'S ACCOMMODATION

MATERIAL CHANGE OF USE CONDITIONS

1. Approved Plans and Supporting Documentation

Condition

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

Plan Name	Plan No.	Revision No.	Revision Date
Site Plan– as amended in red	MI4711 SK01	C	31/03/2017
Preliminary Stormwater Drainage Plan	MI4711 SK02	C	31/03/2017
Floor Plan	MI4711 SK03	C	31/03/2017
Western and Eastern Elevations	MI4711 SK04	C	31/03/2017
Southern and Northern Elevations	MI4711 SK05	C	31/03/2017

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

Reason

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

Timing

During the operation and life of the development.

2. Limitation of Medical Practitioners and Staff

Condition

A maximum of three medical practitioners and a maximum of three support staff are permitted to operate on the premises at any time.

Reason

To ensure there is an adequate supply of car parking spaces to service the demand likely to be generated by the use in accordance with Part 9.3.5 Transport impact, access and parking code.

Timing

At all times following the commencement of the use.

3. Hours of Operation

Condition

Unless otherwise approved by Council, the activities associated with the use must only be conducted between 7am to 6pm Monday to Friday and 8am to 12 noon Saturday inclusive.

The use is not to operate on Sunday or Public Holidays.

Reason

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

Timing

At all times following the commencement of the use.

4. Building Materials

Condition

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

Reason

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

Timing

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

5. Property Numbering

Condition

Legible property numbers must be erected and maintained at the premises for both the Health Care Services use and Caretaker's accommodation.

The site identification numbers should be of reflective material. Maintained free from foliage and other obstructions, and be large enough to be read from the street.

Reason

To allow the general public, service and emergency service providers to effectively identify the property.

Timing

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

6. Relocation of Services or facilities

Condition

Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to Council.

Reason

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

Timing

Prior to the development achieving on maintenance or commencement of use.

7. Storage**Condition**

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

Reason

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

Timing

At all times following the commencement of the use.

8. Sewerage Reticulation**Condition**

The development must connect to Council's reticulated sewer system in accordance with SC6.4 Development manual planning scheme policy.

Reason

To ensure that the premises are appropriately serviced by Council infrastructure where located in a service area for a sewerage service in accordance with Part 9.3.6 Works code.

Timing

Technical details to be submitted to council as part of an application for Operational Work.

Advice

Commercial developments are required to be serviced with a 150mm diameter (DN150) property connection via a manhole as per SC6.4 Development manual planning scheme policy.

9. Water Supply**Condition**

The development must connect to Council's reticulated water system.

Reason

To ensure that the premises is appropriately serviced by reticulated water supply infrastructure in accordance with relevant code/s and policy direction.

Timing

At all times following the commencement of the use.

10. Electricity and Telecommunication**Condition**

Electricity and telecommunications must be provided in accordance with Part 9.3.6 Works code of the Townsville City Plan.

Reason

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

Timing

Prior to the commencement of use.

11. Stormwater Drainage**Condition**

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage achieves the outcomes in accordance with Part 9.3.2 Healthy Waters Code of the Townsville City Plan.

Reason

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan.

Timing

To be submitted to council as part of an application for Operational Work and to be maintained for the life of the development.

12. Vehicle Access**Condition**

- a) The existing access driveway and crossover from the kerb and channel to the property boundary must be maintained at all times to the satisfaction of council.
- b) During the construction phase, and damages to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with Council's standards.

Reason

To ensure development is appropriately serviced by access facilities in accordance with relevant code/s and policy direction.

Timing

During the construction phase of the development and at all times following the commencement of the use.

13. Car Parking**Condition**

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.3.5 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) The Health care services use must be provided with a minimum of 12 car spaces including disabled parking on site in accordance with SC6.10 Parking rates planning scheme policy of the Townsville City Plan. The use also requires the provision of one ambulance bay as shown on the approved plans.

- c) The Caretaker's accommodation use must be provided with a minimum of one space on site in accordance with SC6.10 Parking rates planning scheme policy of the Townsville City Plan.
- d) In order to comply with Condition 2 of the Concurrence agency response from the North Queensland State Assessment Referral Agency (NQSARA) (dated 11 August 2017); the car park located within a 9m by 9m truncation from the corner of Ross River Road and Gulliver Street is not permitted.

Note: Structures and improvements (including landscaping) are not permitted within the corner truncation greater than a height of 1m above the ground.

Reason

To ensure development is appropriately serviced by parking and access facilities, as well as ensuring safety of the surrounding road network through provision of adequate sightlines in accordance with relevant code/s and policy direction.

Timing

To be submitted to council as part of an application for Operational Work and maintained for the life of the development.

14. Landscaping

Condition

Landscape Plans must be prepared in accordance with Part 9.3.3 Landscape code of the Townsville City Plan including the following details:

- a) Existing and proposed plant species along the Gulliver Street frontage;
- b) Extensive dense planting (including details of plant species) along the Ross River Road frontage to soften the façade of the building;
- c) Shade trees within the car park (refer to SC6.4.3.6 Landscape policy for rates); and
- d) A pedestrian access gate and a short footpath extending from the southern end of the carpark to the edge of the property boundary fronting Ross River Road to provide improved pedestrian connectivity with the major road and nearby bus stop.

Note: The proposed new fence material must be approved by council as part of an application for Operational Work.

Reason

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

Timing

To be submitted to council as part of an application for Operational Work and maintained for the life of the development.

15. Property Fencing

Condition

The existing colorbond fence around the perimeter of the property along the Ross River Road and Gulliver Street frontages must be removed.

If property fencing is to be installed it must consist of a permeable fencing material that integrates actively and openly with the surrounding streetscape.

Reason

To address amenity and Crime Prevention through Environmental Design principles.

Timing

Proposed fencing material to be submitted to council as part of further landscaping plans or for a Certificate of Compliance. Approved fencing type/material maintained thereafter for the life of the development.

Advice

The security gate can be retained at the discretion of the applicant.

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

Unless otherwise agreed to by Council, all plant and utilities must be screened or located so as not to be visible from the street.

Reason

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

Timing

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

17. Signage**Condition**

- a) Plans of any signage to be associated with the use that is deemed to be assessable development in accordance with Part 5.8 Categories of development and assessment - Operational work specifically Table 5.8.2 Operational work being placing an advertising device on premises of the Townsville City Plan must be submitted to council for assessment; and
- b) Signs must be designed in accordance with Part 9.3.1 Advertising Devices Code of the Townsville City Plan; and
- c) To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by Council.
- d) In order to comply with Condition 2 of the Concurrence agency response from the North Queensland State Assessment Referral Agency (NQSARA) (dated 11 August 2017); the existing signage located within the 9m by 9m corner truncation must be either removed from this area or reduced to be no greater than 1m in height above the ground level.

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

Reason

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

Timing

Prior to the commencement of the use.

18. Refuse Facilities

Condition

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Part 9.3.6 Works Code of the Townsville City Plan and in particular:

- a) The approved waste storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The developer must provide a storage area that is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.
- b) The owner/occupier is responsible for collection of their mobile waste container (wheelie) bins including recycling bins by a private contractor.
- c) A minimum overhead clearance of 4200mm must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- d) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
- e) Access roads and driveways must be designed and constructed to accept vehicle loadings of not less than G.V.M 33 tonnes.

