



ORDINARY COUNCIL

PUBLIC MINUTES

THURSDAY 30 OCTOBER 2014 AT 9.00 AM

Council Members >>

The Mayor, Councillor Jenny Hill
Councillor Suzanne Blom
Councillor Colleen Doyle
Councillor Gary Eddiehausen APM
Councillor Pat Ernst
Councillor Ray Gartrell
Councillor Jenny Lane
Councillor Anthony Parsons
Councillor Trevor Roberts
Councillor Vern Veitch
Councillor Les Walker

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

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

- 1.1 Create economic opportunities for Townsville to drive community prosperity.
- 1.2 Maximise opportunities through engagement and partnership with stakeholder achieve a strong resilient economy.
- 1.3 Utilise the City Plan to inform the development of current and future infrastructure needs of Townsville.
- 1.4 Promote and market Townsville as a vibrant destination for commerce, entertainment and lifestyle.

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

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

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

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

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

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

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REPORT	COUNCIL MEETING
DATE	Thursday 30 October 2014 at 9.00am
ITEMS	1 TO 40
PRESENT	The Mayor, Councillor J Hill Councillor V Veitch Councillor S Blom Councillor C Doyle Councillor G Eddiehausen APM Councillor R Gartrell Councillor J Lane Councillor A Parsons Councillor T Roberts Councillor L Walker

Opening of Meeting

The Chair, Mayor Councillor J Hill opened the meeting at 9.00am.

Prayer

Reverend Jeff Coop of the Anglican Church delivered the opening prayer.

Apologies and Leave of Absence

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

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

CARRIED UNANIMOUSLY

Confirmation of Minutes of Previous Meeting

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

"that the minutes of the Ordinary Council meeting of 23 September 2014 be confirmed; and that the minutes of the Special Council meeting of 13 October 2014 be confirmed. "

CARRIED UNANIMOUSLY

Disclosure of Interests

- (i) Infrastructure Committee - Perceived conflict of interest - Councillor R Gartrell – Item 3 – Councillor R Gartrell is a life member of the Suburban Parks Cricket Club, which operates out of the Tony Ireland Stadium.
- (ii) Infrastructure Committee - Perceived conflict of interest - Item 5 - Councillor A Parsons is the judiciary chairman of Townsville Castle Hill Touch Association which is a primary user of Queens Park.
- (iii) Infrastructure Committee - Perceived conflict of interest - Item 7 - Councillors T Roberts, S Blom, A Parsons, R Gartrell and V Veitch – Tony Ireland donated to the Townsville First election campaign.
- (iv) Healthy and Safe City Committee - Perceived conflict of interest – Item 14 – Councillor C Doyle - The owner of Townsville Demolitions is a customer of Councillor Doyle's husband's business.
- (v) Townsville Water and Waste Committee - Perceived conflict of interest – Item 36 – Councillor R Gartrell, Councillor A Parsons, and Councillor V Veitch – NQ Excavations donated to the Townsville First election campaign.

Disclosure of Interests - Council

- (i) Infrastructure Committee - Perceived conflict of interest - Item 7 - Councillors T Roberts, S Blom, A Parsons, R Gartrell, V Veitch, J Lane and G Eddiehausen – Tony Ireland donated to the Townsville First election campaign.
- (ii) Officers Report - Perceived conflict of interest - Item 40 - Councillors V Veitch, S Blom, G Eddiehausen, R Gartrell, J Lane, A Parsons and T Roberts - A co-owner of Three Islands Pty Ltd is also a co-owner of Reelaw Pty Ltd who donated to the Townsville First election campaign.
- (iii) Townsville Water and Waste Committee - Perceived conflict of interest – Item 36 – Councillors R Gartrell, A Parsons, V Veitch, T Roberts, S Blom, G Eddiehausen and J Lane. NQ Excavations donated to the Townsville First election campaign.

Correspondence

There was no correspondence.

Petitions

- (i) **Request council give consideration to changing bylaws - Permit keeping a rooster on blocks under 4000 square metres if the owner breeds rare birds or show birds or utilises the stock for food.**

PETITION	
Date	27 August 2014

Overview

The Mayor, Councillor J Hill tabled a petition from 38 residents of Townsville.

Petition Request

That council give consideration to changing bylaws - Permit keeping a rooster on blocks under 4000 square metres if the owner breeds rare birds or show birds or utilises the stock for food.

Council Decision

That the petition be referred to the relevant department to action a report to come back to council.

- (ii) **Request council give consideration to putting measures in place to curb speed and number of vehicles in Lindsay Street, Rosslea.**

PETITION	
Date	20 October 2014

Overview

Councillor C Doyle tabled a petition from 48 residents of Townsville.

Petition Request

That council give consideration to putting measures in place to curb speed and number of vehicles in Lindsay Street, Rosslea.

Council Decision

That the petition be referred to the relevant department to action a report to come back to council.

- (iii) **Request council give consideration - The Worinda Occasional Child Care facility remain under the operation of Townsville City Council.**

PETITION	
Date	October 2014

Overview

Councillor R Gartrell tabled a petition from 320 residents of Townsville.

Petition Request

That council give consideration to retain The Worinda Occasional Child Care facility under the operation of Townsville City Council rather than having another operator take over the running of the facility.

Council Decision

The petition was received and noted pending the decision of item 25.

Presentations

There were no presentations.

Mayoral Minute

There was no Mayoral Minute.

Committee Items

Infrastructure Committee

In accordance with section 173 of the *Local Government Act 2009*, Councillor R Gartrell declared a perceived conflict of interest in regards to item 3.

- (a) **the name of the councillor who have the real or perceived conflict of interest:**
Councillor R Gartrell
- (b) **the nature of the conflict of interest as described by the Councillor:**
Councillor R Gartrell is a life member of the Suburban Parks Cricket Club, which operates out of the Tony Ireland Stadium.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered his position and was of the opinion that he could participate in debate and vote on the matter in the public interest.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The councillor voted as per the council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the recommendation.

In accordance with section 173 of the *Local Government Act 2009*, Councillor A Parsons declared a perceived conflict of interest in regards to item 5.

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

In accordance with section 173 of the *Local Government Act 2009*, Councillors T Roberts, S Blom, A Parsons, R Gartrell, V Veitch, J Lane and G Eddiehausen declared a perceived conflict of interest in regards to item 7.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
Councillors T Roberts, S Blom, A Parsons, R Gartrell, V Veitch, J Lane and G Eddiehausen.
- (b) **the nature of the conflict of interest as described by the Councillors:**
Tony Ireland donated to the Townsville First election campaign.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillors dealt with the conflict by disclosing the perceived conflict of interest and proposing to exclude themselves from the meeting throughout consideration of the item, but noted that this would leave the meeting without a quorum and therefore in reliance upon Section 173(6) of the *Local Government Act 2009*, remained in the meeting and participated in the discussion about and voting upon the item.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The councillors voted as per the council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the recommendation.

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

"that the committee recommendations to items 2 to 8 be adopted; and that item 1 be dealt with separately."

CARRIED UNANIMOUSLY

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

With regards to item 1:

"that council provide conditional approval for the excavation and, if found, recovery of WW1 cannons, at Reid Park, subject to the organisation being able to prove, with satisfactory evidence, their ability to meet all conditions including the conditions listed in the officers report and their ability to maintain and protect the cannon if excavated and on the express understanding that this will be the last request considered.

- 1. Given the excavation will be relatively deep, through landfill material, which is likely to contain asbestos materials, and potentially into an old creek bed, an Environmental Management Plan would need to be prepared, monitored and adhered to, for the handling and reuse/disposal of contaminated material at no cost to council,*
- 2. All pertinent Department of Environment and Heritage Protection (DEHP) approvals, licenses, permits and clearances must be obtained and provided to council prior to starting the excavation process,*
- 3. Given that the excavation will be in very close proximity to a large sewer drain, and any removal of artefacts is likely to cause risk of damage to the main, protection of the main, and delicate excavation methods will need to be employed, under close supervision, to the complete satisfaction of Townsville Water and Waste, again at no cost to council,*
- 4. The location shown is at the rear of Mound 2, with the likelihood of impacting one or more semi-mature trees, which would need to be either protected and/or removed and replaced at no cost to council,*
- 5. The sewer main runs parallel and close to the QR boundary. Given the likely nature of the material to be excavated, stability of the sides of the excavation will need to be planned for, and monitored to prevent collapse and particularly subsidence of the fence line and into QR property. In addition the exact location and orientation of any artefact can't be known, with a possibility that it could extend under the fence line, given the creek bed and previous boundaries were different to what and where they are now. QR should be made aware of the works and any advice they provide would need to be heeded,*
- 6. The area would need to be filled, compacted and completely restored to its current state, at no cost to council,*
- 7. The proponents must have commenced and fully concluded their activities, including restoration, well outside the Townsville 400 occupation period between May and August, and will also need to be scheduled so as not to interfere with other events planned for the Reid Park precinct."*

1 Infrastructure Services - Military Artefacts: Reid Park

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Infrastructure Services Division
Date 30 September 2014

Executive Summary

Council has received correspondence from the Member for Townsville, John Hathaway, providing, in principle, support for the targeted exploration for World War One (WW1) cannons at Reid Park.

Officer's Recommendation

That council provide conditional approval for the excavation and, if found, recovery of WW1 cannons, at Reid Park, subject to the organisation being able to prove, with satisfactory evidence, their ability to meet all conditions and on the express understanding that this will be the last request considered.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7574) where council resolved the following:

That council provide conditional approval for the excavation and, if found, recovery of WW1 cannons, at Reid Park, subject to the organisation being able to prove, with satisfactory evidence, their ability to meet all conditions including the conditions listed in the officers report and their ability to maintain and protect the cannon if excavated and on the express understanding that this will be the last request considered.

