



# **ORDINARY COUNCIL**

## **PUBLIC MINUTES**

**TUESDAY 23 APRIL 2013 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 >>

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#### Goal 1 - Economic Sustainability. A robust, diverse and sustainable economy

The outcomes we want to achieve:

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

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

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

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

**Infrastructure that meets community needs.**

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

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

The outcomes we want to achieve:

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

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

**Demonstrated environmental leadership.**

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

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

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

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

The outcomes we want to achieve:

**A safe and healthy community.**

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

**A cohesive and self reliant community.**

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

**A community with access to services and facilities.**

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

**A creative community.**

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

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

The outcomes we want to achieve:

**Transparent and accountable local government.**

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

**A competent, productive and contributing workforce.**

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

**Excellence in customer service delivery and organisational management.**

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

# MINUTES

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## **General Business**

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<b>REPORT</b>	<b>COUNCIL MEETING</b>
<b>DATE</b>	<b>Tuesday 23 April 2013 at 9.00 am</b>
<b>ITEMS</b>	<b>1 TO 37</b>
<b>PRESENT</b>	The Mayor, Councillor J Hill Councillor V Veitch Councillor S Blom Councillor C Doyle Councillor G Eddiehausen APM Councillor P Ernst Councillor R Gartrell Councillor J Lane Councillor A Parsons Councillor T Roberts Councillor L Walker

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

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

#### **Prayer**

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

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

There were no apologies or leave of absences.

#### **Confirmation of Minutes of Previous Meetings:**

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

"that the minutes of the Ordinary Council meeting held on 26 March 2013 be confirmed subject to the following:

- (i) that the dates in Item 40 - Corporate Governance - Business Delegation to Port Morseby, be amended from '28 July 2013' to '17 to 20 July 2013'; and
- (ii) The Mayor, Councillor J Hill requested that it be noted that Councillor C Doyle voted against the motion for Item 36 - Infrastructure Services - PS2IS Nursery Operations."

**CARRIED UNANIMOUSLY**

### **Disclosure of Interests**

- (i) Sports Recreation and Parks Committee - Real conflict of interest – Item 24 – Councillor A Parsons is a member of, and the immediate past president of, one of the community groups (Sharks Touch Club) being granted a License to Occupy.
- (ii) Community and Cultural Committee - Real conflict of interest - Item 15 - The Mayor, Councillor J Hill is a member of The Engineering Link Group board.
- (iii) Sports Recreation and Parks Committee - Real conflict of interest - Item 25 - Councillor J Lane is a Patron of the Riverway Rowing Club.

### **Correspondence**

There was no correspondence.

### **Petitions**

- (i) **Request for footpath to be installed along Marina Drive.**

<b>PETITION</b>
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<b>Date</b> 23 April 2013
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Councillor S Blom tabled a petition from residents of Townsville (the majority from Bushland Beach).

#### **Petition Request**

That council consider the request for a footpath to be installed along Marina Drive.

#### **Council Decision**

That the petition be referred to the relevant department.

### **Deputations**

There were no deputations.

### **Mayoral Minute**

There was no Mayoral Minute



## Committee Items

### Infrastructure Committee

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

*"that the committee recommendations to items 1 to 4 be adopted."*

**CARRIED UNANIMOUSLY**

#### 1 Engineering Services - Petition on Traffic and Parking Issues Townsville Community Learning Centre

##### REPORT TO COUNCIL

**Authorised by** Director Infrastructure Services  
**Department** Engineering Services  
**Date** 21 March 2013

##### Executive Summary

A petition from 163 residents of Townsville has been presented to council requesting that council:

1. Place line markings on Thompson Street in-front of the Townsville Community Learning Centre (from the conference centre to just past the driveway entrance) to highlight the school precinct for motorists; and
2. That 'nose in' parking be implemented in Thompson Street in-front of the Townsville Community Learning Centre to create better vision for motorists and to remove parking from residential streets.

##### Officer's Recommendation

1. That council advise the lead petitioner that council;
  - a) will not be painting line markings in Thompson Street near the Townsville Community Learning Centre, and
  - b) will not be providing nose-in parking arrangements along the Learning Centre frontage in Thompson Street, however
  - c) will be installing an additional school zone speed limit sign in Thompson Street, opposite Millard Avenue,
  - d) will be writing to the Learning Centre seeking their co-operation in requesting staff not to park in nearby residential streets but rather use Burt Street alongside the Learning Centre, and
  - e) will be undertaking minor works at the Learning Centre exit to improve the visibility for motorists leaving the Centre.
2. That council write to the Principal of the Townsville Community Learning Centre;
  - a) requesting that they ask staff not to park in nearby residential streets, but rather they park outside the Learning Centre in Burt Street, and
  - b) that council will be undertaking minor works at the Learning Centre exit to improve the visibility for motorists leaving the Centre.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 1 on the council minutes (page 6235) where council resolved that the committee recommendation be adopted.**

## **2 Engineering Services - Permanent Road Closure - Corcoran Street**

### **REPORT TO COUNCIL**

**Authorised by** Director Infrastructure Services

**Department** Engineering Services

**Date** 21 March 2013

### **Executive Summary**

The State Land Asset Management Unit of the Department of Natural Resources and Mines has requested council to comment on an application for a permanent closure of a lane (area approximately 300m<sup>2</sup>) separating Lots 72 & 73 on RP711897 and adjoining Lots 6 & 7 on EP1471.

This report outlines the investigation into the request and councils recommendation.

### **Officer's Recommendation**

That council advise Department of Natural Resources and Mines - State Land Asset Management Unit, that it offers no objection to the permanent closure, of the lane separating Lots 72 and 73 on RP711897, and sale of this lane, subject to the following conditions:

1. that the newly created parcel of land not be created as a separate lot, but rather is to be consolidated with one of the adjoining properties (Lot 72 or Lot 73),
2. a 3.0m wide easement for sewage and drainage purposes is created over council's sewer, and
3. that any future alterations of council's sewer will be to council's requirements and at the owner's expense.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 1 on the council minutes (page 6235) where council resolved that the committee recommendation be adopted.**

### 3 Engineering Services - Tender T8049 - Construction of the Barnicle Street Boat Ramp Upgrade

#### CONFIDENTIAL REPORT TO COUNCIL

**Authorised by** Director Infrastructure Services  
**Department** Engineering Services  
**Date** 15 March 2013

#### Executive Summary

Due to Townsville's shortfall in recreational boat launching and retrieval facilities, the Department of Transport and Main Roads (TMR) have commissioned council to upgrade the old ramp at the end of Barnicle Street, Railway Estate, approximately 150m downstream of the newly constructed ramp. The Queensland Government, through TMR, is funding the work.