Reason

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

Timing

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

19. Outdoor Lighting

Condition

Install and maintain the lighting fixtures so that they do not emit glare or light above the levels stated in *Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting* (or the current applicable standard).

Reason

To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the *Queensland Environmental Protection Act 1994* Section 440.

Timing

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

Referral Agency Conditions

Concurrence Agency Conditions – NORTH QUEENSLAND STATE ASSESSMENT REFERRAL AGENCY (NQSARA)

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the North Queensland State Assessment Referral Agency (NQSARA) advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, subject to the conditions, as attached.

Advice

1. Infrastructure Charges

Condition

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

2. Water Restrictions

- a) To manage Townsville's water resources, council regulates water restrictions on a permanent basis. All development undertaken in Townsville must be mindful of the current and projected level of water restrictions that may affect development activities such as landscaping establishment and/or soil erosion and sediment control;
- b) Developers remain responsible for compliance with any water restrictions as directed by council;
- c) During times of significant water shortage, council may refuse to grant developers exemptions from water restrictions for the purposes of landscaping works or soil erosion and sediment control activities;
- d) In circumstances where exemptions to water restrictions are no longer issued by council, bonding of soft landscaping works will be permitted to enable the release of plans of survey and / or compliance certificates. In cases where the soft landscaping is a component of permanent soil erosion and sediment control (such as an open drain) the use of "bonded fibre matrix" type hydro-mulch products or other suitable soil erosion and sediment control methods can be carried out as alternatives to demonstrate compliance with water restrictions.
- e) The responsibility for compliance with all relevant environmental protection requirements (in particular sediment and erosion control) remains with the developer; and
- f) All existing approvals should already include appropriate conditions to allow for the bonding of landscaping works. Should you find that an existing approval does not provide for this flexibility, a permissible change request to amend the conditions of approval can be lodged with Council free of charge (provided no other changes are requested).

3. Further Approvals Required

Condition

- a) **Operational Work**
An Operational Work application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

Condition 8 – Sewerage Reticulation
Condition 11 – Stormwater Drainage
Condition 13 – Car Parking
Condition 14 – Landscaping (including Condition 15 – Property Fencing)

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

- b) **Plumbing and Drainage Works**
A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.
- c) **Building Works**
A Development Permit for Building Works to carry out building works prior to works commencing on site.
- d) **Road Works Permit**
A Roadworks permit for the construction of a driveway or access within the road reserve must be obtained.
- e) **Operational work – Signage**
A Development Permit for Operational work is required for signage deemed to be code assessable in accordance with the Planning Scheme.

4. **Further Inspections Required**

Compliance with Conditions

The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to the submission of a Development Application for a Compliance Permit.

Condition 4 – Building Materials
Condition 5 – Property Numbering
Condition 15 – Property Fencing
Condition 16 – Screening Plant and Utilities
Condition 17 – Signage
Condition 18 – Refuse Facilities

5. **Connection to Council Sewer**

Condition

A copy of this permit and the approved sewer reticulation design must be submitted to Council with the appropriate application form for connection to Council's sewer supply. Council will respond to the application with a quotation for the work upon payment will schedule the works for connection.

6. **Storage of Materials and Machinery**

Condition

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

7. **Building Work Noise**

Condition

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

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

8. Specifications and Drawings

Condition

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

9. Environmental Considerations

Condition

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

10. Clinical/Medical waste

Condition

This development has the potential to generate or handle clinical and regulated waste material. Clinical and medical related waste is to be handled in accordance with *AS/NZS 3816:1998 Australian Standard/New Zealand Standard – Management of clinical and related wastes*.

11. Roadworks Approval

Condition

The developer is responsible for obtaining a Roadworks permit in accordance with Subordinate Local Law No. 1.15 (Carry out Works or Interfering with a Road or its Operation) 2011 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

- Completed Roadworks permit application form;
- Prescribed fee;
- Traffic Management Plan prepared by a suitable qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices (Queensland) Part 3 – Works on Roads.

If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required. This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to Council for a letter of 'no objection' prior to applying to the Queensland Police Service for the permit. The Traffic Management Plan will need to be included with the application to Council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes (page 9797) where Council resolved that the Committee recommendation be adopted.

3 MI17/0016 - Outdoor Sport and Recreation - High and Low Ropes Exercise Facility

Executive Summary

The Material Change of Use application is for an Outdoor Sport and Recreation Use on land located at 5 Lookout Road, Paluma which has been lodged under the *Sustainable Planning Act 2009*. More specifically, the proposal is for a High and Low Ropes Exercise Facility that provides activities for the nearby recreational camps in the Paluma Village. The subject site is located within the Low Density Residential Zone, whereby an Outdoor Sport and Recreation Use is designated as being Impact Assessable development under the Townsville City Plan.

Being impact assessable, the application was required to undertake formal public notification. During this period, the application received one properly made submission. This submission raised concerns in relation to the availability of on-street parking and potential impact on access to and from the Rainforest Inn, which is a restaurant located opposite the proposed development. Notwithstanding these concerns, the submitter noted that they welcomed new business to the Paluma locale. In response to the submission, the applicant has justified that the number of on-site parking spaces being provided are sufficient to accommodate the amount of vehicle traffic that is likely to be generated by the use at any given time. In particular, the predominant users of the facility are school and community groups staying at the recreational camps in Paluma, which are expected to walk to the facility. Therefore, it is anticipated that these groups will not require vehicle parking spaces. By providing adequate on-site parking spaces the development is considered to avoid on-street parking that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity. To further address the submitters concern, the inclusion of *Condition 10 – Car parking* is recommended.

The application has been assessed against the Townsville City Plan, with the assessment identifying that the proposed facility is capable of satisfying the outcomes sought by the relevant codes as well as the strategic intent of the planning scheme. In regards to the later, the facility emphasises the co-location and consolidation of community activities by providing a public-private partnership without the need for further expansion of the current Paluma Township. Accordingly, it is recommended that the application be approved subject to reasonable and relevant conditions.

Officer's Recommendation

That Council approve application MI17/0016 for a development permit for Outdoor Sport and Recreation - High and Low Ropes Exercise Facility under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 2 P 83611, Lot 16 P 83615 Lot 1 P 83611, more particularly 5 Lookout Road, Paluma, subject to the following conditions:

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE (Outdoor Sport and Recreation – High and Low Ropes Exercise Facility)

MATERIAL CHANGE OF USE CONDITIONS

1. Approved Plans and Supporting Documentation

Condition

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

Plan Name	Plan No.	Version No.	Plan Date
Locality Plan	DD01	1	13/7/2017
Site Plan 1	DD02	1	13/7/2017
Site Plan 2	DD03	1	13/7/2017
Rock Wall Elev	DD13	1	13/7/2017
South East Elevation	DD14	1	13/7/2017
North East Elevation	DD15	1	13/7/2017
North West Elevation	DD16	1	13/7/2017
South West Elevation	DD17	1	13/7/2017

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

Reason

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

Timing

During the operation and life of the development.

2. Building Materials

Condition

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

Reason

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

Timing

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

3. Property Numbering

Condition

Legible property numbers must be erected at the premises and must be maintained.

The site identification numbers should be of reflective material. Maintained free from foliage and other obstructions, and be large enough to be read from the street.

Reason

To allow the general public, service and emergency service providers to effectively identify the property.

Timing

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

4. Relocation of Services or facilities

Condition

Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to Council.