- 1. Given the excavation will be relatively deep, through landfill material, which is likely to contain asbestos materials, and potentially into an old creek bed, an Environmental Management Plan would need to be prepared, monitored and adhered to, for the handling and reuse/disposal of contaminated material at no cost to council,**
- 2. All pertinent Department of Environment and Heritage Protection (DEHP) approvals, licenses, permits and clearances must be obtained and provided to council prior to starting the excavation process,**
- 3. Given that the excavation will be in very close proximity to a large sewer drain, and any removal of artefacts is likely to cause risk of damage to the main, protection of the main, and delicate excavation methods will need to be employed, under close supervision, to the complete satisfaction of Townsville Water and Waste, again at no cost to council,**
- 4. The location shown is at the rear of Mound 2, with the likelihood of impacting one or more semi-mature trees, which would need to be either protected and/or removed and replaced at no cost to council,**
- 5. The sewer main runs parallel and close to the QR boundary. Given the likely nature of the material to be excavated, stability of the sides of the excavation will need to be planned for, and monitored to prevent collapse and particularly subsidence of the fence line and into QR property. In addition the exact location and orientation of any artefact can't be known, with a possibility that it could extend under the fence line, given the creek bed and previous boundaries were different to what and where they are now. QR should be made aware of the works and any advice they provide would need to be heeded,**
- 6. The area would need to be filled, compacted and completely restored to its current state, at no cost to council,**
- 7. The proponents must have commenced and fully concluded their activities, including**

restoration, well outside the Townsville 400 occupation period between May and August, and will also need to be scheduled so as not to interfere with other events planned for the Reid Park precinct.

2 Engineering Services - Kennedy Street Footpath and Kerb and Channel Replacement

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 29 September 2014

Executive Summary

The purpose of this report is to outline council's recommendation to rescind a decision adopted at a council meeting on the 25 March 2014 regarding the Kennedy Street Footpath and Kerb and Channel Replacement.

This report summarises the consultation undertaken and the feedback received from residents regarding works notification, issued for information to residents within the affected area. The report recommends the preferred option to change the scope of the project to improve pedestrian safety and address the concerns raised by resident from works notification delivery.

Officer's Recommendation

That council resolve not to proceed with items (a) and (c) to *Infrastructure Committee item No. 2* adopted by council at its 25 March 2014 meeting and in doing so, council will only construct the pedestrian refuge at Paxton Street and modify the intersection of Stanley Street with Kennedy Street, to allow left-out motor vehicle movements only.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7574) where council resolved that the committee recommendation be adopted.

3 Property Management - Tony Ireland Stadium Seating Renewal

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Property Management
Date 27 August 2014

Executive Summary

Issues have been noted with Tony Ireland Stadium seating following the 2007 construction of the facility. Operational failures of the seating (due to a combination of degradation, accident and misuse) have all but exhausted council's spare replacement seating from the original order capacity. A major event is scheduled to occur at Tony Ireland Stadium in early 2015. It is necessary to ensure that replacement seating is available to enable capacity crowds for events and to maintain council's reputation to host major events.

The original architectural specification for the facility nominated 'Unity' seats. Design constraints, mainly around fire safety, highlight the specialist nature of seating replacement. Seating renewal with the original manufacturer's product provides advantages with respect to time and cost. This however would require the endorsement of the original supplier as a single supplier. There is currently no identified capital budget in the 2014/15 financial year to undertake this project however it is expected that funds could be sourced from other suspended capital projects.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council make provision in the 2014/15 budget to replace seating at Tony Ireland Stadium.
3. That council deem the replacement of seating at Tony Ireland Stadium a specialised service for the purposes of *Section 235* of the *Local Government Regulation 2012*.
4. That council delegate authority to the Chief Executive Officer to enter a medium-sized contract with Starena Australia Pty Ltd for the supply of seating to Tony Ireland Stadium to a limit of \$105,000.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7574) where council resolved that the committee recommendation be adopted.

4 Engineering Services - TCW00085 - Design and Construction of Riverway Drive Pathway Lighting

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 29 September 2014

Executive Summary

The purpose of this report is to recommend the successful tender for the installation of LED Lighting to the Riverway Drive Pathway from Village Boulevard to Gouldian Avenue.

This report contains information about the project and the tender process, along with council's recommendation for awarding tender TCW00085 – Design and Construction of Riverway Drive Pathway.

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 TCW00085 - Design & Construction of Riverway Drive Pathway Lighting to ATS Infrastructure Pty Ltd (as per Recommendation Report) for the amount of \$413,620.02 (excluding GST).
3. That council accept the recommendation including the installation of CCTV to the scope of works, subject to approval by the Federal Government.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7574) where council resolved that the committee recommendation be adopted.

5 Engineering Services - TCW00081 Queens Park Sports Field Rehabilitation Project Stage 2

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 29 September 2014

Executive Summary

Queens Park Regional Sporting Park is Townsville's highest profile multi-sporting park outside Murray Sporting Complex which attracts year round use by various local schools, sporting, and recreational groups. In addition the sporting park also hosts sporting championships at regional, state and national level. Council has identified the critical requirement to undertake immediate renewal works of the existing irrigation system as it currently operates at a substandard level.

Council is proposing to renew the irrigation system as part of the annual Sports Field Rehabilitation Program and called for tenders under TCW00081 – Queens Park Sports Field Rehabilitation Project Stage 2. This report outlines council's recommendation for awarding this tender.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award the Tender TCW00081 - Queens Park Sports Field Rehabilitation Project Stage 2 to Aquaflow NQ, for their Lump Sum fee proposal of - \$346,196.00 excluding GST.
3. That council accept the recommendation to deliver the project within the improved construction process to reduce the construction period and disruption to the Community and Park Stakeholders.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7574) where council resolved that the committee recommendation be adopted.

6 Engineering Services - Recommendation for Tender TCW00072 - Insitu Stabilisation, Road Preventative Maintenance Program

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services

Department Engineering Services

Date 26 September 2014

Executive Summary

Council is seeking to re-establish a preferred supplier arrangement with a suitably qualified and positioned contractor to assist council with undertaking the cement stabilisation of various roads throughout Townsville as part of the 2014/15 road rehabilitation program works.

This report outlines council recommendation for awarding Tender TCW00072 – Insitu Stabilisation, Road Preventative Maintenance Program.

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 Separable Portion 1 of Tender TCW00072 to Downer EDI for a fixed price contract based on the submitted schedule of rates for a period of 12 months.
3. That council award Separable Portion 2 of Tender TCW00072 to Stabilised Pavements of Australia Pty Ltd for a fixed price contract based on the submitted schedule of rates for a period of 12 months.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7574) where council resolved that the committee recommendation be adopted.

7 Engineering Services - TCW00084 - Supply and Delivery of One New 11 Cubic Metre Rear Loading Domestic Refuse Collection Unit

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 29 September 2014

Executive Summary

Tender TCW00084 was called as part of the approved 2014/2015 Heavy Fleet Replacement Program. Tenders were invited for the supply and delivery of one new 11 cubic metre rear loading domestic refuse collection unit for allocation to Townsville Waste Services.

New Fleet Number: HT30591

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 Tender No TCW00084 - Supply and Delivery of one 11 cubic metre Rear Loading Domestic Refuse Collection Unit be awarded to Tony Ireland Isuzu for one only Isuzu FSR 850 AMT truck fitted and commissioned with a Superior PAK 12m³ Collector Rear Loading Compaction unit, at a quoted price of \$252,906.40 (excluding GST).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7574) where council resolved that the committee recommendation be adopted.

8 Engineering Services - TCW00083 - Supply and Delivery of Three (3) 23 Cubic Metre Domestic Refuse Collection Units

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 29 September 2014

Executive Summary

Tender TCW00083 was called as part of the approved 2014/2015 Heavy Fleet Replacement Program. Tenders were invited for the supply and delivery of three new 23 cubic metre domestic refuse collection units for allocation to Townsville Waste Services.

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 Tender No TCW00083 - Supply and Delivery of three, 23 cubic metre Domestic Refuse Collection Unit be awarded to Brown & Hurley for two only DAF CF75 6x4 trucks fitted and commissioned with Superior PAK 24m³ Side Loader domestic refuse collection bodies at a quoted price of \$410,653.00 each (excl GST) & one only DAF CF75 6x4 truck fitted and commissioned with Pendpac Alleygator domestic refuse compaction body, at a quoted price of \$401,129.00 (excluding GST).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7574) where council resolved that the committee recommendation be adopted.

Planning and Development Committee

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

"that the committee recommendations to items 9, 10, 11 and 13 be adopted; and that item 12 be dealt with separately.

CARRIED UNANIMOUSLY

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

"that item 12 be adopted with the following amendment to condition 6:

Unless otherwise approved by council, patient treatment must only be conducted between the hours of 8.30am to 4.00pm Monday to Friday inclusive. The use is not to operate on Saturday, Sunday or Public Holidays."

CARRIED UNANIMOUSLY

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

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Assessment
Date 7 October 2014

Executive Summary

Council resolved to acquire a parcel of open space land known as Greentree Circuit, Bushland Beach, more particularly described as Lot 901 on SP148269, for drainage purposes at no cost to council and instruct Planning and Development to proceed with the processing of the Survey Plan for this portion of land at the Ordinary Council meeting on 26 August 2014. It has since been discovered that the incorrect Lot and Plan details and property address were identified in that report, and the details should have been Lot 501 on SP218628 (Marina Drive, Bushland Beach). This report seeks a resolution from council to acquire the property correctly described as Lot 501 SP218628 (Marina Drive, Bushland Beach) for drainage purposes.