This report provides information pertaining to Tender T8049 Construction of the Barnicle Street Boat Ramp Upgrade and the 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 resolves to award Tender T8049 Construction of the Barnicle Street Boat Ramp Upgrade to CivilPlus Constructions Pty Ltd for the lump sum value of \$486,565 excluding GST.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 1 on the council minutes (page 6235) where council resolved that the committee recommendation be adopted.**

#### 4 Engineering Services - PSA7009 - Preferred Supplier Arrangement for the Supply of Gravel Products

##### **CONFIDENTIAL REPORT TO COUNCIL**

**Authorised by** Director Infrastructure Services  
**Department** Procurement Contracts Unit  
**Date** 18 March 2013

##### **Executive Summary**

Council is seeking to introduce a preferred supplier arrangement with a suitably qualified and positioned contractor for the supply and delivery of gravel products consisting of road-base and aggregate; rock and fill.

A preferred supplier will be required for each of the two (2) separable portions in two (2) Sectors nominated within the Townsville region. Sector one (1) is the delivery area on the northern side of Ross River and Sector Two (2) is the area on the southern side of Ross River.

This report outlines the tender submissions received and council's recommendation for awarding the tender PSA7009.

##### **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 PSA7009 - Preferred Supplier Arrangement for Supply and Delivery of Gravel Products for Roadbase and Aggregate in Sector One (1) to Holcim Australia Pty Ltd for 12 months. The contract value is estimated to be in excess of \$1,400,000.00pa, with the option of a further two (2) 12-month extensions.
3. That council award PSA7009 - Preferred Supplier Arrangement for Supply and Delivery of Gravel Products for Roadbase and Aggregate in Sector Two (2) to Stradacon Penna Pty Ltd for 12 months. The contract value is estimated to be in excess of \$600,000.00pa, with the option of a further two (2) 12-month extensions.

##### **Committee Recommendation**

That the officer's recommendation be adopted.

##### **Council Decision**

**Refer to resolution preceding item 1 on the council minutes (page 6235) 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 5 to 11 be adopted."*

**CARRIED UNANIMOUSLY**

Councillor A Parsons referred to item 7 - RC12/0122 Reconfiguring a Lot - Lot Creation (Three (3) into 65 Traditional Residential Lots) 4-24 Rowley Place Burdell, and congratulated staff for the work that has been put in for this outcome.

### **5 Outcome of Appeal No. 5175 of 2011, Department of Transport & Main Roads v Patrick & Hansen Pty Ltd & TCC, Wagner Street & Bruce Highway, Deeragun, AP12/0006, 11609006**

#### **REPORT TO COUNCIL**

**Authorised by** Director Planning and Development  
**Department** Development Governance  
**Date** 18 March 2013

#### **Executive Summary**

The Department of Transport and Main Roads lodged an originating application in the Planning and Environment Court on 21 December 2011 against Patrick & Hansen Pty Ltd and Townsville City Council, seeking a declaration and orders in relation to Thuringowa City Council's development approval for reconfiguring a lot (Innes Estate) dated 25 May 2005.

The appellant (DTMR) filed a notice of withdrawal in the Planning and Environment Court on 20 February 2013.

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 5 on the council minutes (page 6239) where council resolved that the committee recommendation be adopted.**

**6 New Appeal No. 50 of 2013, Townsville Earthmoving Pty Ltd v TCC, AP13/0001, 34-50 Lionel Turner Drive, Bushland Beach**

**REPORT TO COUNCIL**

**Authorised by** Director Planning and Development  
**Department** Development Governance  
**Date** 18 March 2013

**Executive Summary**

On 19 February 2013 an appeal was filed in the Planning and Environment Court by Townsville Earthmoving Pty Ltd (applicant) against council's decision to refuse an application for development permit for material change of use.

**Officer's Recommendation**

1. That council resolve to defend Planning and Environment Court Appeal No. 50 of 2013.
2. That council, under *Clause 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 5 on the council minutes (page 6239) where council resolved that the committee recommendation be adopted.**

**7 RC12/0122 Reconfiguring a Lot - Lot Creation (Three (3) into 65 Traditional Residential Lots)  
4-24 Rowley Place Burdell**

**REPORT TO COUNCIL - PLANNING APPLICATION**

**Authorised by** Director Planning and Development  
**Department** Development Assessment - Planning and Development  
**Date** 25 March 2013  
**Address** Lots 811, 812 and 825 on SP221999, 4-24 and 26-40 Rowley Place and 6-7 Masthead Court, Burdell  
**Applicant/Owner** Stockland Development Pty Limited  
**Description** Lot Creation (Three into 65 Traditional Residential Lots)

**Executive Summary**

A Development Application for Reconfiguring a Lot - Lot Creation (Three into 65 Traditional Residential Lots) on Lots 811, 812 and 825 on SP221999, situated at 4-24 and 26-40 Rowley Place and 6-7 Masthead Court, Burdell has been received from Applicant >> Stockland Development Pty Limited – RC12/0122 10935002 and has been recommended for approval.

The committee also considered the presentation provided at the meeting by Matthew Patullo and Mark Wilkinson of Stockland Development Pty Ltd.

**Officer's Recommendation**

That council approve application RC12/022 for a Development Permit for Reconfiguring a Lot - Lot Creation (Three into 65 Traditional Residential Lots) under section 243 of the *Sustainable Planning Act 2009* on land described as Lots 811, 812 and 825 SP 221999, more particularly 4-24 and 26-40 Rowley Place and 6-7 Masthead Court, Burdell subject to the following conditions -

**DEVELOPMENT PERMIT**

**RECONFIGURING A LOT  
(THREE INTO 65 TRADITIONAL RESIDENTIAL LOTS)**

**SCHEDULE OF CONDITIONS**

**1. Proposal Plans**

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

<b>Plan Name</b>	<b>Plan No.</b>	<b>Revision No.</b>	<b>Submitted and Date Stamped</b>
Proposal Plan	83175-316	F	13 February 2013

- b) The proposed development must comply with all Planning Scheme requirements applying at the date of this application, except as otherwise specified by any condition of this approval.
- c) One full set of the most up to date approved plans must be held on site and available for inspection for the duration of the construction phase.

## **2. North Shore Mode Supporting Information**

Future development on the proposed lots must generally comply with the conceptual designs and information submitted on the Proposal Plan, Plan No. 83175-316, the North Shore Mode Supporting Information Document and Stockland Mode – Stage 1 3D Perspectives.

## **3. Building and Access Envelope Plan**

In accordance with items (a) and (b) below, a building and access envelope plan for each lot, recognising all constraints (including underground services, corner sight distances, street furniture) must be prepared, showing the:

- a) building setbacks;
- b) area of the footpath that can be used for vehicle access to the property.

A preliminary plan must be submitted with the application for Operational Works and prior to the issue of a Development Permit for those works.