Reason

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

Timing

Prior to the development achieving on maintenance or commencement of use.

5. Storage

Condition

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

Reason

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

Timing

At all times following the commencement of the use.

6. On-site Sewerage Disposal

Condition

The development must be serviced by an on-site sewerage facility.

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

Reason

Development is not located within a service area for a sewerage service under the Water Supply (Safety and Reliability) Act 2008 and must be appropriately serviced by a wastewater treatment and disposal facility that is appropriate for the level of demand generated by the development.

Timing

Following issue of a Hydraulics permit and prior to the development achieving final completion.

8. Electricity and Telecommunication**Condition**

Electricity and telecommunications must be provided in accordance with Part 9.3.6 Works code of the Townsville City Plan.

Reason

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

Timing

Prior to the commencement of use.

9. Stormwater Drainage**Condition**

The development must ensure that stormwater drainage is conveyed in accordance with Part 9.3.2 Healthy Waters Code of the Townsville City Plan.

Reason

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan.

Timing

To be maintained for the life of the development.

10. Car Parking**Condition**

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.3.5 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) A minimum of eight (8) car parking spaces must be provided on site.

Reason

- a) To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction; and
- b) To ensure that there are sufficient parking spaces to accommodate the amount of traffic likely to be generated by the use, and to avoid on-street parking that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.

Timing

To be submitted to council as part of an application for Operational Work and maintained for the life of the development.

11. Limitation of Vehicle Access

Condition

To maintain the safety and efficiency of the adjoining road network/integrity of council infrastructure, vehicle access is only permitted via Lookout Road, as shown on the approved drawings (Locality Plan).

Reason

To address road safety in accordance with relevant code/s and policy direction and to ensure development does not adversely affect council infrastructure.

Timing

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

12. Hours of Operation

Condition

Unless otherwise approved by Council, the Outdoor Sport and Recreation Use must only be conducted between:

- a) 8am to 5:30pm Monday to Friday inclusive.
- b) 8am to 5pm one (1) Sunday each month.

Reason

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

Timing

At all times following the commencement of the use.

13. Signage

Condition

- a) Plans of any signage to be associated with the use that is deemed to be assessable development in accordance with Part 5.8 Categories of development and assessment - Operational work specifically Table 5.8.2 Operational work being placing an advertising device on premises of the Townsville City Plan must be submitted to council for assessment.
- b) Signs must be designed in accordance with Part 9.3.1 Advertising Devices Code of the Townsville City Plan.
- c) To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by Council.

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

Reason

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

Timing

Prior to the commencement of the use.

14. Soil Erosion Minimisation, Sediment Control**Condition**

Erosion and sediment control management must be installed and maintained in accordance with Part 9.3.2 Healthy Waters Code of the Townsville City Plan.

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with *SC6.4 Development manual planning scheme policy specifically SC6.4.3.8.6 MUSIC modelling requirements of the Townsville City Plan.*

Reason

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

Timing

At all times during the construction phase.

15. Vegetation Retention and Protection**Condition**

Unless otherwise approved by Council in writing all existing trees/vegetation within the nature strip/ road reserve adjoining the site must be retained.

Reason

Vegetation to be retained must be protected in accordance with relevant code/s and policy direction.

Timing

At all times during the construction of the development and following the commencement of the use.

17. Outdoor Lighting**Condition**

Any lighting fixtures must be installed and maintained so that they do not emit glare or light above the levels stated in *Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting* (or the current applicable standard).

Reason

To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the *Queensland Environmental Protection Act 1994* Section 440.

Timing

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

Advice**1. Infrastructure Charges****Condition**

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

2. Water Restrictions

- (a) To manage Townsville's water resources, council regulates water restrictions on a permanent basis. All development undertaken in Townsville must be mindful of the current and projected level of water restrictions that may affect development activities such as landscaping establishment and/or soil erosion and sediment control;
- (b) Developers remain responsible for compliance with any water restrictions as directed by council;
- (c) During times of significant water shortage, council may refuse to grant developers exemptions from water restrictions for the purposes of landscaping works or soil erosion and sediment control activities;
- (d) In circumstances where exemptions to water restrictions are no longer issued by council, bonding of soft landscaping works will be permitted to enable the release of plans of survey and / or compliance certificates. In cases where the soft landscaping is a component of permanent soil erosion and sediment control (such as an open drain) the use of "bonded fibre matrix" type hydro-mulch products or other suitable soil erosion and sediment control methods can be carried out as alternatives to demonstrate compliance with water restrictions.
- (e) The responsibility for compliance with all relevant environmental protection requirements (in particular sediment and erosion control) remains with the developer; and
- (f) All existing approvals should already include appropriate conditions to allow for the bonding of landscaping works. Should you find that an existing approval does not provide for this flexibility, a permissible change request to amend the conditions of approval can be lodged with Council free of charge (provided no other changes are requested).

3. Assessment Manager Advice

Condition

Before an onsite sewerage facility can be installed on a property, the applicant is required to apply for a permit to install the treatment facility on that property as per the *Plumbing and Drainage Act 2002*. Applications to install an onsite sewerage facility are to be lodged with the Hydraulic and Building Services Unit of council as part of the plumbing/drainage application. Applicants should also refer to the Onsite sewerage facilities for non-sewered properties guidelines which provide details on the application and installation stages of an onsite sewerage facility. This document may be found on Council's website.

4. Further Approvals Required

Condition

- a) **Operational Work**
An Operational Work application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

Condition 10 – Car Parking

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

- b) **Plumbing and Drainage Works**
A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

- c) **Building Works**
A Development Permit for Building Works to carry out building works prior to works commencing on site.
- d) **Operational work - Signage**
A Development Permit for Operational work is required for signage deemed to be code assessable in accordance with the Planning Scheme.

5. Further Inspections Required

Compliance with Conditions

The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to the submission of a Development Application for a Compliance Permit.

Condition 2 – Building Materials
Condition 3 – Property Numbering

6. Storage of Materials and Machinery

Condition

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

7. Building Work Noise

Condition

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

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

8. Environmental Considerations

Condition

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

9. Dust Managements

Condition

Dust control measures should be implemented on-site during construction and also after commencement of the use to prevent a dust nuisance from occurring to surrounding properties.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes (page 9797) where Council resolved that the Committee recommendation be adopted.

Officers' Reports

Planning and Community Engagement

4 Community Engagement - Report of Inclusive Community Advisory Committee - 6 October 2017

Executive Summary

Attached to the Report to Council is the Report of Council's Inclusive Community Advisory Committee (ICAC) meeting held on 6 October 2017.

Officer's Recommendation

That Council note the Report of the Inclusive Community Advisory Committee meeting of 6 October 2017.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

5 Community Engagement - Report of Arts and Culture Advisory Committee - 3 October 2017

Executive Summary

Attached to the Report to Council is the Report of Council's Arts and Culture Advisory Committee meeting held on 3 October 2017.

Officer's Recommendation

That Council note the Report of the Arts and Culture Advisory Committee meeting of 3 October 2017.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

6 Community Engagement - Licence to Occupy (LTO) Townsville Sailing Club at The Strand

Executive Summary

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

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

Termination of a License to Occupy can occur at any time by either party with four weeks written notice.