Officer's Recommendation

That council resolve to amend its resolution made on 26 August 2014 to acquire Lot 901 on SP148269 and approve the request to acquire the parcel of land known as Marina Drive Bushland Beach, more particularly Lot 501 on SP218628, at no cost to council and instruct Planning and Development to proceed with the processing of the Survey Plan for this portion of land.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 7583) where council resolved that the committee recommendation be adopted.

10 Outcome of Appeal No. 1371 of 2014, Dalrymple Townsville Pty Ltd v TCC & Ors, 295-313 Dalrymple Road (Main), Garbutt

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Governance
Date 26 September 2014

Executive Summary

A submitter appeal was filed in the Planning and Environment Court by Dalrymple Townsville Pty Ltd on 15 April 2014 against council's decision to approve a development application for a Material Change of Use (Impact) – Showroom Type A, Showroom Type B, Garden Centre, Warehouse and Shop – Masters on land located at 295-313 Dalrymple Road (Main), Garbutt.

The matter proceeded through two mediations and other numerous negotiations, mainly involving the applicant and the submitter. With the support of council and the Department of Transport and Main Roads, in September 2014 the traffic issues were resolved between the applicant and the submitter and a Judgment (by consent) was issued by the Court on 15 September 2014.

This matter is now at an end.

Officer's Recommendation

That council receive this report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 7583) where council resolved that the committee recommendation be adopted.

11 Outcome of Appeal No. 1309 of 2014, Bunnings Group Limited v TCC & Ors, 295-313 Dalrymple Road (Main), Garbutt

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Governance
Date 26 September 2014

Executive Summary

A submitter appeal was filed in the Planning and Environment Court by Bunnings Group Limited on 11 April 2014 against council's decision to approve a development application for a Material Change of Use (Impact) – Showroom Type A, Showroom Type B, Garden Centre, Warehouse and Shop – Masters on land located at 295-313 Dalrymple Road (Main), Garbutt.

The matter proceeded through two mediations and other numerous negotiations, mainly involving the applicant and the submitter. With the support of council and the Department of Transport and Main Roads, in September 2014 the traffic issues were resolved between the applicant and the submitter and a Judgment (by consent) was issued by the Court on 15 September 2014.

This matter is now at an end.

Officer's Recommendation

That council receive this report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 7583) where council resolved that the committee recommendation be adopted.

12 MI14/0021 Report - MCU (Impact) Medical Centre and Caretaker's Residence- 23 Anne Street Aitkenvale

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Development Assessment
Date 23 September 2014

Address Lot 4 RP 714302, 23 Anne Street Aitkenvale
Applicant/Owner Altra-B Planning & Management, As Trustee For, Mr Ronald E Hughes, Georgina E Hughes and Tihana Trust

Description Material Change of Use (Impact) - Medical Centre and Caretaker's Residence

Executive Summary

A development application for a Material Change of Use (Impact) – Medical Centre and Caretaker's Residence on lot 4 RP 714302, situated at 23 Anne Street Aitkenvale has been received from the applicant: Altra-B Planning & Management; application number: MI14/0021; assessment number: 2514004, and has been recommended for approval.

The proposal is for a Medical Centre and Caretaker's Residence, which is to function as a low impact women's health care facility to operate at normal business hours trading Monday to Friday 8.30am to 4pm with a Caretaker's Residence on the upper level of the building. The proposal will limit employees to one medical practitioner, two nurses with the role of practice manager and clinic coordinator and one administration support officer. The proposal for the Medical Centre includes three offices, three consultation rooms, treatment room, store and server room, utility and sterilising room, staff room, reception, kitchenette, meeting room, bathroom and nine onsite parking spaces. The Caretakers Residence proposes two bedrooms, study, store room, living/dining and kitchen with one covered parking space and laundry.

No Information Request was issued by council during the assessment and sufficient justification was considered to be provided for the location of the proposed Medical Centre within a residentially zoned area. Two submissions were received during the statutory notification period. The concerns raised in the submission have been reviewed as part of the assessment of the application.

Officer's Recommendation

That council approve application MI14/0021 for a development permit for Medical Centre and Caretaker's Residence under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 4 RP 714302, more particularly 23 Anne Street Aitkenvale subject to the following conditions -

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE Medical Centre

SCHEDULE OF CONDITIONS

1. Site Layout

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

DRAWING NAME	DRAWING No.	REVISION No.	STAMP DATE
Site Plan	DD 06	1	22 July 2014
Ground Floor Plan	DD 07	1	22 July 2014
First Floor Plan	DD 08	1	22 July 2014
East and North Elevation	DD 09	1	22 July 2014
West and South Elevations	DD 10	1	22 July 2014

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

2. Limitation of Employees

The Medical Centre is to operate with a maximum of one (1) medical practitioner and three (3) support staff at any one time, unless otherwise approved by council.

3. Defined Use

The use hereby permitted must be conducted at all times in conformity with the associated Planning Scheme definition.

4. Building Materials

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

5. Signage

Any signs associated with the use must be maintained to the satisfaction of Council. No illumination of the signage is to occur unless otherwise approved in writing by Council.

6. Hours of Operation

Unless otherwise approved by Council, patient treatment must only be conducted between 8am to 4.30pm Monday to Friday inclusive. **The use is not to operate on Saturday, Sunday or Public Holidays.**

7. Storage of Materials and Machinery

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

8. Lighting

The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.

Install and maintain all outdoor 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).

9. Property Numbering

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

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

10. Screen Fencing

The developer must provide a visual screen between the site and any adjoining land occupied by a residential building or any adjoining land contained in a Residential precinct in accordance with *City Plan Policy 2 Section 4 – Screen Fencing*.

Notwithstanding the above, with the written consent of the proprietor of any adjoining land, the screen on the boundary shared with that neighbour may consist of other materials or lesser height or no fencing. For such a variation the developer must submit to and be approved by Council details of the alternative screen together with the written consent of the applicable adjoining owner prior to a Development Permit for Building Work being issued.

Unless written consent is obtained from the affected adjacent property owner, the developer must not construct a fence adjacent to the property boundary where it impedes the maintenance and serviceability of an existing boundary fence.

Furthermore consultation with adjoining property owners is essential so an amicable result is achieved in respect to the removal or retention of any existing adjoining fence.

The screen must be erected/planted prior to the commencement of the use and maintained thereafter to the satisfaction of the Council.

11. Screening of Plant and Utilities

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

12. Refuse Facilities

Refuse collection arrangements must be provided by the developer in accordance with *City Plan Policy 2 - Development Standards, Section 8 - Provision for Refuse Services*. In particular,

- a) 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.
- b) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

13. Relocation of Utilities

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

14. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * exposed aggregate concrete; or
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- e) The developer must provide a minimum of one (1) covered car space for the Caretakers Residence and nine (9) car spaces for the Medical Centre, including disabled parking on site in accordance with Australian/New Zealand Standard AS/NZ2890.
- f) All signage and line marking for off-street car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.
- g) The car parking area must be suitably screened so as to prevent light spillage from the car park areas and car headlights into adjoining properties and roads. Details of such screening must be submitted to and approved in writing by Council prior to the issue of a Development Permit for Building Work.

15. Stormwater Drainage

- a) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.

- b) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- c) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

16. Soil Erosion Minimisation, Sediment Control and Dust Control

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

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

17. Roadworks and Traffic

- a) The developer must construct the new access driveway and crossover from the existing kerb and channel to the property boundary at the developer's expense generally in accordance with Council's relevant Standard Drawings for *Driveway Access and Driveway Crossovers*.
- b) The developer must replace the existing vehicle access(es) including the crossover(s) in the kerb and channel, in accordance with Council's Standard Drawing for *Driveway Access – Urban Residential Properties*.
- c) The developer must remove the existing vehicle access including crossovers(s) in the kerb and channel, replace with new kerb and channel and reinstate the footpath in accordance with Council's Standard Drawing for *Concrete Kerbing*.
- d) The developer must replace the kerb and channelling as necessary to repair any irregularities or breaks for the full frontage of the site in accordance with Council's Standard Drawing for *Concrete Kerbing*.
- e) During the construction phase, any damages to the road reserve (i.e footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

18. Landscaping

- a) Prior to the issue of a Development Permit for Building Works, a landscaping plan is required to be submitted to and be approved by Council as part of Compliance Assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape Design Plans must be prepared in accordance with the relevant sections of City Plan Policy 1 – Supporting Information - Section 9 – Landscape Plans. As part of the landscaping plan the following items are to be included:

- * The footpath/road reserve along Richard Street and Anne Street to be turfed and provided with automated irrigation.
 - * Mature street trees of a species selected for this section of road.
- b) The landscape plans must be prepared by a suitably Qualified person who:
 - * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer

- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within City Plan Policy 2 – Development Standards – Section 10 – Landscape Work Specification and Section 11 – Irrigation Systems for Developments. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

ADVICE

1. Infrastructure Charges

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

2. Further Approvals Required

a) Compliance Assessment

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

Condition 18 – Landscaping

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

b) Plumbing and Drainage Works

The developer must obtain a Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.

c) Building Works

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

d) Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 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:

- i. Completed Roadworks approval application form
- ii. Prescribed fee
- iii. Traffic Management Plan prepared by a suitably 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 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.