A final plan must be submitted to and approved by council prior to release of the survey plan when all "as constructed" details are known.

## **4. Public Open Space**

- a) The land shown on the approved plans as open space is to be transferred to the Crown as a parkland reserve or road reserve as agreed to by council and at no cost to council.
- b) Prior to civil construction works commencing for the relevant stage, an Operational Works application for Landscaping and Irrigation is required to be submitted to council for all public roads and open space areas in this development, generally in accordance with the concept landscape plans provided in the North Shore Mode Supporting Information Document. As part of the landscaping plan the following items are to be addressed:
  - \* Trees and streetscape elements are to be provided within the frontages of the private lots generally as detailed in the North Shore Mode Supporting Information Document.
  - \* Irrigation assets in council ownership are not to be provided in the road verge fronting residential allotments.
  - \* The design of the open spaces is to be simple and uncluttered, with minimal embellishments, and low maintenance requirements.
  - \* The turf species used throughout the open spaces and road reserves is to be Empire Zoysia unless otherwise approved by council.

*Note: It is to be noted that council will not accept responsibility for the maintenance of footpath garden plantings and the mowing and edging of the grass verges fronting residential properties.*

- c) All works must be completed in accordance with the approved landscaping plan and constructed to council standard. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to council signing the plan of survey for the relevant stage, or as varied and approved by council.

## **5. Existing Street Trees**

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.



## **6. Prohibition of Vehicle Access**

- a) Direct vehicle access onto the open space is not permitted between Lots 2 and 3, and Lots 50 and 51. A barrier must be erected along the boundary of the site to prevent such access. Details of the barrier must be submitted and approved in writing by council and the works to be carried out prior to signing the survey plan, or as varied and approved by council.
- b) Direct vehicle access is not permitted between the internal road (Lots 44 and 65) and North Shore Boulevard, the internal road (Lot 40 and 64) and Rowley Place, and the auto court (Lots 56 and 57) and Lady Musgrave Circuit). A barrier must be erected along the boundary of the site to prevent such access. Details of the barrier must be submitted and approved in writing by council and the works to be carried out prior to signing the survey plan, or as varied and approved by council.

## **7. Water Supply (Public System)**

The development must be serviced by the public water supply. In particular,

- a) A reticulated water supply must be provided to the frontage of each lot within the proposed development and connected to council's infrastructure prior to the signing of the survey plan. The water supply must be constructed in accordance with the standard design plans of council and must meet both the maximum design flow and emergency fireflow conditions.
- b) The point of connection for the supply of water from council's water supply system is the existing water network.
- c) A network analysis of the proposed subdivision must be submitted to and approved by council to ensure that the reticulation network satisfies both the maximum hour design flow conditions and emergency fire flow conditions. It must be submitted with the application for Operational Works.
- d) The developer must provide a reticulated water supply, including service connection points from the point of connection to each lot in the subdivision.
- e) As per Council Standard Drawings and WSAA, all services and utilities must achieve all minimum vertical and horizontal clearances.

## **8. Sewerage Reticulation**

The development must be serviced by the public sewerage network, in particular:

- a) Each allotment must be provided with a single property service and must be connected directly and separately to council's sewer prior to signing the survey plan.
- b) All new property connections to be made directly to manholes where possible.
- c) The point of connection for the sewerage system to council's sewerage infrastructure including all necessary pump stations and rising mains must be the nearest existing sewer manhole or as agreed by council.
- d) All trafficable manholes must be 'Class D'.
- e) All sanitary house drain connections must connect to a chamber where possible.
- f) As per Council Standard Drawings and WSAA, all services and utilities must achieve all minimum vertical and horizontal clearances.

## 9. Confirmation of Existing Services

- a) The developer must ensure that the existing services for each lot are contained within the individual allotments; and/or
- b) Where the existing services are not contained within the individual lot then such services must be relocated or easement obtained. Such easements must be registered in accordance with the *Land Title Act 1994*, in conjunction with registration of the survey plan.

## 10. 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.

## 11. Soil Erosion Sediment Control Plan

Due to the potential for significant erosion and sediment discharge from this project soil erosion and sediment control must be provided. A detailed Soil Erosion and Sediment Control Plan must be provided as part of the Operational Works for the development. The Soil Erosion Sediment Control Plan must include but not be limited to:

- \* certified by a "suitably qualified person"
- \* performance standards, hold points and end points
- \* include maps, calculations, timing/staging and rainfall events/design criteria
- \* include specifications and construction details
- \* include soil and water management plans
- \* contain supporting documentation
- \* include a maintenance and monitoring program
- \* including geotechnical advice relating to the stability of the site during and after works including details on revegetation and stabilisation of the site.

An appropriately qualified professional must design and certify the program which must comply with the Environmental Protection Act 1994 and all its subordinate legislation using appropriate principals and techniques detailed in the "Soil Erosion and Sediment Control – Engineering Guidelines for Queensland Construction Sites".

## 12. Stormwater Drainage

Certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be provided so as to achieve in particular:

- a) a "Hydraulic Study" is required to be submitted that determines the required development levels as part of an application for Operational Works. Hydraulic calculations must be submitted, either in computer printout form or tabulated on a plan form for council perusal. Tabulation on this plan must include all relevant detail to allow council the opportunity to assess the submitted design.
- b) All lots must free draining.
- c) all external catchments discharging onto the development site must be accepted and accommodated within the development's stormwater drainage system design.
- d) the developer must be responsible for providing an adequate drainage system for the development designed to accommodate runoff from a 1 in 50 year ARI storm event with the underground system able to accommodate runoff from a 1 in 2 year ARI storm event, as determined by using the relevant "Handbook for Drainage Design Criteria".

- e) any open drains or surcharge paths necessary to convey to the point of lawful discharge must be designed to accommodate runoff from a 1 in 50 year ARI storm event.
- f) Road longitudinal grades and cross sections must result in all 1 in 50 ARI 50 year storm event flows being contained within the road reserves.
- g) the nominated lawful points of discharge for all stormwater runoff previously running through and/or developed by this subdivision must be the bio-retention basin located north of the subject site or as agreed upon by council.
- h) the developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows and there is no concentration or increase in levels or velocities for storms of minor and major design events as defined in Aus-Spec Handbook where the stormwater crosses land owned by others downstream of the developers land.
- i) Where the discharge of stormwater from the proposed development is to be carried across the developers balance land the developer must provide Council with a drainage easement to allow the flow of stormwater to the lawful point of discharge.

### **13. Stormwater Quality Management**

A stormwater quality management plan (SQMP) must be submitted to and be approved by council prior to the issue of a Development Permit for Operational Works. The SQMP must be prepared by a suitably qualified person\*.