The Townsville Sailing Club has been using a section of foreshore in front of Tobruk Pool, The Strand for the past year for training purposes. The club would like to continue this use and renew a Licence to Occupy agreement with Council for this location.

Officer's Recommendation

That Council approve the renewal of a Licence to Occupy Agreement with the Townsville Sailing Club for the standard period of five years regarding their use of the foreshore in front of Tobruk Pool, The Strand.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Councillor A Greaney thanked staff for this great outcome.

7 Community Engagement - Report of the Community Safety Advisory Committee - 22 November 2017

Executive Summary

Attached to the Report to Council is the Report of the Community Safety Advisory Committee of 22 November 2017.

Officer's Recommendation

That Council note the Report of the Community Safety Advisory Committee meeting of 22 November 2017 including the following recommendation:

That Council consider progressing an application for Pan Pacific Safe Community accreditation.

Council Decision

It was MOVED by Councillor R Cook, SECONDED by Councillor A Greaney:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Councillor R Cook thanked all the members of the Community Safety Advisory Committee for their time this year.

The Mayor, Councillor J Hill, on behalf of Council, thanked all of the advisory committee members for their time this year.

8 MI17/0019 Report - Tourist Park - Extension to Caravan Park (Additional 15 Cabins) - Big 4 Woodlands

Executive Summary

The application seeks a Development Permit for a Material Change of Use for a Tourist Park, being an extension to the existing caravan park (15 cabins) at the Bruce Highway, Deeragun.

The extension of the tourist park will contribute to delivering the tourism opportunities to the greater Townsville area. The proposed extension will not detract from the surrounding rural residential values and amenity with appropriate and reasonable conditions of approval. The additional cabins are not considered to significantly increase traffic to the site, and car parking will be provided for each individual cabin.

Two (2) submissions were received through the public notification period. The submissions raised concerns regarding the impact on the residential amenity. These concerns have been considered and appropriate conditions included to address any impacts.

The proposal is generally in accordance with the provisions of the Townsville City Plan. Accordingly, it is recommended that the application be approved subject to reasonable and relevant conditions.

Council also considered the verbal comments of Linda Martinsen and Matteo Sandona provided at the meeting.

Officer's Recommendation

That Council approve application MI17/0019 for a Development Permit for Tourist Park (Extension to Caravan Park (Additional 15 Cabins)) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 18 RP 881079, more particularly Bruce Highway Deeragun subject to the following conditions -

**DEVELOPMENT PERMIT
MATERIAL CHANGE OF USE
TOURIST PARK – EXTENSION TO CARAVAN PARK – ADDITIONAL 15 CABINS
MATERIAL CHANGE OF USE CONDITIONS**

1. Approved Plans and Supporting Documentation

Condition

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

Plan Name	Plan No.	Revision No.	Revision Date
Site Plan	Big4_17001	-	4 June 2017
Two Bedroom Floor Plan	-	-	8 June 2017
Three Bedroom Floor Plan	-	-	8 June 2017
Elevations (Front and Rear)	-	-	8 June 2017
Elevations (Side)	-	-	8 June 2017

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

Reason

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

Timing

During the operation and life of the development.

2. Building Materials

Condition

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

Reason

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

Timing

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

3. Relocation of Services or facilities

Condition

Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to Council.

Reason

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

Timing

Prior to commencement of use.

4. On-site Sewerage Disposal**Condition**

The development must be serviced by the on-site sewerage facility.

Note: The existing on site sewerage facility operating in accordance with ERA 63 and more specifically environmental authority EPPR00483013 is to service the development and the extensions related to this approval.

Reason

Development is not located within a service area for a sewerage service under the Water Supply (Safety and Reliability) Act 2008 and must be appropriately serviced by a wastewater treatment and disposal facility that is appropriate for the level of demand generated by the development. Further, the existing environmental authority EPPR00483013 has sufficient capacity to service the extended development.

Timing

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

5. Water Supply**Condition**

The development must connect to Council's reticulated water system.

Reason

To ensure that the premises is appropriately serviced by reticulated water supply infrastructure in accordance with relevant code/s and policy direction.

Timing

Prior to commencement of the use.

6. Stormwater Drainage**Condition**

An appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) must certify that stormwater drainage achieves the outcomes in accordance with Part 9.3.2 Healthy Waters Code of the Townsville City Plan.

Reason

To convey stormwater legally and in an environmentally responsible manner in accordance with Part 9.3.2 Healthy waters code of the Townsville City Plan.

Timing

To be submitted to council as part of an application for Operational Work and to be maintained for the life of the development.

7. Car Parking

Condition

- a) All car parking facilities, associated ramps and driveways must be provided in accordance with Part 9.3.5 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) A minimum of 15 additional car spaces, being one (1) allocated space per new cabin, must be provided on site in accordance with SC6.10 Parking rates planning scheme policy of the Townsville City Plan.

Reason

To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.

Timing

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

8. Screen Fencing

Condition

A visual screen must be provided between the site and any adjoining land occupied by a residential building or any adjoining land contained in a Residential zone (including waste bin storage area), unless otherwise approved by council.

Reason

To address amenity and Crime Prevention through Environmental Design principles.

Timing

To be provided as part of Landscape and Irrigation Design Plans and submitted to council as part of an application for Operational Work and maintained for the life of the development.

9. Landscaping

Condition

Landscape and Irrigation Design Plans must be prepared in accordance with Part 9.3.3 Landscape code of the Townsville City Plan.

In particular, landscape plans are to show the design of a dense, mixed height planting along the eastern boundary of the site behind the Stage 3 cabins. Screening is also required along the western boundary behind Stages 1 and 2 so as to reduce headlight glare toward the Ring Road and provide greater amenity to the street.

Reason

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

Timing

To be submitted to council as part of an application for Operational Work and maintained for the life of the development.

10. Minimum Floor Levels

Condition

Floor levels must achieve immunity from flood hazards by ensuring;

- (a) Floor levels for residential buildings are 300mm above the defined flood event.

Documentation signed by an engineer (who must be an RPEQ) must be submitted to a Building Certifier identifying the required minimum floor height of all habitable rooms to achieve flood immunity.

Reason

To ensure developments are appropriately immune from rising flood water in accordance with relevant code/s and policy direction.

Timing

Prior to the issuing of a Development Permit for Building Works

11. Soil Erosion Minimisation, Sediment Control

Condition

Erosion and sediment control management must be installed and maintained in accordance with Part 9.3.2 Healthy Waters Code of the Townsville City Plan.

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with *SC6.4 Development manual planning scheme policy specifically SC6.4.3.8.6 MUSIC modelling requirements of the Townsville City Plan.*

Reason

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

Timing

At all times during the construction phase.

12. Refuse Facilities

Condition

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Part 9.3.6 Works Code of the Townsville City Plan.

A Waste Management Plan prepared in accordance with Planning Scheme Policy SC6.4.3.22.2 must be submitted for approval. The plan must consider:

- a) types and amounts of waste that may be generated based on number of cabins, including the cumulative total of existing cabins;
- b) how the waste will be disposed including number of mobile storage bins or nomination of a suitable size bulk bins;
- c) access and egress for waste collection vehicles;
- d) screening of waste facilities by landscaping or other suitable means and where required, nomination of separation distances to property boundary or other residential buildings;
- e) design of facility incorporating requirements from SC6.4.3.22.3 *Waste management for development* and Table SC6.4.3.22.1 *General requirements*;
- f) sensitivity of the receiving environment and neighbouring residents including adequate setbacks of waste areas from adjoining property boundaries so as to prevent odour, dust or noise nuisance;

- g) nomination of collection times where bulk refuse containers are required to protect nearby and on-site sensitive land use; and
- h) designated bin wash down facilities to be identified for the contained cleaning of waste bins.