3. Waste Collection

- a) The owner/occupier of the premises is required to provide an adequate number of waste containers to manage the waste generated by the activities being undertaken onsite.
- b) The proprietor is to arrange for the removal of waste from the premises by a suitably licensed waste transport contractor approved by the local government to transport waste under Section 369A of the *Environmental Protection Act 1994*. Adequate provision must be made for the collection of the waste storage containers within the premises.
- c) The collection of putrescibles waste arising from activities undertaken on this development must be collected and removed at periods not exceeding seven days.
- d) The collection of waste is to be undertaken so as to minimize, so far as reasonably practicable excessive noise to neighboring occupants. The collection method must ensure that waste is adequately managed to prevent escape or contamination.
- e) 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".

4. Noise

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

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

5. Environmental Considerations

DEHP Requirements

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 7583) where council resolved the following:

that item 12 be adopted with the following amendment to condition 6:

Unless otherwise approved by council, patient treatment must only be conducted 8.30am to 4.00pm Monday to Friday inclusive. The use is not to operate on Saturday, Sunday or Public Holidays.

**13 MI14/0003 MCU - Impact - Major Utilities (Waste Transfer Station) 11-63 West Point Road
Picnic Bay**

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Planning and Development
Date 23 September 2014
Address Lot 2 RP 721497, 11-63 West Point Road Picnic Bay
Applicant/Owner Everson Town Planning, Townsville City Council
Description Material Change of Use (Impact) - Major Utilities (Waste Transfer Station)

Executive Summary

This application seeks combined approval for a Development Permit – Material Change of Use for Major Utility (Waste Transfer Station) and a Development Permit – Material Change of Use for an Environmentally Relevant Activity No. 62 (State regulated). The development site is situated at 11-63 West Point Road, Picnic Bay, Magnetic Island. The proposed works involve the construction of a new council operated waste transfer facility on industrial land adjoining an existing sewerage treatment plant at 65-73 West Point Road. The development has been assessed against the provision of the City Plan 2005 where it was found to comply with the relevant development controls.

Officer's Recommendation

That development application MI14/0003 for a Development Permit – Material Change of Use for Major Utility (Waste Transfer Station) and a Development Permit – Material Change of Use for an Environmentally Relevant Activity No. 62 (State regulated) under section 243 of the *Sustainable Planning Act 2009* (the Act) on land described as Lot 2 RP 721497, more particularly 11-63 West Point Road Picnic Bay is approved on the following grounds/subject to the following conditions -

1. Site Layout

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

DRAWING NAME	DRAWING NO.	REVISION NO.	PLAN DATE
General Arrangement – Site Plan	5716-SK49	-	19 October 2011
Layout Sheet 1 of 2	5716-SK46	C	11 September 2013
Layout Sheet 2 of 2	5716-SK47	C	11 September 2013
Floor Plan	5716-A03	P3	13 November 2013
Roof Plan	5716-A04	P3	13 November 2013
Elevation Sheet	5716-A05	P3	13 November 2013
Gatehouse Plans and Elevation	5716-A10	P3	13 November 2013
Landscape Concept Plan	FCG08-LSK-001	A	15 November 2013
Planting Palette	FCG08-LSK-002	A	15 November 2013

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

2. Building Materials

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

3. Storage of Materials and Machinery

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

4. Lighting

- a) The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.
- b) Lighting must be provided in accordance with the *Australian/New Zealand Standard AS/NZS1158 Lighting for Roads and Public Spaces*.

5. Property Numbering

Effective property numbers must be erected at the premises prior to the commencement of the use and be maintained to the satisfaction of the Council. The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.

6. Relocation of Utilities

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

7. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- d) All signage and line marking for off-street car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.
- e) The developer must ensure the balance of the development site is treated to minimise dust nuisance.

8. Roadworks and Traffic

- a) The developer must carry out the widening works of West Point Road generally in accordance with the most current version of council's road construction requirements.
- b) During the construction phase, any damages to the road reserve must be replaced by the developer in accordance with Council's standards.

9. Stormwater Drainage

- a) The development site must be graded so that it is free draining. All runoff from storms naturally falling into this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge as agreed upon by Council.
- b) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- c) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- d) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- e) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.

10. Bushfire Management

The Bushfire Management Plan prepared by Townsville City Council (Project and Asset Management Services) and referenced TCCWS 2012 is approved. Recommended mitigation measures to be fully implemented prior to commencement of use on site and maintained thereafter.

11. Stormwater Quality Management

The Stormwater Quality Management Plan prepared by Flanagan Consulting Group (Project Number 5716-06 Reference R-FN0151) dated December 2013 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 council Development Specifications.

12. Soil Erosion Sediment Control Plan

The developer must ensure that erosion and sediment control is managed on site in accordance with the Magnetic Island Transfer Station Erosion and Sediment Control Plan prepared by NRA Environmental Consultants for Flanagan Consulting Group and Townsville City Council dated 4 December 2013.

13. Environmental Values

The Environmental Analysis Report referenced NRA 2012a prepared by NRA Environmental Consultants dated 19 June 2012 is approved. Recommended mitigation measures in the report must be fully implemented prior to commencement of use on site and maintained thereafter.

14. Rock Breaking, Drilling and Piling

- a) Rock breaking, drilling and piling is permitted on the site for three hours a day between 2 pm and 5 pm on Monday, Tuesday, Thursday and Friday, excluding Public Holidays, until the required rock breaking, drilling or piling is completed.

Council and all residents within a 200m radius of the site must be advised in writing of the expected duration and the restricted times that rock breaking, drilling or piling will occur; or

- b) A noise management programme must be prepared for the rock breaking/drilling/piling activity, scheduling the expected equipment, duration (dates) and times (days and hours) of rock breaking, drilling or piling and the noise mitigation measures proposed.

The programme must be petitioned by all residents within 200m of the site of activity then submitted to and be endorsed by Council prior to commencement of works. All rock breaking, drilling or piling works must be carried out in accordance with the approved management programme, with the provision that no activity is permitted on Sundays or Public Holidays.

16. Landscaping

The developer must implement the approved landscaping plan prior to the commencement of the use. Please note that a sufficient native landscape buffer of 10m is required between the road reserve and any onsite operations to ensure appropriate visual screening of the facility.

17. Existing Street Trees

The existing street trees located within the road reserve must not be damaged, removed, destroyed or lopped without the written consent of Council first being obtained.

18. Final Inspection and Compliance Check

The works will be accepted as finally complete subject to, but not limited to, satisfaction of the following:

Certification of Completed Works

A Registered Professional Engineer of Queensland (RPEQ) must certify that the completed works comply with this development approval, the specific outcomes of the applicable regulations and good engineering practice.

A Licensed Surveyor must certify that the locations, surface and invert levels of all works and infrastructure presented on the 'as constructed' drawings and digital submissions have been surveyed and are true and accurate representations of the works by including the following statement on each 'as constructed' drawing:

'I/We (Name) of (Licensed Surveyor) hereby certify that this drawing accurately describes and records the nature and the location of the works depicted hereon as they have been constructed for the purposes of the development. (Dated)'

Council must be satisfied with the results of a final inspection and compliance checks against the development approvals in accordance with the procedures in Aus-spec document 'CQC – Construction Quality Control'. Council must issue a 'Final Completion' Certificate, identifying the relevant works.

19. Hours of work

Works involving machinery of any description must only be carried out on site from:

- a) 7:00 am to 7:00 pm, Monday to Saturday;
- b) with no work on Sunday or Public Holidays.

Unless otherwise authorised by Council.

20. Compliance Inspection Fee

- a) A works inspection fee (at the rate applicable at the time of payment) must be paid prior to works being accepted Finally Completed.

- b) A reinspection fee (at the rate applicable at the time of payment) will be applicable where an additional inspection is required due to works being incomplete or unsatisfactory at the initial inspection. The reinspection fee must be paid prior to the additional inspection being conducted.

21. Notice to Commence Works/Pre-start Meeting

A pre-start Meeting must be convened on-site with an officer from Council's Development Infrastructure Compliance Unit prior to commencing works. The pre-start meeting must review.

- a) A works inspection fee (at the rate applicable at the time of payment) must be paid prior to works being accepted Finally Completed.
- b) A Pre-start Meeting must be convened on-site with an officer from Council's Development Infrastructure Compliance Unit prior to commencing works. The pre-start meeting must review:
 - (i) Representatives, roles and contact details of the Developer, Engineering Consultant(s), Specialist Consultant(s) and Council
 - (ii) Conditions of the development approval
 - (iii) Construction methodology and program
 - (iv) Erosion and sediment control
 - (v) Site access
 - (vi) Identification of existing infrastructure
 - (vii) Site safety inductions and plans
 - (viii) Requirements of other authorities and legislation

Works must not commence until the requirements of a pre-start meeting have been satisfied.

22. Inspections

Each inspection must be certified and documented by a Registered Professional Engineer of Queensland (the supervising engineer). The following inspections are required and must be witnessed by council officers:

- a) Erosion and sediment control prior to works commencing and as required in the approved soil erosion and sediment control plan
- b) Formwork check for cast in-situ concrete footpaths, driveways and structures (including footings)
- c) All works prior to 'Final Completion'

The Development Infrastructure Compliance Unit (DICU) must be given at least two (2) business days notice to arrange attendance by a representative for the purposes of joint witnessing these inspections.

The DICU representative must be authorised to conduct other regular site inspections, subject to normal OH&S requirements, in order to monitor development progress and general compliance with the development approval.

The applicant must coordinate inspections through Sarah Hancox, Field Officer in the DICU. Sarah can be contacted on 4727 9246 or 0428 190 526 or by email sarah.hancox@townsville.qld.gov.au.