In particular, the SQMP must adopt the water quality strategy of council's Coastal Dry Tropics Water Sensitive Urban Design Technical Design Guidelines.

The SQMP must be implemented in accordance with the guideline and incorporate any further reasonable requests from council. All works must be carried out in accordance with council Development Specifications.

\* Suitably Qualified Person as defined by the State Planning Policy 4/10 Healthy Waters.

### **14. Roadworks**

The developer must design and construct roads, along all road frontages to each lot and any modification to existing roads as shown on Drawing No. STG059/SK04, Revision 4. In particular:

- a) The developer must design and construct all the roads in the subdivision and all the intersections to existing streets in accordance with Aus-Spec Development Design Specifications.
- b) A geotechnical survey/investigation must be submitted as part of the application for Operational Works and pavement designs must be submitted to and approved by council prior to the nominated subgrade inspection hold point being undertaken. The survey must identify ground water table levels, surface water paths, soil classification and stability (more likely on steep slope developments), unsuitable materials and existing nature of soil/rock and other relevant information that will facilitate proper design of all road elements such as subsurface drainage, pavement design and management of surface water runoff and road geometric design.

- c) Where applicable, an area wide and system based Local Area Traffic Management Schemes/Treatments must be implemented on local streets and collector roads by physical influence on vehicle operation and indirectly influencing driver's perception to generally decrease traffic speed and promote a pedestrian/cyclist safety. Any proposed LATM scheme/treatment must be presented to Council for review and approval prior to implementation.
- d) The road classifications must be in accordance with council's relevant current Standard Drawing. In addition, the road layout must be generally in accordance Drawing No. STG059/0SK03 dated 11/02/2013 Revision 2.

The road widths and design of the roads must be in accordance with the relevant council's adopted standards for those road types.

- e) An application for street names must be submitted to and approved by council prior to submission of any Operational Works application. Approved street names must be shown on all engineering drawings submitted for Operational Works.
- f) Where a temporary turnaround is to be provided at the end of a road reserve on the developers balance land the developer must provide Council with an access easement to allow for vehicles to turnaround.
- g) Vehicle access and on street carparking must generally be in accordance with Drawing No. 83175-341 dated 6 February 2013. All on-street carparks must be in accordance with AS2890.
- h) As part of the operational works application, the developer must lodge a road hierarchy plan clearly identifying the proposed road hierarchy for the development.
- i) As part of the Operational Works application, the developer must lodge a traffic management plan in accordance with MUTCD demonstrating how all streets will clearly and safely function.
- j) As per Council Standard Drawings and WSAA, all services and utilities must achieve all minimum vertical and horizontal clearances.

## 15. Street Lighting

Overhead street lighting must be provided at the developer's cost and the following streets be in accordance with the categories shown as per Australian Standards, AS/NZS 1158 - Road Lighting.

Road	Lighting Category
All Roads	P4

## 16. Electricity and Telecommunications

Electricity and telecommunications must be provided and in particular,

Underground electricity services must be provided to the frontage of each allotment, to the standards of the electricity authority. Written confirmation from the service provider that suitable arrangements are in place to provide the service must be submitted to council prior to signing the survey plan.

Underground telecommunications fibre-ready passive infrastructure must be provided to the frontage of each allotment in all new developments in accordance with the Telecommunications Legislation Amendment (Fibre Deployment) Bill 2011 and standards of the telecommunications authority. Written confirmation from the service provider that suitable arrangements are in place to provide the service must be submitted to council prior to signing the survey plan.

Underground telecommunications must be provided to the frontage of each allotment, to the standards of the telecommunications authority. Written confirmation from the service provider that suitable arrangements are in place to provide the service must be submitted to council prior to signing the survey plan.

#### **17. Refuse Collection Point**

A hardstand designated refuse collection point for Lots 3, 40-42, 49, 50, 55 and 56 must be provided. In particular,

- a) The designated area for each lot must be of sufficient dimensions to accommodate the collection of two (2) x 240 litre wheelie bins from the kerb side as identified on the approved Proposal Plan, Plan No. 83175-316.
- b) Prospective purchasers of the affected lots must be notified of the refuse collection arrangement. A notation must be placed on council's property management files to advise of the above arrangement.

#### **18. Minimum Lot Levels**

- a) The finished level on all new allotments created within the development site must be above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm/tide event. The developer must submit a hydraulic report that determines these levels prior to issue of a Development Permit to carry out Operational Work.
- b) The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood and must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.5% (for residential lots) and 0.25% (for commercial and industrial lots) to ensure that the land is free draining.
- c) If the level of fill along an adjoining property boundary exceeds 100mm a retaining wall with at least a 50mm parapet above the fill level must be constructed to the requirements of council.

#### **19. Graffiti**

The proposed acoustic barrier as identified in the Noise Assessment Report prepared by MWA Environmental Ref: L26712/BH/12-132 is to be treated with an anti-graffiti protective shield or alternative measures as agreed in writing by council. The protective shield must be maintained by the developer until the barrier is accepted On Maintenance by council. During the maintenance period any graffiti on the subject barrier must be removed by the developer within 48 hours.

#### **20. Noise Attenuation**

Noise attenuation measures to mitigate noise impacts as recommended in the Noise Assessment Report prepared by MWA Environmental Ref: L26712/BH/12-132 must be adopted/constructed by the developer at each relevant stage of development, prior to the signing of the survey plan.

Details of noise attenuation measures must be provided to council for approval as part of an application for Operational Works.

## **21. Fencing**

- a) Details of boundary fencing adjacent the open space for Lots 2, 3, 44 and 65 must be provided to council for approval as part of an application for Operational Works. Consideration must be given to screening of private open space and other ancillary structures/items (e.g. clothes lines) as well as maintaining passive surveillance of the public open space.
- b) The developer must erect the approved fencing prior to the release of the Plan of Survey.

## **22. Further Approvals Required**

### **a) Operational Works**

An Operational Works application associated with the following conditions must be submitted to council for approval prior to works commencing on site, unless otherwise approved by council:

Condition 3 - Building and Access Envelope Plan  
Condition 4 - Public Open Space  
Condition 6 - Prohibition of Vehicle Access  
Condition 7 - Water Supply (Public System)  
Condition 8 - Sewerage Reticulation  
Condition 11 - Soil Erosion Sediment Control Plan  
Condition 12 - Stormwater Drainage  
Condition 13 - Stormwater Quality Management  
Condition 14 – Roadworks  
Condition 18 - Minimum Lot Levels  
Condition 20 - Noise Attenuation  
Condition 21 - Fencing

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

## **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. Connection to Council Water Supply**

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

### **3. Connection to Council Sewer**

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

#### **4. Portable Long Service Leave Notification**

As per the Qleave – Building and Construction Industry Authority Guidelines, for works over \$80,000, council must sight a copy of the receipted Portable Long Service Notification and Payment form prior to the issue of a Development Permit to carry out Operational Work.