Reason

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

Timing

A Waste Management Plan to be submitted for a Certificate of Compliance prior to the commencement of the use.

13. Outdoor Lighting

Condition

Install and maintain the lighting fixtures so that they do not emit glare or light above the levels stated in *Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting* (or the current applicable standard).

Reason

To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the *Queensland Environmental Protection Act 1994* Section 440.

Timing

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

Referral Agency Conditions

Concurrence Agency Conditions –Department of Infrastructure Local Government and Planning (State Assessment and Referral Agency)

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the State Assessment and Referral Agency advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, subject to the conditions, as attached.

Advice

1. Infrastructure Charges

Condition

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

2. Water Restrictions

- a) To manage Townsville's water resources, council regulates water restrictions on a permanent basis. All development undertaken in Townsville must be mindful of the current and projected level of water restrictions that may affect development activities such as landscaping establishment and/or soil erosion and sediment control;
- b) Developers remain responsible for compliance with any water restrictions as directed by council;

- c) During times of significant water shortage, council may refuse to grant developers exemptions from water restrictions for the purposes of landscaping works or soil erosion and sediment control activities;
- d) In circumstances where exemptions to water restrictions are no longer issued by council, bonding of soft landscaping works will be permitted to enable the release of plans of survey and / or compliance certificates. In cases where the soft landscaping is a component of permanent soil erosion and sediment control (such as an open drain) the use of “bonded fibre matrix” type hydro-mulch products or other suitable soil erosion and sediment control methods can be carried out as alternatives to demonstrate compliance with water restrictions.
- e) The responsibility for compliance with all relevant environmental protection requirements (in particular sediment and erosion control) remains with the developer; and
- f) All existing approvals should already include appropriate conditions to allow for the bonding of landscaping works. Should you find that an existing approval does not provide for this flexibility, a permissible change request to amend the conditions of approval can be lodged with Council free of charge (provided no other changes are requested).

3. Further Approvals Required

Condition

a) **Operational Work**

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

Condition 6 – Stormwater Drainage
 Condition 8 - Screen Fencing
 Condition 9 – Landscaping

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

b) **Refuse Facilities**

A Certificate of Compliance for a Waste Management Plan.

c) **Plumbing and Drainage Works**

A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

d) **Building Works**

A Development Permit for Building Works to carry out building works prior to works commencing on site.

e) **Operational work - Signage**

A Development Permit for Operational work is required for signage deemed to be code assessable in accordance with the Planning Scheme.

4. Further Inspections Required

Compliance with Conditions

The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to the submission of a Development Application for a Certificate of Compliance.

Condition 2 – Building Materials
Condition 7 – Screen Fencing

5. Storage of Materials and Machinery

Condition

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

6. Building Work Noise

Condition

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

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

7. Specifications and Drawings

Condition

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

8. Environmental Considerations

Condition

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

9. Environmentally Relevant Activities

Condition

Where the premises is intended to be used for carrying out an Environmentally Relevant Activity as defined by the *Environmental Protection Regulation 2008*, an application under the *Sustainable Planning Act 2009* and the *Environmental Protection Act 1994* must be submitted to the relevant administering authority prior to the commencement of the use.

Council Decision

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

"that the officer's recommendation be adopted subject to the following:

- a. an additional condition to include a 10 metre set back from the closest cabin point to the fence line;
- b. include in condition 8. Screen Fencing - to look at the screen fencing to be a solid fencing for that portion adjacent to the stage 3 development; and
- c. that condition 9. Landscaping, be amended as follows:

9. Landscaping

Condition

Landscape and Irrigation Design Plans must be prepared in accordance with Part 9.3.3 Landscape code of the Townsville City Plan.

In particular, landscape plans are to show the design of a dense, mixed height plantings, of advanced stages, along the eastern boundary of the site. Screening is also required along the western boundary behind Stages 1 and 2 so as to reduce headlight glare toward the Ring Road and provide greater amenity to the street.

CARRIED

In accordance with Council's Meeting Procedures Policy where Council does not unanimously support an Officer's Recommendation or an alternative resolution Councillors are to have recorded their reasons for doing so.

For	Against
The Mayor, Councillor J Hill	Councillor M Ryder
Councillor R Cook	
Councillor V Coombe	
Councillor C Doyle	
Councillor A Greaney	
Councillor P Jacob	
Councillor M Molachino	
Councillor K Rehbein	
Councillor M Soars	
Councillor L Walker	

Reasons Against

Councillor M Ryder advised that in the interest of her community she is voting against the recommendation as she is not convinced that the amount of fencing Council has stipulated is enough to address the noise complaints due to the rapid growth of the Tourist Park.

Infrastructure and Operations

9 Infrastructure Planning, Assets and Fleet - Saunders Beach Community Centre Association - Request to extend lease

Executive Summary

The Saunders Beach Community Centre Association Inc. currently lease Lot 125 on CP860212 for the purpose and management of the Saunders Beach Community Centre. The Association has requested to extend their lease area over part of Lot 127 on CP 860211 for the purpose of installing an outdoor pergola/recreational area.

As this area is over a second parcel of land this will not be an extension to the current lease area but rather a new lease over the parcel of land the extension will sit over.

Officer's Recommendation

1. That Council approve entering into a lease agreement with Saunders Beach Community Centre Association Inc. over part of the parcel of land identified as Lot 127 on CP860211 for a term that coincides with their existing lease, expiring on the 31 December 2025.
2. That Council approve a peppercorn rental for the commencement of the lease, with a rental clause providing for a rental charge to be implemented at any time during the term of the lease, and reviewed annually on the anniversary of the lease commencement date.
3. That Council note the lessee will be responsible for the following;
 - maintenance, repair, replacement of:
 - structural (Clause 6.1a);
 - services/pipes/conduits (Clause 6.1b);
 - painting (Clause 6.3);
 - minor maintenance (Clause 6.6); and
 - landscaping
4. That Council resolve that the exception in section 236 (1)(b)(ii) of the *Local Government Regulation 2012* applies to the disposal of the land included in this lease, because the disposal is to a community organisation.

Council Decision

It was MOVED by Councillor M Ryder, SECONDED by Councillor M Molachino:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

10 Construction, Maintenance and Operations - Emergency Declaration Feral Horses

Executive Summary

From July to September 2015 there were two (2) fatalities involving motor vehicles hitting feral horses on the Bruce Highway north of Bluewater.

In October 2015 the Townsville City Council made an emergency declaration under section 7 of the Townsville City Council Local Law No. 3 (Community and Environmental Management) 2011 stating feral horses were a 'declared local pest', obliging landowners to implement effective control measures. The emergency declaration lasted for three months, during which time a contractor culled 100 horses.

With heavy rain during October 2017, feral horse numbers have increased and were again posing a risk to motorists on the Bruce Highway in the Bluewater to Rollingstone area. Additionally, there were regular reports of feral horses in the Black River and Alligator Creek areas.

In response, Council made an emergency declaration on 26 October 2017 that feral horses were a declared local pest, again obliging landowners to implement effective control measures.