Concurrence Agency Conditions – Department of State Development, Infrastructure and Planning

Pursuant to section 285 and Section 287 of the *Sustainable Planning Act 2009*, the State Development, Infrastructure and Planning advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the State Development, Infrastructure and Planning conditions as outlined in the Department's correspondence dated 24 July 2014.

Concurrence Agency Conditions – Environmentally Relevant Activity No. 62 (State Regulated) – Department of Environment and Heritage Protection

Pursuant to section 285 and Section 287 of the *Sustainable Planning Act 2009*, the State Development, Infrastructure and Planning advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use for ERA No. 62 subject to the conditions, as attached. The applicant must comply with the Department of Environment and Heritage Protection conditions as outlined in the Department's correspondence dated 19 August 2014.

ADVICE

1. Infrastructure Charges

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

2. Further Approvals Required

a) Building Works

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

3. Haulage of Materials

a) Where the development of the subject site requires materials to be imported or exported in excess of 2,500 m³, the developer must obtain a separate Council approval for the transport route. Specific conditions may apply, including contributions towards the cost of accelerated pavement degradation along haulage routes and/or repairs to haulage routes.

b) The approval for the route of transport must show the period and time of transport during the construction phase of the development.

4. Noise

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

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

5. Environmental Considerations

DEHP Requirements

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

6. Flammable and Combustibles

Where flammable and combustible liquids are stored or handled on site, advice regarding the requirements for storage and handling of Flammable and Combustible Liquids must be obtained from The Department of Industrial Relations – Work Place Health & Safety.

PRELIMINARY APPROVAL

ERA

SCHEDULE OF CONDITIONS

1. The proposed development has been assessed against the relevant provisions of the Planning Scheme. However, assessment against the *Building Act 1975*, the *Building Regulation 2006* and the *Building Code of Australia* is still required.
2. An application for a Development Permit - Building Work is required for the proposed development. This application needs to be approved prior to any works commencing on the site.
3. All building work is to comply with the *Building Act 1975*, the *Building Regulation 2006* and the *Building Code of Australia*.

FOR ASSESSMENT MANAGER

DATE >>

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 9 of the council minutes (page 7583) where council resolved that the committee recommendation be adopted.

Healthy and Safe City Committee

It was *MOVED* by Councillor G Eddiehausen, *SECONDED* by Councillor T Roberts:

"that the committee recommendations to items 15 to 16 be adopted; and that item 14 be dealt with separately."

CARRIED UNANIMOUSLY

It was *MOVED* by Councillor G Eddiehausen, *SECONDED* by Councillor T Roberts:

"that the committee recommendation to item 14 be adopted."

CARRIED UNANIMOUSLY

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

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

Councillor C Doyle

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

The owner of Townsville Demolitions is a customer of Councillor Doyle's husband's business.

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

The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter 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 recommendation.

Councillor C Doyle vacated Chambers for item 14.

14 Townsville Demolitions Pty Ltd v TCC, 142 Glenn Road, Woodstock

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Environmental Health

Date 7 October 2014

Executive Summary

On 15 September 2014 an appeal was filed in the Planning and Environment Court by Townsville Demolitions Pty Ltd (appellant) against EN14/0019.01 which was issued based on the decision of the Building and Development Dispute Resolution Committee (Committee). The appellant also disputes that the subject property is required to have approval under the planning scheme.

Officer's Recommendation

1. That council resolve to defend the application made in Planning and Environment Court Appeal No. 285 of 2014.
2. That council, under *Section 257 (1)(b) of the Local Government Act 2009*, resolve to delegate authority to the Chief Executive Officer to settle the Planning and Environment Court Appeal, out of court, in the event that a mutually acceptable settlement emerges relating to the above matter.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 7599) where council resolved that the committee recommendation be adopted.

Councillor C Doyle took a seat in chambers.

15 Cat Registration to Permit transition; Change of Subordinate Local Law

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Environmental Health Services
Date 7 October 2014

Executive Summary

1. In response to a range of concerns about the efficiency and effectiveness of mandatory State-wide registration of cats, in September 2013 the State Government repealed that legislation and empowered each local government to decide, by resolution whether cat registration should be continued within their administrative area.
2. In October 2013, Townsville City Council resolved to continue with cat registration through its local laws in order to maintain the promotion of responsible animal ownership and to allow time to collect evidence about its effectiveness and the related service demand.
3. Evidence collected over the past year indicates that the implementation of an annual permit system for the keeping of one or two cats on an allotment will produce the benefits achievable from cat registration but at a lower ongoing cost to both cat owners and the council, and that accordingly it is inappropriate to continue with registration of individual cats. (*Note that there is already a permit system in place for keeping more than 2 cats on residential allotments, and for keeping any cats in environmentally sensitive areas such as Magnetic Island and Paluma, and those arrangements will continue*).
4. This report recommends that council make a series of resolutions to:
 - implement an annual permit system for the keeping of one or two cats by amendment to its existing subordinate local law;
 - set the permit fee at \$15.00 for 2014/15;
 - cease registration of individual cats on 1 November 2014;
 - grant permits without additional charge to those residents who have cat registrations valid at 1 November 2014.

Officer's Recommendation

1. That council resolve to proceed to amend *Subordinate Local Law No. 2 (Animal Management) 2011*, Schedule 2, Item 2, by inserting a new clause (a) and re-lettering the existing clauses so that the item reads:
 - (a) *one or two cats on any allotment*
 - (b) *A cat over the age of 3 months on an allotment on Magnetic Island.*
 - (c) *A cat over the age of 3 months on an allotment in the Paluma range area.*
 - (d) *3, 4, 5 or 6 cats over the age of 3 months on an allotment with an area less than 4,000m².*
 - (e) *the operation of a cattery.*
2. That council resolve to amend its Schedule of Fees and Charges by:
 - Deleting from the date of the resolution (1 November 2014) the fees for registering an entire cat or a desexed cat; and
 - Add a fee for obtaining a permit to keep one or two cats, with the fee payable for the permit set at \$15.00 for the 2014/15 financial year.

3. That in recognition that some residents have a registration for their cat(s) in the 2014/15 financial year, council resolve to issue to those residents (without payment of an additional fee) a permit to keep one or two cats on an allotment.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 7599) where council resolved that the committee recommendation be adopted.

16 A Pilot Study for Public Place Recycling and Litter Management (QLD 219-14)

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Environmental Health
Date 29 September 2014

Executive Summary

Environmental Health Services and Townsville Waste Services were successful in receiving funding through the Australian Packaging Covenant to undertake '*A Pilot Study for Public Place Recycling and Litter Management*'. The pilot area is to be confirmed with \$115,000 allocated towards the replacement or modification of some public place litter and recyclable bins that are more community acceptable towards recycling and general waste disposal.

The project will include community surveys and community messaging as well as a series of litter and waste stream audits. This will enable the project to be evaluated against the expectations of reduced littering, an increase in recycling and a reduction in contamination of recycling and waste streams.

Officer's Recommendation

That the report be noted.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 14 of the council minutes (page 7599) where council resolved that the committee recommendation be adopted.

Smart City Sustainable Future Committee

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

"that the committee recommendations to items 17 to 19 be adopted."

CARRIED UNANIMOUSLY

17 National Tree Day 2014

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services

Department Integrated Sustainability Services

Date 8 October 2014

Executive Summary

National Tree Day is Australia's largest community tree planting initiative co-ordinated by Planet Ark. Townsville City Council has supported this national environmental initiative since 1996. Council, along with its Together Townsville partners, Suncorp Bank and Mike Carney Toyota supported the initiative again in 2014 by holding a Community Tree Planting event, while also providing native plants, soil conditioner and advice to registered local schools for Schools Tree Day.

The Community Tree Planting event at Murray Skate Park, Annandale was planned however due to unforeseen public health risks the community planting component was not undertaken on the day. A successful event was still undertaken on the day, with a total of 1,000 native plants given away to residents to plant on their own properties. A follow up event was held at Kalynda Chase, Bohle Plains which also attracted excellent support from the community and over 1,000 native trees and shrubs were planted on the day.

A total of 15 schools participated in Schools National Tree Day, planting a combined total of 1,279 native plants within school grounds throughout Townsville.

Officer's Recommendation

That council continue to support the National Tree Day initiative into the future.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 17 of the council minutes (page 7603) where council resolved that the committee recommendation be adopted.

18 Reef Rescue project final report and presentation

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Integrated Sustainability Services
Date 8 October 2014

Executive Summary

As reported previously (on the 10 July 2014) the Reef Urban Stormwater Management Improvement Group (RUSMIG) and the Water by Design Program (of the Healthy Waterways Partnership) undertook the project titled "Collaboration to the Rescue: Better Reef water quality through smart urban water management".

The project developed a suite of tools to help coastal Councils in the Reef region to address key capacity and capability needs to enable better urban stormwater quality management for the Reef and our local waterways. This included support across policy, planning, design, construction, and asset management for local government, as well as integration at a catchment scale through Water Quality Improvement Plan updates in selected regions.

The project has now concluded and the final report is attached. The final report summarises the outcomes that have led significant improvements in urban stormwater management in the Great Barrier Reef catchment from October 2013 to August 2014. A short presentation will highlight the key outcomes and deliverables from the project for Townsville City Council.

Officer's Recommendation

That council notes the information provided in the project final report and officer presentation.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 17 of the council minutes (page 7603) where council resolved that the committee recommendation be adopted.