#### **5. Payment of Rates, Charges and Expenses**

Prior to signing the survey plan, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.

#### **6. Satisfaction of Approval Conditions**

- a) Unless explicitly stated elsewhere in this permit, all requirements of the conditions of this approval must be satisfied prior to Council signing the survey plan.
- b) Council may, at its absolute discretion, agree to accept other forms of security to guarantee compliance with conditions to enable an early signing of a survey plan.

#### **7. Limitation of Approval**

The council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant.

The council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnity and save the council harmless in respect of any claim so arising.

#### **8. Survey Control**

Prior to Council signing any survey plans associated with the development, a minimum of two (2) Permanent Survey Marks must be located within the development and tied to the national MGA.

- a) Prior to Council signing any survey plans associated with the development, a minimum of two (2) Permanent Survey marks levelled to AHD must be located within the development or within 150m of the development.
- b) In addition, two (2) Permanent Survey marks located within the development or within 500m of the developments must be coordinated on MGA'94.
- c) All new and updated Permanent Survey Mark sketches must be forwarded to the Department of Environment and Resource Management to be added to the SCDB.
- d) Requirement for PSM'S coordinated on MGA'94 not required on small infill developments of five (5) lots or less.

#### **9. Specifications and Drawings**

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

#### **10. Building Over/Adjacent to Services**

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

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 5 on the council minutes (page 6239) where council resolved that the committee recommendation be adopted.**



## 8 MI12/0063 Material Change of Use (Impact) Telecommunications Facility 102 Bluewater Drive, Bluewater

### REPORT TO COUNCIL - PLANNING APPLICATION

**Authorised by** Director Planning and Development  
**Department** Development Assessment  
**Date** 08 March 2013

**Address** 102 Bluewater Drive, Bluewater  
**Applicant/Owner** NBN Co Limited/Ms K Baumann & Ms R Zanchetta  
**Description** Material Change of Use (Impact) – Telecommunications Facility

### Executive Summary

A Development Application for Material Change of Use (Impact) – Telecommunications Facility on Lot 53 RP 729715 situated at 102 Bluewater Drive, Bluewater has been received from Applicant >> NBN Co Limited – MI12/0063 10500014 and has been recommended for approval.

### Officer's Recommendation

That council approve application MI12/0063 for a development permit for Telecommunications Facility under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 53 RP 729715, more particularly 102 Bluewater Drive, Bluewater, 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.	STAMP DATE
Overall Site Plan	4DEG-51-01-BWS-C2	03	13 November 2012
Site Setout Plan	4DEG-51-01-BWE-C3	03	13 November 2012
Site Elevation and Details North West	-	-	18 December 2012
Site Elevation and Details South West	-	-	18 December 2012
Site Elevation and Details South East	-	-	18 December 2012
Site Elevation and Details North East	-	-	18 December 2012

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

#### 2. Building Materials

The proposed monopole and associated equipment shelter must be painted 'Pale Eucalypt'.

### **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**

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.

### **5. 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.

### **6. Stormwater Drainage**

Prior to the issue of a Development Permit for Building Works, certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be provided so as to achieve. In particular:

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

### **7. 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 *Aus-Spec Specification - C211 Control of Erosion and Sedimentation*.
- 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.

### **8. Vegetation Disposal**

All felled trees and waste vegetation on the site must be removed from site, unless an alternative method of disposal, such as wood chipping, is approved by Council. This material must be transported to the nearest approved waste disposal facility. Burning or burying of waste vegetation on site is not permitted.

### **9. Roadworks and Traffic**

- a) The developer must utilise the existing driveway access to service the site. The required internal access tract must be constructed in a manner that does not cause adverse dust impacts.
- b) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

## **ADVICE**

### **1. Noise**

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

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

### **2. Environmental Considerations**

DEHP Requirements

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

### **3. Defence Registration**

As the top of this tower will be 30m (to top of antenna) and classified as a "Tall Structure", as per SPP 1/02 "Development in the Vicinity of Certain Airport and Aviation Facilities" Clause 6.1 and CASA publication CAAP 89W-2(0): Reporting Tall Structures, it must be reported to RAAF Aeronautical Information Service (RAAF AIS) in Melbourne which is responsible for recording the location and height of all tall structures.

A "Tall Structure" is;

- any structures higher than 30m within 30km of an airport; and
- any structures higher than 45m anywhere else.

Therefore, the developer will be required to provide RAAF AIS with "as constructed" details of the telecommunications tower once construction has been completed.

RAAF AIS has a web site with a Vertical Obstruction Report Form at [www.raafais.gov.au/obstr\\_form.htm](http://www.raafais.gov.au/obstr_form.htm) which can be used to enter the location and height details of tall structures.

## **Committee Recommendation**

That the officer's recommendation be adopted.

## **Council Decision**

**Refer to resolution preceding item 5 on the council minutes (page 6239) where council resolved that the committee recommendation be adopted.**

## 9 Strategic Planning - Economic Development and Strategic Projects - CBD Development Incentives Program

### REPORT TO COUNCIL

**Authorised by** Director Planning and Development  
**Department** Strategic Planning  
**Date** 05 February 2013

#### Executive Summary

In April 2011, council implemented the CBD Development Incentives Program to provide an immediate stimulus to build confidence, activity and momentum and to ensure the objective of CBD revitalisation is realised.

This report contains a summary of the operational and financial aspects of the implementation of the CBD Incentives Program and is presented for the information of council.

#### Officer's Recommendation

That council note the progress of the implementation of the CBD Incentives Program with respect to the current position of both operational and financial outcomes.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 5 on the council minutes (page 6239) where council resolved that the committee recommendation be adopted.**

## 10 Strategic Planning - Economic Development and Strategic Projects - Adoption of CBD Master Plan: Vision and City Making Projects

### REPORT TO COUNCIL

**Authorised by** Director Planning and Development  
**Department** Strategic Planning  
**Date** 21 March 2013

#### Executive Summary

The Townsville City Council, as part of its city planning process, has completed the Townsville CBD Master Plan study. The objective of the Townsville CBD Master Plan is to have 30,000 people working and living within the CBD by 2030. To achieve this, the Townsville CBD Master Plan provides an overarching vision for the future of the CBD and identifies key city making projects to act as a catalyst for investment and development. This report presents the "Townsville CBD Master Plan: Vision and City Making Projects" report for consideration and adoption by council.

#### Officer's Recommendation

That council adopt the "Townsville CBD Master Plan: Vision and City Making Projects" as a guide to future investment and development within Townsville's CBD.

#### Committee Recommendation

That this item be withdrawn and referred to the next Ordinary Council meeting.