As the current declaration concludes on 26 December 2017 a new emergency declaration (the current one can't be extended) is required to continue to oblige landowners to implement effective control measures.

Officer's Recommendation

1. That, under section 7 of the Townsville City Council Local Law No. 3 (Community and Environmental Management) 2011, Council resolve that it is satisfied that urgent action is needed to minimise the immediate risk of environmental harm posed by feral horses in Townsville, and that accordingly the Council makes an emergency declaration that feral horses in Townsville are a local pest to be immediately controlled by relevant land owners.
2. That, pursuant to s.235 of the *Biosecurity Act 2014*, Council resolve to authorise a biosecurity surveillance program in respect of feral horses in the Bluewater/Clemant area to:
 - locate feral horses and to monitor compliance with the Council's emergency pest declaration notices concerning feral horses;
 - survey from 9:00am 13 December 2017 to 5 p.m. on 9 February 2018;
 - survey the area being those properties within 3 kilometres of the Bruce Highway in the area between Bluewater Creek and Christmas Creek; and
 - inspect those properties within the survey area larger than 2000 m².

Council Decision

It was MOVED by Councillor M Ryder, SECONDED by Councillor M Molachino:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Business Services

11 Ordinary Council and Committee Meeting Schedule - 2018

Executive Summary

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

Council meetings are currently held on the fourth Tuesday of each month, with the Standing Committees being held across the second week preceding the Ordinary Council meeting.

All meetings are held at the Administration Building located at 103 Walker Street, Townsville.

Officer's Recommendation

1. That all Ordinary Council and Standing Committee meetings be held at council's public office located at 103 Walker Street, Townsville.
2. That Council, in accordance with Section 277(1) of the *Local Government Regulation 2012*, adopt and publicly notify the following schedule of Ordinary Council and Standing Committee meetings for the months January to December 2018:

2018 Council and Committee Meeting Calendar		
Date	Time	Council/Committee
23 January 2018	1.00 pm	Ordinary Council
13 February 2018	9.00 am	Infrastructure Services Committee
13 February 2018	11.00 am	Planning and Development Committee
14 February 2018	9.00 am	Community Health and Environment Committee
14 February 2018	11.00 am	Community and Cultural Development Committee
15 February 2018	9.00 am	Governance and Finance Committee
15 February 2018	11.00 am	Townsville Water and Waste Committee
27 February 2018	1.00 pm	Ordinary Council
13 March 2018	9.00 am	Infrastructure Services Committee
13 March 2018	11.00 am	Planning and Development Committee
14 March 2018	9.00 am	Community Health and Environment Committee
14 March 2018	11.00 am	Community and Cultural Development Committee
15 March 2018	9.00 am	Governance and Finance Committee
15 March 2018	11.00 am	Townsville Water and Waste Committee
27 March 2018	1.00 pm	Ordinary Council
10 April 2018	9.00 am	Infrastructure Services Committee
10 April 2018	11.00 am	Planning and Development Committee
11 April 2018	9.00 am	Community Health and Environment Committee
11 April 2018	11.00 am	Community and Cultural Development Committee
12 April 2018	9.00 am	Governance and Finance Committee
12 April 2018	11.00 am	Townsville Water and Waste Committee
24 April 2018	1.00 pm	Ordinary Council
8 May 2018	9.00 am	Infrastructure Services Committee
8 May 2018	11.00 am	Planning and Development Committee
9 May 2018	9.00 am	Community Health and Environment Committee
9 May 2018	11.00 am	Community and Cultural Development Committee
10 May 2018	9.00 am	Governance and Finance Committee
10 May 2018	11.00 am	Townsville Water and Waste Committee

2018 Council and Committee Meeting Calendar		
Date	Time	Council/Committee
22 May 2018	1.00 pm	Ordinary Council
12 June 2018	9.00 am	Infrastructure Services Committee
12 June 2018	11.00 am	Planning and Development Committee
13 June 2018	9.00 am	Community Health and Environment Committee
13 June 2018	11.00 am	Community and Cultural Development Committee
14 June 2018	9.00 am	Governance and Finance Committee
14 June 2018	11.00 am	Townsville Water and Waste Committee
26 June 2018	1.00 pm	Ordinary Council
10 July 2018	9.00 am	Infrastructure Services Committee
10 July 2018	11.00 am	Planning and Development Committee
11 July 2018	9.00 am	Community Health and Environment Committee
11 July 2018	11.00 am	Community and Cultural Development Committee
12 July 2018	9.00 am	Governance and Finance Committee
12 July 2018	11.00 am	Townsville Water and Waste Committee
24 July 2018	1.00 pm	Ordinary Council
14 August 2018	9.00 am	Infrastructure Services Committee
14 August 2018	11.00 am	Planning and Development Committee
15 August 2018	9.00 am	Community Health and Environment Committee
15 August 2018	11.00 am	Community and Cultural Development Committee
16 August 2018	9.00 am	Governance and Finance Committee
16 August 2018	11.00 am	Townsville Water and Waste Committee
28 August 2018	1.00 pm	Ordinary Council
11 September 2018	9.00 am	Infrastructure Services Committee
11 September 2018	11.00 am	Planning and Development Committee
12 September 2018	9.00 am	Community Health and Environment Committee
12 September 2018	11.00 am	Community and Cultural Development Committee
13 September 2018	9.00 am	Governance and Finance Committee
13 September 2018	11.00 am	Townsville Water and Waste Committee
25 September 2018	1.00 pm	Ordinary Council
9 October 2018	9.00 am	Infrastructure Services Committee
9 October 2018	11.00 am	Planning and Development Committee
10 October 2018	9.00 am	Community Health and Environment Committee
10 October 2018	11.00 am	Community and Cultural Development Committee
11 October 2018	9.00 am	Governance and Finance Committee
11 October 2018	11.00 am	Townsville Water and Waste Committee
23 October 2018	1.00 pm	Ordinary Council
13 November 2018	9.00 am	Infrastructure Services Committee
13 November 2018	11.00 am	Planning and Development Committee
14 November 2018	9.00 am	Community Health and Environment Committee
14 November 2018	11.00 am	Community and Cultural Development Committee
15 November 2018	9.00 am	Governance and Finance Committee
15 November 2018	11.00 am	Townsville Water and Waste Committee
27 November 2018	1.00 pm	Ordinary Council
28 November 2018	9.00 am	Infrastructure Services Committee
28 November 2018	11.00 am	Planning and Development Committee
29 November 2018	9.00 am	Community Health and Environment Committee
29 November 2018	11.00 am	Community and Cultural Development Committee
30 November 2018	9.00 am	Governance and Finance Committee

2018 Council and Committee Meeting Calendar		
Date	Time	Council/Committee
30 November 2018	11.00 am	Townsville Water and Waste Committee
11 December 2018 (2nd Tuesday)	1.00 pm	Ordinary Council

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

12 Finance Services - Approval of Charitable and Community Organisation Concessions

Executive Summary

Applications for Charitable and Community Organisation's Concessions are received and reviewed by Council Finance Staff against the Council's Charitable and Community Organisation's Concessions Policy. Applications are then approved through Council resolution where the Policy criteria are met. Following the analysis of each application, a report to Council is prepared, reviewed and submitted to the Governance and Finance Committee for endorsement, then onto Full Council for resolution. This process can consume a considerable amount of time for officers each month. The vast majority of applications are straight forward, of relatively low financial value, and fall neatly within the parameters of the Policy.