19 2014/15 Reef Guardian Councils Action Plan

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Integrated Sustainability Services
Date 8 October 2014

Executive Summary

The Reef Guardian Councils (RGC) Program is a Great Barrier Reef Marine Park Authority (GBRMPA) program that recognises the role of local government in helping to protect the Great Barrier Reef (GBR) from the impacts of declining water quality and climate change. Council was one of the first Reef Guardian Councils in the Great Barrier Reef region to be recognised through this program.

On 21 November 2006 council accepted the invitation from Great Barrier Reef Marine Park Authority to participate in the Reef Guardian Council Program. This participation was re-affirmed by the current council on the 23rd April 2013 with the signing of a Memorandum of Understanding with the Great Barrier Reef Marine Park Authority.

The Reef Guardian Councils program requires councils to prepare an Action Plan annually.

The Reef Guardian Councils Action Plan attached represents the actions currently being undertaken by the relevant divisions and departments of council for the 2014/15 financial year.

Officer's Recommendation

That council endorse the 2014/15 Reef Guardian Councils Action Plan.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 17 of the council minutes (page 7603) where council resolved that the committee recommendation be adopted.

Community and Cultural Committee

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

"that the committee recommendations to items 20 to 24 be adopted; and that items 25 and 26 be dealt with separately."

CARRIED UNANIMOUSLY

It was *MOVED* by Councillor V Veitch, *SECONDED* by Councillor S Blom:

"that the committee recommendation to item 25 be adopted."

Councillor L Walker called for a division which was seconded by Councillor T Roberts.

**FOR: Councillors G Eddiehausen, T Roberts, S Blom, J Lane, A Parsons and V Veitch.
AGAINST: Councillors C Doyle, R Gartrell, L Walker and the Mayor, Councillor J Hill.**

CARRIED

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

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

Councillor L Walker called for a division which was seconded by Councillor T Roberts.

**FOR: Councillors G Eddiehausen, T Roberts, S Blom, J Lane, A Parsons and V Veitch.
AGAINST: Councillors C Doyle, R Gartrell, L Walker and the Mayor, Councillor J Hill.**

CARRIED

20 Presentation - Townsville RSL

PRESENTATION

Authorised by Director Community and Environment
Department Corporate Communications and Customer Relations
Committee Community and Cultural Committee
Date 30 September 2014

Executive Summary

Townsville RSL in conjunction with the community of Townsville and the Defence Force are launching a new initiative for Christmas 2014, the Adopt a Digger initiative.

The Adopt-a-Digger initiative aims to bring together people from the Defence Force and Townsville community to celebrate and bring a little joy into each other's lives for Christmas Day.

Townsville RSL's aim is the match likeminded parties together to celebrate and make this Christmas season extra special for all concerned.

Officer's Recommendation

That council note the Townsville RSL presentation

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7606) where council resolved that the committee recommendation be adopted.

21 Presentation - Community Information Centre Strategic Plan 2014-2017 and Introduction of New Online Directories

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 16 October 2014

Executive Summary

The purpose of this presentation is to introduce the Community Information Centre's new Strategic Plan 2014-2017 as well as their new online suite of Directories to Townsville City Council's Community and Cultural Committee.

Townsville City Council currently provides funds to the Community Information Centre under a Partnerships and Sponsorships grant. The timeframe of the Community Information Centre's Strategic Plan has been set to coincide with the next period of the proposed funding application to council. This aligns with the Community Information Centre's annual reporting process on the achievement of outlined goals and strategies.

Over the past year, the Community Information Centre has been working with Townsville City Council's Knowledge Management team to redevelop the popular online Community Directory. As a part of this process the opportunity was taken to develop two new directories – the NQ Arts Directory and the Learning Townsville Directory. The development of these directories aligns with strategies from Council's Arts & Culture Strategic Action Plan, Lifelong Learning Strategic Action Plan and Seniors Strategic Action Plan (2011 – 2014).

All three directories are available through council's website and play a significant role in the fast-growing North Queensland region by helping new and longer-term residents access services, get involved and develop a sense of belonging.

Officer's Recommendation

That council note the presentation from the Community Information Centre on their Strategic Plan 2014 – 2017 and new online Directories.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7606) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 16 October 2014

Executive Summary

The council's Inclusive Community Advisory Committee meeting was held on 21 August 2014. The report is presented for information.

During the meeting a request was made that a report be put to council that council join the 'Every Australian Counts' campaign to show support for the introduction of the National Disability Insurance Scheme (NDIS).

Officer's Recommendation

1. That council note the report of the Inclusive Community Advisory Committee meeting of 21 August 2014.
2. That council join the Every Australian Counts campaign to show support for the introduction of the National Disability Insurance Scheme (NDIS).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7606) where council resolved that the committee recommendation be adopted.

23 Report - Castle Hill PCYC funding request

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 8 October 2014

Executive Summary

On 7 October 2014, correspondence was received from Sergeant Dave Goode, Branch Manager, Castle Hill PCYC, requesting council to provide \$1.5M as a co-contribution to support their funding submissions to the State Government's Get Playing Plus Program and the Federal Government's National Stronger Regions Fund to deliver Stages 1 and 2 of the PCYC's concept plan (attached) to upgrade and refurbish their facility at Harold Phillips Park, Belgian Gardens. The estimated project cost to complete Stages 1 and 2 is \$4.5M.

If Stages 1 and 2 are completed, Castle Hill PCYC project that their participation rates to increase from 60,000 per year to 124,500 per year (attached).

In the 2011/12 financial year, council made a \$1.5M commitment over three financial years to Castle Hill PCYC towards facility upgrades and refurbishment. However, due to Castle Hill PCYC being unable to confirm another funding source to complete the required works council's contribution was not utilised and taken out of council's budget.

Officer's Recommendation

That council approve the allocation of a \$1.5M grant over two years (in line with the timelines of the State Government funding program) to the Castle Hill PCYC towards the upgrade and refurbishment of their facility at Harold Phillips Park, Belgian; conditional upon the Castle Hill PCYC being approved funding for the State or Federal Government funding programs.

Committee Recommendation

That council approve the allocation of up to a \$1.5M matching funding grant over two years, 2015/16 and 2016/17 financial years to align with the timelines of the State Government funding program to the Castle Hill PCYC towards the upgrade and refurbishment of their facility at Harold Phillips Park, Belgian Gardens conditional upon the Castle Hill PCYC being approved funding for the State and/or Federal Government funding programs.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7606) where council resolved that the committee recommendation be adopted.

24 Community Services - Wee Care Family Inc lease renewal

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 16 October 2014

Executive Summary

Wee Care Family Incorporated has occupied the premises at 9-25 First Street, Railway Estate since 1984 and are seeking to renew their lease. The premises are owned by Wee Care Family Incorporated situated on council land located on Lots 1 – 3 on Registered Plan 716936.

Officer's Recommendation

That council approve renewing the lease with Wee Care Family Incorporated for the property located at Lots 1 – 3 on Registered Plan 716936, also known as 9-25 First Street, Railway Estate for a period of up to 10 years, at a rental of \$1 per year plus GST if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7606) where council resolved that the committee recommendation be adopted.

25 Confidential Report - Worinda Occasional Child Care Centre - The Gowrie Proposal

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 16 October 2014

Executive Summary

The Worinda Occasional Child Care Centre has been operated by Townsville City Council for over 25 years. The service provides access to respite related care for parents of children that do not require regular, ongoing placement, or are not able to be placed, in other child care services / facilities. The service has historically been provided by council because there was not the capacity in the local community to deliver occasional care services, primarily due to their financially unviable nature.

On 18 August 2014 a proposal was sent by the Gowrie expressing an interest in negotiating with council the possibility of transitioning the Worinda Occasional Child Care Centre from council to the Gowrie. The Gowrie followed up with a presentation to council on 28 August 2014 to discuss the community benefits and outcomes should the licence and a lease be approved to the Gowrie. Furthermore, as part of the ongoing continuous improvement review of council services, it has been identified that there is now greater capacity in the local community service sector, through organisations such as the Gowrie, for the delivery of child care services.

The Gowrie have detailed further information that outlines how staff will be transitioned, and how the services will be continued and expanded to meet community needs. There will be no disruption to service, and a detailed transition plan will be adhered to, ensuring continuity of service for families and staff impacted.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approve the transition of the operation of the Worinda Occasional Child Care Centre to The Gowrie to operate a child care service from the facility from 2 February 2015.
3. That council approve entering into a lease over the Worinda Occasional Child Care Centre facility with The Gowrie for a period of up to 10 years, subject to The Gowrie paying the cost of facility maintenance from 1 February 2017, for the rental amount of \$1 per year excluding GST if requested by council.

Committee Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approve the transition of the operation of the Worinda Occasional Child Care Centre to The Gowrie to operate a child care service from the facility from 2 February 2015.
3. That council approve entering into a lease over the Worinda Occasional Child Care Centre facility with The Gowrie for a period of up to 10 years, subject to The Gowrie paying the cost of facility maintenance from 1 February 2017, for the rental amount of \$1 per year excluding GST if requested by council.
4. That council resolve to investigate and negotiate the potential sale of the Worinda Occasional Child Care Centre (Lot 493 on EP1401) located at 72 Hodges Crescent, Vincent directly to the Gowrie.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7606) where council resolved that the committee recommendation be adopted.

26 Confidential Report- Home Services Program - LifeTec Proposal

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 16 October 2014

Executive Summary

Townsville City Council has been funded by the Commonwealth's Department of Social Services (formally the Department of Health and Ageing) to deliver the Home and Community Care's Home Services Program for many years. The Home Services Program provides basic maintenance and home modifications services to people aged 65 years and over and Aboriginal and Torres Strait Islander people aged 50 years and over in the community.