#### Council Decision

**Refer to resolution preceding item 5 on the council minutes (page 6239) where council resolved that the committee recommendation be adopted.**

**11 Q Resort Apartments - Concerns with short stay/overnight accommodation and conditions set in original development**

**GENERAL BUSINESS ITEM**

**Raised by** Councillor L Walker  
**Committee** Planning and Development Committee  
**Date** 10 April 2013

Councillor L Walker expressed concern with regards to the short stay/overnight accommodation at Q Resort Apartments and the conditions that were set in the original development.

**Committee Recommendation**

That the Director Planning and Development investigate the short stay/overnight accommodation at Q Resort Apartments and the conditions set in the original development.

**Council Decision**

**Refer to resolution preceding item 5 on the council minutes (page 6239) where council resolved that the committee recommendation be adopted.**

## Community and Cultural Committee

In accordance with section 173 of the *Local Government Act 2009*, The Mayor, Councillor J Hill declared a real conflict of interest in regards to item 15.

- (a) **the name of the councillor who has the real or perceived conflict of interest:**  
The Mayor, Councillor J Hill
- (b) **the nature of the conflict of interest as described by the Councillor:**  
The Mayor, Councillor J Hill is a member of The Engineering Link Group board.
- (c) **how the Councillor dealt with the real or perceived conflict of interest:**  
The Mayor, Councillor J Hill dealt with the conflict by disclosing the real conflict of interest before participating in the discussion about and voting upon the item.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**  
The Mayor, Councillor J Hill voted as per the Committee Recommendation.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**  
The majority of persons entitled to vote at the meeting voted as per the Committee Recommendation.

**It was MOVED by Councillor S Blom, SECONDED by Councillor C Doyle:**

*"that the committee recommendations to items 12 to 20 be adopted."*

**CARRIED UNANIMOUSLY**

## 12 Community Services - Mayor's Community Assistance Fund Approvals July 2012 to Feb 2013

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services  
**Department** Community Services  
**Date** 3 April 2013

### Executive Summary

The Mayor's Community Assistance Fund is a discretionary fund under the Mayor's delegation that aims to assist Townsville organisations with quick response funding so that they can make a positive contribution to the quality of life for Townsville residents through the provision of social services and community development activities, projects and programs.

The total budget available for distribution in 2012/2013 is \$10,000 (ex GST).

Better practice models require that all funding approved through this program be presented for the information of council twice throughout the financial year.

The following report presents all funding approved through the Mayor's Community Assistance Fund (MCAF) between 1 July 2012 and 28 February 2013.

All amounts of funding approved have been endorsed by council's Chief Executive Officer.

### Officer's Recommendation

That council note approvals made through the Mayor's Community Assistance Fund 1 July 2012 to 28 February 2013.

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**

### **13 Community Services - Regional Arts Development Fund (RADF) - 2013-14 Bid Submission to Arts Queensland**

#### **REPORT TO COUNCIL**

**Authorised by** Director Community and Environmental Services  
**Department** Community Planning and Services (Community Development)  
**Date** 3 April 2013

#### **Executive Summary**

The Townsville City Council Regional Arts Development Fund (RADF) program is a partnership with the Queensland Government to support arts, cultural, and community development. Each year a submission is made to the Arts Queensland that is referred to as the 'Bid'. In accordance with Arts Queensland funding allocation calculations, the Townsville City Council 2013-2014 RADF Bid requests financial support of \$53,333 which is required to be matched by a contribution from council of \$55,000.

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

That council approve the Regional Arts Development Fund (RADF) 2013-14 Bid submission to Arts Queensland.

#### **Committee Recommendation**

That the officer's recommendation be adopted.

#### **Council Decision**

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**



## 14 Community Services - Grant Application Approval - "Country and Western" Exhibition

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services  
**Department** Community Services  
**Date** 02/04/2013

#### Executive Summary

*"Country and Western: Landscape Re-Imagined 1988-2013"* is proposed to be a partnership between Townsville city Council (via Perc Tucker Regional Gallery) and Gavin Wilson (a nationally recognised independent Art Curator and Author).

Developmental funding for this potentially nationally significant exhibition is proposed to be sought from the Commonwealth government agency Visions Australia to develop, publish, and stage the exhibition at the Perc Tucker Regional Gallery in mid-2015. The amount to be sought via the grant submission is \$54,000.

#### Officer's Recommendation

That council approve the preparation and submission of a grant application to Visions Australia for funding for the development, publishing, and staging of the proposed *"Country and Western: Landscape Re-Imagined 1988-2013"* exhibition totalling \$54,000.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**

## 15 Community Services - Partnerships & Sponsorships Program

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services

**Department** Community Services

**Date** 3 April 2013

### Executive Summary

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

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

The following report outlines recommendations from the Financial Assistance and Events Group (FAEG) held 21 March 2013. It is recommended that Council fund two of four applications submitted.

There is also an additional approval by the Chief Executive Officer for the Townsville Fire, for council's noting only.

### Officer's Recommendation

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

Organisation	Activity/Project	Recommendation (Ex GST)
<b>Townsville Pastoral &amp; Agricultural and Industrial Society</b>	Towards facility improvements at the Townsville Showgrounds to increase the Show Society's ability to host a wider range of events for the Townsville community.	2013/2014 - \$20,000
<b>Permaculture Townsville Inc.</b>	Waive venue fees associated with the screening of 4 films at Riverway Arts Centre (associated with 'Movies that Matter') in 2013	2012/2013 <i>waiver of venue hire &amp; equipment fees to value of \$1,920</i>

The following approval has been approved and is for the information of council only:

Organisation	Activity/Project	Recommendation (Ex GST)
<b>Townsville Fire</b>	Contribution towards the Townsville Fire to travel and play in the WNBL Grand Final 2013 in Adelaide. (in addition to \$1,000 approved through the Mayor's Community Assistance Fund for the same purpose)	2012/2014 \$3,000

The following applications are not recommended for funding:

<b>Organisation</b>	<b>Activity/Project</b>	<b>Rationale for Declining</b>
<b>ACT For Kids</b>	Funding towards the fit-out phase of the ACT for Kids Child and Family Centre of Excellence at the Douglas Campus of JCU.  Request: \$250,000	<i>Council's community grants program does not have the capacity to support such significant requests for funding. Council has taken a consistent approach with similar requests this financial year.</i>
<b>The Engineering Link Group</b>	To assist with accommodation costs at JCU residential halls for a three-day Engineering course for senior secondary students Request: \$3,000	<i>This application is ineligible for funding for the following reasons: 1. Council's funding guidelines state that funding for educational programs/institutions is ineligible 2. The majority of 50 students who are attending this course are from outside of Townsville.</i>

### **Committee Recommendation**

That the officer's recommendation be adopted.