Finance Staff regularly deliver services to Council and the community where decisions are required based on the application of legislation or Council policy.

In line with Council's goal of "a simpler, faster, better Council" it is recommended that applications for such concessions are approved (or rejected) within the delegated authority of the Chief Executive Officer.

Officer's Recommendation

That Council delegate authority for the Chief Executive Officer to approve or reject applications for concessions that are clearly consistent with the Charitable and Community Organisation's Rates and Charges Concession Policy. Where an application for concession is requested that is not consistent, with Council Policy, the officers will process the application through existing Governance and Finance Committee endorsement, and Council resolution.

Council Decision

It was MOVED by Councillor V Coombe, SECONDED by Councillor R Cook:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

13 Information Services - Managed CCTV Services Expression of Interest 00020

Executive Summary

Council currently owns and operates an extensive CCTV camera network to provide safety for staff, the community and environment and asset monitoring. This network operates and is monitored 24 hours a day. Currently Council use and monitor the CCTV network as well as providing full technical support for CCTV cameras, network and storage. The nature of CCTV systems mean that the camera support, networking and storage is highly specialised in nature and does not always readily align with Council corporate requirements and technical capabilities.

It is considered appropriate and likely valuable that seeking a suitably qualified market supplier to manage key technical components of the service will deliver a better value outcome for Council.

Officer's Recommendation

That Council resolve to call an Expression of Interest (EOI) for suitably qualified service providers to submit an offer of service for Managed CCTV Services.

Council Decision

It was MOVED by Councillor R Cook, SECONDED by Councillor P Jacob:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

The Mayor, Councillor J Hill thanked staff for bringing this item to Council.

14 Finance Services - Budget Variance Report - October 2017

Executive Summary

On behalf of the Chief Executive Officer, the Chief Financial Officer presented the Budget Variance Report for the whole of Council for October 2017, pursuant to section 204 of the *Local Government Regulation 2012*.

Officer's Recommendation

That Council note the financial report for October 2017 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation 2012*.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

15 Finance Services - Treasury Report - October 2017

Executive Summary

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

Officer's Recommendation

That Council note the treasury report for October 2017 and the information contained therein.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

16 Legal Services - Audit Committee Minutes - 9 October 2017

Executive Summary

The minutes of the Audit Committee meeting held on 9 October 2017 are attached to the Report to Council.

Officer's Recommendation

That Council receive the minutes of the Audit Committee meeting held on 9 October 2017.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Councillor V Coombe advised that the financial reporting at Council has been evolving and these improvements represent the "simpler, faster, better" mantra that Council has undertaken in the last 12 months, and it's certainly moving forward. Councillor Coombe read out a document from the QAO (Queensland Audit Office) and their contractor PricewaterhouseCoopers which included the comment that 'TCC (Townsville City Council) represented the contemporary leading practice for local governments in financial reporting'. Councillor Coombe congratulated the staff who have done a fantastic job in preparing the documents this year.

The Mayor, Councillor J Hill thanked Matt Thomson (Chief Financial Officer) and Adele Young (Chief Executive Officer), particularly in terms of the last Audit Committee.

17 Nous Report - Quarterly Update

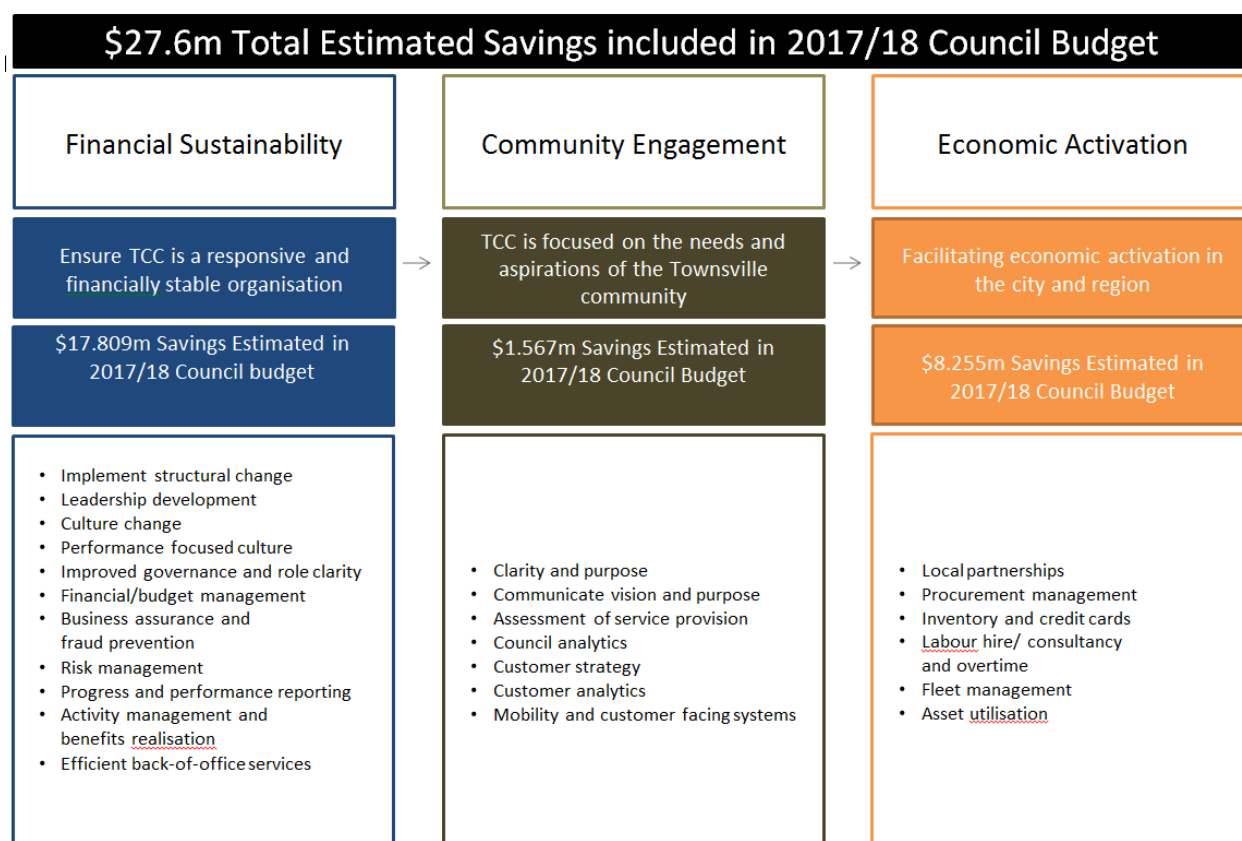
Executive Summary

The purpose of this report is to provide a quarterly update to Council on the estimated benefits of the Transformation projects as recommended in the Nous Report.

The Nous Organisational Report, which was adopted by Council on 27 September 2016 was an independent review of the current operating model, structure and capability requirements of the Townsville City Council (TCC).

The Nous report recommended 24 priority Transformational Projects, which are aimed at improving organisational focus on financial sustainability, community engagement and economic activation to transform TCC into a more accountable, assessable and customer focused organisation.

Following guidance provided by the Nous report, the 24 transformation projects have been allocated to one of three key objectives, as illustrated in the below diagram.