Townsville City Council receives \$718,625 (GST exclusive) per annum from the Commonwealth's Department of Social Services for the delivery and administration of the Home Services Program, the current Funding Agreement will cease on 30 June 2015. Council's Home Services Program employs one administration staff and three maintenance staff to deliver the program.

On 24 July 2014 LifeTec sent a proposal expressing an interest in negotiating with Council the transitioning the Home Services Program to LifeTec. This would complement LifeTec's existing Home Modification Program for people with a disability within the Townsville and Northern Region that would provide more holistic services to the Townsville community. LifeTec provided more information to Council with another presentation to Council on 28 August 2014, highlighting the additional benefits to the community and how staff will transition to LifeTec if the service was to be Novated to LifeTec.

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 enter into negotiations with the Department of Social Services to novate the Home Services Program funding agreement to LifeTec Townsville for Lifetec Townsville to deliver the Home Services Program from 1 December 2014 for the duration of the funding agreement.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 20 of the council minutes (page 7606) where council resolved that the committee recommendation be adopted.

Governance and Finance Committee

It was *MOVED* by Councillor J Lane, *SECONDED* by Councillor C Doyle:

"that the committee recommendations to items 27 to 30 be adopted."

CARRIED UNANIMOUSLY

27 Budget Variance Report - Whole of Council - September 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Financial Services

Date 08 September 2014

Executive Summary

On behalf of the Chief Executive Officer, the Director of Corporate Services will present and discuss the Budget Variance Report for the whole of council for September 2014, pursuant to section 204 of the *Local Government Regulation 2012*.

The Director of Corporate Services will circulate separately to the Agenda the Budget Variance Report for the whole of council for September 2014.

Officer's Recommendation

That council note the financial report for September 2014 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation 2012*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7613) where council resolved that the committee recommendation be adopted.

28 Corporate Governance Audit Committee Minutes - September 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 7 October 2014

Executive Summary

Please find the minutes of the Audit Committee meetings held on 15 September 2014 and 23 September 2014 attached to the agenda item.

Officer's Recommendation

That council receive the minutes of the Audit Committee meetings held on 15 September 2014 and 23 September 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7613) where council resolved that the committee recommendation be adopted.

29 Corporate Governance Audit Committee Reports - 15 September 2014

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 7 October 2014

Executive Summary

Please find the Corporate Governance reports of the Audit Committee meeting held on 15 September 2014 attached to the agenda item.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council receive the Corporate Governance reports of the Audit Committee meeting held on 15 September 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7613) where council resolved that the committee recommendation be adopted.

30 Notice of Intention to Sell for Arrears of Rates

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance Department
Date 13 October 2014

Executive Summary

Forty-nine (49) properties listed have overdue rates which have remained outstanding for a period in excess of the period specified in the regulation and can now be sold by council to recover the outstanding rates and charges under Part 12 Division 3 of the *Local Government Regulation 2012*.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That pursuant to Part 12 Division 3 of the *Local Government Regulation 2012*, council commence sale proceedings to recover outstanding rates and charges for the following properties :-

Property Numbers

88950	352048	537217	533760
89140	509976	537765	537097
113950	511860	538187	14460
151110	512803	514094	531053
155500	518186	41770	531768
181060	519095	174750	353353
183460	524139	227130	248050
190160	524307	249450	
191860	527452	251750	
196510	527510	360018	
197400	528275	360441	
216390	530533	360796	
239430	536470	511270	
269300	536894	518102	

3. That council delegate to the Chief Executive Officer the power to discontinue any sale proceedings commenced pursuant to Chapter 4 Part 12 Division 2 of the *Local Government Regulation 2012* in circumstances where the Chief Executive Officer or the delegated officer determines on the facts available to them at the time that it would not be in the best interests of Council or would be unfair or unjust to the property owner to proceed with the sale or any auction of the property.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 of the council minutes (page 7613) where council resolved that the committee recommendation be adopted.

Townsville Water and Waste Committee

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

"that the committee recommendations to items 31 to 36 be adopted."

CARRIED UNANIMOUSLY

Councillor R Gartrell and Councillor V Veitch noted the Magnetic Island Waste Transfer Station was a great result for the Magnetic Island community.

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

- (a) the name of the councillors who have the real or perceived conflict of interest:**
Councillors R Gartrell, A Parsons, V Veitch, T Roberts, S Blom, G Eddiehausen and J Lane.
- (b) the nature of the conflict of interest as described by the Councillor:**
NQ Excavations donated to the Townsville First election campaign.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillors determined that they could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered their position and were of the opinion that they could participate in debate and vote on the matter in the public interest.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The Councillors voted as per the council decision.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the recommendation.

31 Townsville Waste Services - National Recycling Week 2014

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Utility Services
Date 18 September 2014

Executive Summary

Townsville Waste Services will be conducting numerous activities as part of National Recycling Week which is held from 10 to 16 November 2014. This report details council's activities and promotional support.

Officer's Recommendation

1. That council note the activities being carried out during National Recycling Week.
2. That council approve the waiver of the administration fee payable to upgrade to a 360 litre recycle bin for the specified duration and provide a Customer Service Obligation payment to Waste Services equal to the foregone revenue.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7616) where council resolved that the committee recommendation be adopted.

**32 Townsville Waste Services - Local Authority Waste Management Advisory Committee
Update - August 2014**

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Waste Services
Date 22 September 2014

Executive Summary

The Local Authority Waste Management Advisory Committee (LAWMAC) met in Townsville on 28 – 29 August 2014. This report summarises the workshop and meeting.

Officer's Recommendation

That council note the minutes of the Local Authority Waste Management Advisory Committee (LAWMAC) held in Townsville on 28 – 29 August 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7616) where council resolved that the committee recommendation be adopted.

33 Wastewater Operations - Tender Assessment - Contract PSA00013 - Periodic Supply and Delivery of Bulk Chemicals

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Wastewater Operations
Date 2 October 2014

Executive Summary

Townsville Water is reliant on a range of chemicals to facilitate efficient and effective operation of their water and wastewater treatment operations throughout the city.

Council's contract for the periodic supply and delivery of these chemicals (i.e. contract PSA6635) expired on 14 September 2014. Council is proposing to let Contract PSA00013 with the intent to renew the current agreements and/ or to create new agreements with suppliers who have the capacity to fulfil the contract obligations and at the same time offer Townsville City Council the best value for money option.

Refer later in this report for a description of the risks in respect to council's reliance on the chemical supply contract for the various water and wastewater operations within the city.

A detailed description of the business case for the contract as well as the key outcomes from the tender assessment process is provided herein.

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 Contract PSA00013 – Periodic Supply and Delivery of Bulk Chemicals to the following suppliers for the GST inclusive prices indicated. Table 6.1 (extract from the Thorburn Australia Tender Assessment Report) provides an outline of the preferred and recommended suppliers.

Table 6.1 Summary of Preferred Tenderers

Chemical	Sites	Preferred Tenderer	Tender Prices (including GST)
Ethanol	Cleveland Bay WWTP Mount Saint John WWTP	Wilmar Bioethanol	\$1.18 per Litre (Bulk Tanker)
Ferrous Chloride	Mount Saint John WWTP	Orica Chemicals	\$418 per Tonne (Bulk Tanker) Subject to rise and fall
Sodium Hypochlorite	Mount Saint John WWTP Cleveland Bay WWTP Condon WWTP Bottom City Reservoir	Ionics Australasia P/L t/a Elite Chemicals	\$0.473 per Litre (Bulk Tanker) Subject to rise and fall
	Horseshoe Bay WWTP Magnetic Island Wastewater Recycling Plant	Ionics Australasia P/L t/a Elite Chemicals	\$0.924 per Litre / \$924 per IBC (IBCs) Subject to rise and fall
	Giru WTP Miscellaneous reservoir sites including: Belgian Gardens Cungulla Julago Oak Valley Wulguru Deep Creek	Ionics Australasia P/L t/a Elite Chemicals	\$0.605 per Litre Subject to rise and fall
Aluminium Sulphate	Mount Saint John WWTP	Bay Chemicals	\$293.37 per Tonne (Bulk Tanker) Subject to rise and fall and other qualifications
	Cleveland Bay WWTP	Bay Chemicals	\$290.29 per Tonne (Bulk Tanker) Subject to rise and fall and other qualifications
	Horseshoe Bay WWTP	Bay Chemicals	\$383.57 per Tonne (IBCs) Subject to rise and fall and other qualifications
	Magnetic Island Wastewater Recycling Plant	Bay Chemicals	\$383.57 per Tonne (IBCs) Subject to rise and fall and other qualifications
	Giru WTP	Bay Chemicals	\$412.50 per Tonne (Transport arranged by TCC) Subject to rise and fall and other qualifications
Sodium Hydroxide	Mount Saint John WWTP Cleveland Bay WWTP	Orica Chemicals	\$0.724 per Litre or \$ 476.30 per Tonne

Chemical	Sites	Preferred Tenderer	Tender Prices (including GST)
			(Bulk Tanker) Subject to rise and fall
	Horseshoe Bay WWTP Magnetic Island Wastewater Recycling Plant	Ionics Australasia P/L t/a Elite Chemicals	\$1.5455 per Litre or \$1545.50 per IBC (IBCs) Subject to rise and fall
Polyelectrolytes	Mount Saint John WWTP Cleveland Bay WWTP	SNF Australia Pty Ltd	\$6.50 per kg (25 kg bags)
	Horseshoe Bay WWTP Magnetic Island Wastewater Recycling Plant	WTS	\$7.601 per L (Pails)
	Giru WTP	WTS	\$2.893 per L (Pails)
Hydrated Lime	Mount Saint John WWTP	Sibelco	\$752.38 per Tonne (Bulk Tanker) Subject to rise and fall
Citric Acid	Cleveland Bay WWTP	WTS	\$1.639 per Litre (IBCs)
	Horseshoe Bay WWTP Magnetic Island Wastewater Recycling Plant	WTS	\$3.256 per kg (30 kg pails)
Sugar Solution	Horseshoe Bay WWTP Magnetic Island Wastewater Recycling Plant.	WTS	\$1.76 per Litre (IBCs)
Soda Ash	Giru WTP	WTS	\$0.528 per kg (IBCs)

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7616) where council resolved that the committee recommendation be adopted.