### **Council Decision**

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**

## **16 Community Services - Festivals and Events Grant Program**

### **REPORT TO COUNCIL**

**Authorised by** Director Community and Environmental Services  
**Department** Community Services  
**Date** 3 April 2013

### **Executive Summary**

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

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

The following report outlines recommendations from the Financial Assistance and Events Group meeting held 21 March 2013. There were eight applications submitted through this program during February/March and it is recommended that council provide support for six applications.

## Officer's Recommendation

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

Organisation	Activity/Project	Recommendation (Ex GST)
<b>Event Category: One-Off Event</b>		
<b>Tenpin Bowling Australia Ltd</b>	Financial support to assist with venue hire, security, stand hire and installation, audio/lighting, results screen hire and temporary signage for the 2013 National Adult Tenpin Bowling & Australian Masters to run for 3 weeks at Kirwan Tenpin during October 2013.	2013/2014 - \$20,000
<b>Netball Queensland</b>	Assistance with the delivery of the 2013 Sunshine Carnival to be held at Townsville City Netball Association 27 to 28 July 2013.	2012/2013 - \$3,000
<b>Bowls Past Presidents Association of Qld</b>	To cover the cost of program printing for the 2013 Bowls Past Presidents Association of Queensland 18th State Friendship Carnival to be held 12 to 17 May 2013.	2012/2013 - \$750
<b>Event Category: Community Event</b>		
<b>Professional Arts NQ Inc.</b>	Assistance with the delivery of the 2013 'Celebrate Townsville' Festival to be run over 10 days in June 2013 at various locations throughout the city, including the festival launch at Flinders Street Square.	2012/2013 - \$10,000 Plus waiver of hire fees to the value of \$700
<b>The Salvation Army</b>	Assistance with logistical costs to deliver the annual Salvation Army Red Shield Appeal Opening breakfast to be held at Jupiter's Hotel and Casino on Friday 12 April 2013.	2012/2013 - \$8,000
<b>Queensland Council of Unions</b>	Assistance towards the delivery of the 2013 Labour Day Family Celebrations to be held at Strand Park on Sunday 5 May 2013.	2012/2013 - \$4,000 Plus waiver of park hire fees for 1 day (value of \$500)

The following applications are not recommended for funding

Organisation	Activity/Project	Rationale Declining
<b>Event Category: Community Event</b>		
<b>QLD Confraternity Rugby League Competition (auspiced by Ignatius Park College)</b>	Funding towards catering costs for the 2013 Qld Confraternity Competition's 'Welcome to the City' event to be held at Ignatius Park on Sunday 23rd June. Request: \$7,000	<i>Council grants program guidelines state that funding towards catering costs is not a priority for the program. The budget provided as part of the application demonstrated the event was making enough income from other sponsors, dinner ticket sales and accommodation. (Total income \$57,990 and total expenses \$51,000)</i>
<b>Magnetic Island History &amp; Craft Centre Inc.</b>	Towards venue Infrastructure, musician performance fees and promotional costs for the 2013 'Back to School' day celebrating the centenary of the Picnic Bay School Request: \$7,892	<i>Council has provided \$8,300 towards centenary preparations already in 12/13 through the Regional Arts Development Fund (October 2012 round) and the Heritage Grants Program (October 2012 round).</i>

## Committee Recommendation

That the officer's recommendation be adopted.

## Council Decision

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**

**17 Community Services - Inclusive Community Advisory Committee - Minutes of Meeting of 21 February 2013**

**REPORT TO COUNCIL**

**Authorised by** Director Community and Environmental Services  
**Department** Community Services - Community Planning and Services  
**Date** 18 March 2013

**Executive Summary**

The minutes of council's Inclusive Community Advisory Committee meeting held on 21 February 2013 are attached to the Report to Council.

**Officer's Recommendation**

That the minutes of the Inclusive Community Advisory Committee meeting of 21 February 2013 be adopted.

**Committee Recommendation**

That the officer's recommendation be adopted.

**Council Decision**

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**

## 18 Community Services - Art Acquisition Working Group Meeting Minutes

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services

**Department** Community Services

**Date** 2 April 2013

### Executive Summary

Attached to the Report to Council are the minutes of the Art Acquisition Working Group meeting held on the 26 March 2013 for the information of the committee.

### Officer's Recommendation

That council receive the minutes of the Art Acquisition Working Group meeting of 26 March 2013.

### Committee Recommendation

That the officer's recommendation be adopted.

### Council Decision

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**

## 19 Library Services - Fees and Charges

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services

**Department** Library Services

**Date** 3 April 2013

### Executive Summary

Library Services levies a number of fees for meeting rooms, publications, printing and photocopying, and collection – related matters. The fees have been reviewed for 2013-2014. No increases to the fees are recommended.

### Officer's Recommendation

That Library Services fees and charges for 2013-2014 be adopted.