Officer's Recommendation

1. That Council note the Transformation Projects are on track to deliver an embedded estimated savings of \$27.6m over the full 2017/18 budget year.
2. That Council note estimated savings year to date (30 November 2017) from the Transformation Projects is \$17.3m which is on track and in line with the adopted 2017/18 budget.
3. That Council note the officers will continue to provide an update each quarter though FY 2017/18 of progress for the Transformation Projects.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

The Chief Executive Officer thanked all of her staff for encapsulating and embracing the reform agenda set down by the Mayor and her team and indicated that she believes that we are well on the way to delivering that in a sustainable fashion.

The Mayor, Councillor J Hill spoke on the transformative change and the changing way Council is doing business. Councillor Hill thanked the staff for their work on this.

Confidential Items

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

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

- Section 275 (a) the appointment, dismissal or discipline of employees (Item 23);
- Section 275 (b) industrial matters affecting employees (Item 23);
- Section 275 (c) the local government's budget (Item 20);
- Section 275 (d) rating concessions (Item 19);
- Section 275 (e) contracts proposed to be made by it (Items 18, 21 and 22); and
- Section 275 (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage (Items 22 and 23)."

CARRIED UNANIMOUSLY

The Council discussed the items.

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

"that Council RESOLVE to open the meeting."

CARRIED UNANIMOUSLY

18 Townsville Water and Waste - TCW00225 Supply and construction of Stanley Street and Yarrowonga Water Main Works

Executive Summary

Townsville City Council is upgrading its water pipelines to replace the old poor condition pipelines and to provide a water service that meets Council's Customer Service Standard for water supply. Council identified that a section of the existing water main along Stanley Street (Separable Portion 1) and the ageing valves and DN225 CICAL outlet water mains at Yarrowonga Reservoir, including the offtake to Balmoral Place (Separable Portion 2), require replacement to continue to meet Council's Customer Service Standard for water supply.

Tenders from external contractors were invited for the supply and construction of Stanley Street and Yarrowonga water main works. This report provides an analysis and evaluation of the tenders received for this project.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council award Tender TCW00225 Supply and Construction of Stanley Street and Yarrowonga Water Main Works to GNM Group Pty Ltd for the lump sum price of \$850,511 excluding GST, with a time for completion of 25 weeks.
3. That Council delegate authority to the Chief Executive Officer, or her delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

Council Decision

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

- "1. that the officer's recommendation be adopted; and
2. that Councillor A Greaney be included in the community engagement process."

CARRIED UNANIMOUSLY

19 Financial Services - Request for Concession - property number 135180

Executive Summary

A request has been received for a concession for the general rate for property number 135180. In accordance with Part 10, Section 120 of the *Local Government Regulation 2010*, Council may grant a concession for rates under certain eligibility criteria.

The application has been made under Council's Concessions Policy specifically in relation to a not-for-profit community organisation.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council resolve to grant a concession for the general rates for the property number 135180 as outlined in the Report to Council and that the concession include general rates from 10 March 2017.
3. That Council resolve that the concession will continue to be granted until such time that the land use changes or a change to the ownership of the property is recorded or Council decides otherwise.

Council Decision

It was MOVED by Councillor V Coombe, SECONDED by Councillor R Cook:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

20 Mid-Year Budget Review 2017/18

Executive Summary

The mid-year budget review for the 2017/18 financial year is presented in accordance with section 170 of the *Local Government Regulation 2012*, considering financial results to the end of November 2017.

The mid-year budget review is consistent with the Corporate Plan 2014-2019. Council's financial policies, including rates and utility charges adopted in the 2017/18 budget, remain unchanged as a result of budget review.

The mid-year budget review with supporting documentation and commentary will be available to the public on Council's website following the Full Council meeting.

Officer's Recommendation

That, in accordance with section 170 of the *Local Government Regulation 2012*, Council adopt the mid-year budget review for 2017/18 including Council's:

- significant business activities;
- forecast financial statements for 2017/18 to 2026/27; and
- relevant measures of financial sustainability ratios for 2017/18 to 2026/27.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

In accordance with section 173 of the *Local Government Act 2009*, Councillor A Greaney declared a perceived conflict of interest in regards to item 21.

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

Councillor A Greaney

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

Councillor Greaney sits on the Board of the Cowboys Leagues Club.

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

The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter and left the meeting and did not participate in debate or voting on the matter.

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

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

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

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

21 North Queensland Stadium

Executive Summary

This report deals with procedural matters relevant to the development of the North Queensland Stadium.

Officer's Recommendation

1. That the report be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council resolve to apply the exception set out in section 236(1)(b)(i) of the *Local Government Regulation 2012* to disposals of land to the State to facilitate the State's development of the North Queensland Stadium.
3. That Council authorise the Chief Executive Officer to execute such documents as are necessary to record the Council's agreement with the State in relation to the development of the North Queensland Stadium.

Council Decision

It was **MOVED** by Councillor M Soars, **SECONDED** by Councillor L Walker:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

22 North Queensland Stadium - Focus Pacific

Executive Summary

This confidential report updates the Townsville City Council on current economic activation opportunities and associated contract negotiations and if negotiations with proponents are successful, the steps required to be taken to activate the opportunities and any associated beneficial enterprises.

Officer's Recommendation

1. That the report and each 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 the Council decides otherwise by resolution.
2. That Council note the information supplied in closed session and authorise the Chief Executive Officer to:
 - a. finalise transaction terms that are materially similar to the terms discussed in the closed session at this meeting and in this confidential report; and
 - b. proceed to developing the transaction documents that reflect the finalised transaction terms.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

The Mayor, Councillor J Hill thanked the staff that have been working on this project. Councillor Hill noted that negotiations have been difficult but the outcome we are coming to, she believes, will be one that the community will truly benefit from.

23 Human Resource Matter

Executive Summary

The purpose of this report (tabled at the meeting) is to review staff performance.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council note the report and refer appropriate action to Council's People and Culture team.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

General Business

(i) Loss of ministry position - Minister assisting the Premier in North Queensland

Councillor C Doyle expressed her extreme disappointment at the announcement of today's State Cabinet ministry positions with particular focus on the loss of the ministry position of the Minister assisting the Premier in North Queensland. Councillor Doyle referred to the Townsville Bulletin's report on ministerial appointments and expressed that it's pretty sad to see that North Queensland has not really been acknowledged in this. Councillor Doyle sought the views of the other Councillors.

Councillors also expressed their disappointment at this decision.

The Mayor, Councillor J Hill expressed her disappointment at the decision and indicated that the community will expect us to hold this government to account. Councillor Hill advised that she has plans to meet with State representatives over the next couple of months to outline what we expect from them, but to also see what they think they can deliver to us.

The Mayor, Councillor J Hill thanked everyone for the year and highlighted that its been an incredible year in terms of the restructure reform; we have many new staff with us in the last 12 months. Councillor Hill wished everyone a very Merry Christmas and a safe holiday time. Councillor Hill advised it has been a pleasure working with you and the next 12 months, now that we have our senior staff embedded, we will be moving ahead now in leaps and bounds towards the next two years of what we need to do with this organisation. On behalf of the Council, Councillor Hill also wished the community a very Merry Christmas.

Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 3.31pm.

CONFIRMED this TWENTY-THIRD day of JANUARY 2018

MAYOR

CHIEF EXECUTIVE OFFICER