34 Townsville Waste Services - Tender Assessment - Tender TCW00077 - Supply and Construction of Magnetic Island Transfer Station and Associated Works

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Engineering Services
Date 2 October 2014

Executive Summary

The Magnetic Island landfill facility located at Picnic Bay is approaching its ultimate capacity and is expected to cease operation in the medium term future. The Magnetic Island Waste Transport Assessment recommended that a waste transfer facility be considered for Magnetic Island. Construction of the facility will occur over the next 12 months. A public tender was advertised to select a suitable contractor. This report provides analysis and evaluation of the tenders received for this contract.

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 TCW00077 – Supply and Construction of Magnetic Island Transfer Station (MITS) and Associated Works to Mendi Constructions Pty Ltd for the lump sum price of \$4,836,000 (excluding GST) for tendered works.
3. That council delegate authority to the Chief Executive Officer or its delegate to approve variations not exceeding the approved project budget and provided the variations so approved are for work under contract TCW00077.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7616) where council resolved that the committee recommendation be adopted.

35 Business Management & Compliance - Monthly Report Card - September 2014

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Business Management & Compliance
Date 8 October 2014

Executive Summary

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

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the report card from Townsville Water and Waste for the month of September 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7616) where council resolved that the committee recommendation be adopted.

36 Programs & Technical Support -Tender Assessment - TCW00078 Supply and Construction of New Booster Pump Station at Kulburn Reservoir

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Water and Waste
Date 8 October 2014

Executive Summary

Tenders were invited for the supply and construction of the Kulburn Booster Pump Station and associated pipework, chlorination, electrical and backup power generation. Six tenders were received with lump sum prices ranging from \$1.7M to \$2.4M.

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 documents remain confidential unless council decides otherwise by resolution.
2. That council award tender TCW00078 for the supply and construction of new booster pump station to pump water to Kulburn Reservoir and northern areas of Townsville to Civil Plus Constructions Pty Ltd for a lump sum price of \$1,719,188 (excluding GST).

3. That council delegates authority to the Chief Executive Officer (CEO), or his delegate, to award variations up to the approved budget provided the variations are for the completion of the work under the contract.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7616) where council resolved that the committee recommendation be adopted.

Officers Reports

Corporate Services

37 TCC Quarter 4 Corporate Performance Report April 2014-June2014

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 17/10/2014

Executive Summary

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

Officer's Recommendation

That in accordance with section 174 of the *Local Government Regulation 2012* Council adopt the Corporate Performance Report for the fourth quarter of 2013/14 being the period from 1 April 2014 to 30 June 2014.

Council Decision

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

“that the officer’s recommendation be adopted.”

CARRIED UNANIMOUSLY

Councillor J Lane thanked staff for their work on the Corporate Performance Report.

38 UDIA Queensland Awards for Excellence Gala

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 3 October 2014

Executive Summary

Councillor Parsons has expressed interest in attending as Chair of the Planning and Development Committee the UDIA Queensland Awards for Excellence Gala Dinner being held on 21 November 2014 in Brisbane.

Officer's Recommendation

1. That council approve the attendance of the Chair of Planning and Development Committee, Councillor A Parsons, at the UDIA Queensland Awards for Excellence Gala Dinner being held on 21 November 2014 in Brisbane.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillor Tony Parsons to attend the UDIA Queensland Awards for Excellence Gala Dinner being held on 21 November 2014 in Brisbane.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED

39 Holistic Community Safety Conference

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 15 October 2014

Executive Summary

The Holistic Community Safety Conference will be held in Sydney from 26 - 28 November 2014.

With the introduction of the new federal and state government crime prevention initiatives, local councils are now tasked with implementing programs in their local government area.

This conference will provide practical case studies that illustrate successful community safety initiatives from across Australia.

Officer's Recommendation

1. That council approve the attendance of Councillor G Eddiehausen, Chair of Healthy and Safe City Committee at the Holistic Community Safety Conference being held in Sydney 26 - 28 November 2014.
2. That council approve travel and in accordance with section 162(1)(e) of the *Local Government Act 2009* grant leave of absence to Councillor G Eddiehausen to attend the Holistic Community Safety Conference 26 - 28 November 2014.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Addendum

In accordance with section 173 of the *Local Government Act 2009*, Councillor V Veitch, S Blom, G Eddiehausen, R Gartrell, J Lane, A Parsons and T Roberts declared a perceived conflict of interest in regards to item 40.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
Councillors V Veitch, S Blom, G Eddiehausen, R Gartrell, J Lane, A Parsons and T Roberts.
- (b) **the nature of the conflict of interest as described by the Councillor:**
A co-owner of Three Islands Pty Ltd is also a co-owner of Reelaw Pty Ltd who donated to the Townsville First election campaign.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillors determined that they could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered their position and were of the opinion that they could participate in debate and vote on the matter in the public interest.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The Councillors voted as per the council decision.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the council decision.

40 MC13/0031 Report - Application for Extension of time for CBD Incentives

REPORT TO COUNCIL

Authorised by	Director Planning and Development
Department	Development Assessment
Date	22 October 2014
Address	Lot 744 SP265071, Lot 9 & 11 SP267124, 30 Ogden Street TOWNSVILLE CITY QLD 4810
Applicant/Owner	Three Islands Pty Ltd
Description	Request for Extension to Eligibility for CBD Development Incentives Program - Hotel (including 181 non self-contained rooms, ancillary Restaurant, Catering Shop, and Function Centre)

Executive Summary

The applicant, Everson Town Planning c/- Three Islands Pty Ltd, being the developers the former Tim's Surf and Turf Site, request Council's consideration of an extension to the eligibility and final completion date relating to the CBD Development Incentives Program for this project.

Specifically, the applicant is requesting approval of a final completion date of 27 May 2016.

The approved development that this request relates to is for a new Hotel (181 self-contained rooms), Restaurant, Catering Shop and Function Centre on land adjoining Ross Creek in the CBD.

The applicants request for extension is based on a longer than anticipated assessment timeframe due to the complexities of the site, along with a number of delays associated with matters outside of the control of Council officers and *Sustainable Planning Act* (SPA) assessment regulations.

Upon formal lodgement of the application with council (28 March 2013), the material submitted did not constitute a "properly made" development application as required by SPA, as this application required State Land Owners Consent for the use of part of the Stokes Street road reserve, as well as amendments to State-controlled water leases over a section of Ross Creek fronting the site.

These two items were pivotal to the site in achieving a number of very specific outcomes including a public plaza adjacent to the Victoria Bridge, and a public boardwalk along the creek.

At each stage of this development, council has assisted the applicant where possible in expediting the assessment of the proposal. Unfortunately there were a number of instances during the assessment where the State Government process did not allow councils assessment to progress.

Officer's Recommendation

That with respect to development of property at 30 Ogden Street council support the request from the applicant for a revised schedule of works to extend the development's eligibility for the CBD Development Incentives Program from 30 June 2015 to 27 May 2016 subject to achievement of various milestones during this period.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

General Business

(i) Request for leave of absence - Councillor T Roberts

GENERAL BUSINESS ITEM	
Raised by	Councillor T Roberts
Committee	Ordinary Council
Date	30 October 2014

Overview

Councillor T Roberts requested leave of absence for the period 27 November to 7 December 2014.

(ii) Approvals for street closures for building applications

GENERAL BUSINESS ITEM	
Raised by	Councillor V Veitch
Committee	Ordinary Council
Date	30 October 2014

Overview

Councillor V Veitch raised an issue in relation to approvals of street closures for building applications. He noted that a section of Stokes Street was closed yet no work was being carried out causing disruption to local businesses.

The Mayor requested that this matter be referred the Director of Planning and Development.

(iii) Day for Daniel Morcombe - 31 October 2014

GENERAL BUSINESS ITEM

Raised by Councillor G Eddiehausen
Committee Ordinary Council
Date 30 October 2014

Overview

Councillor G Eddiehausen encouraged all councillors and staff to support the Day for Daniel Morcombe to be held on Friday 31 October 2014.

(iv) Bike Futures Conference

GENERAL BUSINESS ITEM

Raised by Councillor L Walker
Committee Ordinary Council
Date 30 October 2014

Overview

Councillor L Walker noted that he attended the Bike Futures Conference in Melbourne from 26 - 29 October in Melbourne and a report will be brought back to council.

(v) Tow Away Zone - Flinders Street East

GENERAL BUSINESS ITEM

Raised by Councillor C Doyle
Committee Ordinary Council
Date 30 October 2014

Overview

Councillor C Doyle acknowledged the Infrastructure Services staff for their work on the Tow Away Zone in Flinders Street East.

Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 10.05am.

CONFIRMED this

day of

2014

MAYOR

CHIEF EXECUTIVE OFFICER