Townsville City Council - Schedule of Fees and Charges 2013/14

Community and Environment

Description	Fee Charge Type	Unit	New Base Charge (exc GST)	GST	New Total Fee Incl GST 2013/2014	Previous Total Fee Incl GST 2012/2013	\$ Change	% Change	New fee applies from	New fee applies to	Legislative Authority under Section 97(2)(?)	Provision of the Local Govt Act the charge is raised under	Committee Fee Approved at	Date of meeting
<b>Department Name - Library Services</b>														
<b>Fee Name</b>														
Lost or damaged items	Other fee under s262	each	Replacement cost				\$0.00	#DIV/0!	1/07/2013	30/06/2014			CCC	11/04/2013
Photocopies A4 black and white	Other fee under s262	each	\$0.09	\$0.01	\$0.10	\$0.10	-\$0.00	-0.01	1/07/2013	30/06/2014			CCC	11/04/2013
Photocopies A3 black and white	Other fee under s262	each	\$0.18	\$0.02	\$0.20	\$0.20	\$0.00	0	1/07/2013	30/06/2014			CCC	11/04/2013
Photocopies A4 colour	Other fee under s262	each	\$0.91	\$0.09	\$1.00	\$1.00	\$0.00	0	1/07/2013	30/06/2014			CCC	11/04/2013
Photocopies A3 colour	Other fee under s262	each	\$1.82	\$0.18	\$2.00	\$2.00	\$0.00	0.001	1/07/2013	30/06/2014			CCC	11/04/2013
Microfilm printer - per copy page	Other fee under s262	each	\$0.09	\$0.01	\$0.10	\$0.10	-\$0.00	-0.01	1/07/2013	30/06/2014			CCC	11/04/2013
Paper for printing from internet computers (per A4 page)	Other fee under s262	each	\$0.09	\$0.01	\$0.10	\$0.10	-\$0.00	-0.01	1/07/2013	30/06/2014			CCC	11/04/2013
Library bag	Other fee under s262	each	\$0.91	\$0.09	\$1.00	\$1.00	\$0.00	0.001	1/07/2013	30/06/2014			CCC	11/04/2013
Interlibrary loans - lending library's fees (first five are free)	Other fee under s262	each	lending cost						1/07/2013	30/06/2014			CCC	11/04/2013
Membership fee (for non-Queensland residents)	Other fee under s262	each	\$22.73	\$2.27	\$25.00	\$25.00			1/07/2013	30/06/2014			CCC	11/04/2013
Internet use per hour (nonmembers)	Other fee under s262	each	\$7.27	\$0.73	\$8.00	\$8.00			1/07/2013	30/06/2014			CCC	11/04/2013
<b>Fee Name</b>														
Publication: Flinders Street: A Pictorial History	other	each	\$9.09	\$0.91	\$10.00	\$10.00	-\$0.00	-1E-04	1/07/2013	30/06/2014			CCC	11/04/2013
Publication: In the Shadow of Castle Hill	other	each	\$9.09	\$0.91	\$10.00	\$10.00	-\$0.00	-1E-04	1/07/2013	30/06/2014			CCC	11/04/2013
Publication: Highways and Byways	other	each	\$9.09	\$0.91	\$10.00	\$10.00	-\$0.00	-1E-04	1/07/2013	30/06/2014			CCC	11/04/2013
Publication: A Short History of Thuringowa	other	each	\$9.09	\$0.91	\$10.00	\$10.00	-\$0.00	-1E-04	1/07/2013	30/06/2014			CCC	11/04/2013
Publication: Paluma, the First 80 Years	other	each	\$9.09	\$0.91	\$10.00	\$10.00	-\$0.00	-1E-04	1/07/2013	30/06/2014			CCC	11/04/2013
Publication: 33 Miles to Rollingstone	other	each	\$9.09	\$0.91	\$10.00	\$10.00	-\$0.00	-1E-04	1/07/2013	30/06/2014			CCC	11/04/2013
Set of five publications	other	each	\$40.90	\$4.09	\$44.99	\$45.00	-\$0.01	-0.000222222	1/07/2013	30/06/2014			CCC	11/04/2013
Digital per image - high resolution for publication	other	each	\$27.27	\$2.73	\$30.00	\$30.00	-\$0.00	-0.0001	1/07/2013	30/06/2014			CCC	11/04/2013
<b>Fee Name</b>														
Meeting Room - Aitkenvale - Community Group for commercial purposes - <3 hours	other	each	\$25.00	\$2.50	\$27.50	\$27.50			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Aitkenvale - Community Group for commercial purposes - 1/2 day	other	each	\$50.00	\$5.00	\$55.00	\$55.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Aitkenvale - Community group for commercial purposes - full day	other	each	\$100	\$10.00	\$110.00	\$110.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Von Stieglitz - Community group for commercial purposes - 1/2 day	other	each	\$50.00	\$5.00	\$55.00	\$55.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Von Stieglitz - Community group for commercial purposes - full day	other	each	\$86.36	48.64	\$95.00	\$95.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Flinders St - Community group for commercial purposes - 1/2 day	other	each	\$50.00	\$5.00	\$55.00	\$55.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Flinders St - Community group for commercial purposes -full day	other	each	\$86.36	48.64	\$95.00	\$95.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Qld Nickel Learn Space - Community group for commercial purposes - 1/2 day	other	each	\$55.45	\$5.55	\$61.00	\$61.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Qld Nickel Learn Space - Community group for commercial purposes - full day	other	each	\$110.00	\$11.00	\$121.00	\$121.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - von Stieglitz - commercial use - 1/2 day	other	each	\$100	\$10.00	\$110.00	\$110.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - von Stieglitz - commercial use - full day	other	each	\$171.81	\$17.90	\$189.00	\$189.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Flinders St - commercial use - 1/2 day	other	each	\$100	\$10.00	\$110.00	\$110.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Flinders St - commercial use - full day	other	each	\$171.81	\$17.90	\$189.00	\$189.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Qld Nickel Learn Space - commercial use - 1/2 day	other	each	\$95.45	\$9.55	\$105.00	\$105.00			1/07/2013	30/06/2014			CCC	11/04/2013
Meeting Room - Qld Nickel Learn Space - commercial use - full day	other	each	\$190.00	\$19.00	\$209.00	\$209.00			1/07/2013	30/06/2014			CCC	11/04/2013

**Council Decision**

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**



## 20 Library Services - Minutes Learning Communities Leadership Group - 4 March 2013

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services  
**Department** Community and Environment  
**Date** 2 April 2013

#### Executive Summary

The Learning Communities Leadership Group is a community forum of council. The first meeting of the newly formed Learning Communities Leadership Group was held on 4 March 2013.

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

The Learning Community Leadership Group meets bi-monthly. Minutes of the first meeting and amended Terms of Reference are attached for information.

#### Officer's Recommendation

That the minutes of the Learning Communities Leadership Group held on 4 March 2013 be approved.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 12 on the council minutes (page 6257) where council resolved that the committee recommendation be adopted.**

## Smart City Sustainable Future Committee

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

*"that the committee recommendations to items 21 to 23 be adopted."*

**CARRIED UNANIMOUSLY**

### 21 Vehicles on Public Land

#### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services

**Department** Integrated Sustainability Services

**Date** 03 April 2013

#### Executive Summary

There has been ongoing consultation amongst stakeholders regarding the problem of inappropriate vehicle use in coastal areas. This has recently resulted in a dialogue between council and police (namely Deeragun and Rollingstone police) to address the issue and police have provided a notification outlining the applicable legislation they have the capability to enforce on public land.

With support of council, officers from these stations propose to prosecute persons riding quad bikes and motor cycles on areas of designated public land under the control of the Townsville City Council.

In order to assist with this the police have requested council provide maps delineating council land in coastal areas, and approval to initiate prosecutions in these areas.

There have been increasing reports from the public that vehicles (motorbikes, including quad bikes, in particular) are being illegally and irresponsibly used on public land (including council controlled land), posing a risk to both public safety and the environment. This cooperative trial will be a major step in working to address this issue.

#### Officer's Recommendation

1. That council continue to work closely with the Queensland Police to monitor and manage the problem of illegal vehicle use on public land (including council land).
2. That council be in support of police enforcement on council land and land for which council is the trustee.
3. That council assist Queensland Police by providing detailed mapping of coastal and riparian land under its jurisdiction and continue the dialogue with police in regards to ongoing management roles and requirements.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 21 on the council minutes (page 6268) where council resolved that the committee recommendation be adopted.**

## 22 Townsville CBD: Smart Infrastructure and Sustainable Energy Framework

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services  
**Department** Integrated Sustainability Services  
**Date** 03 April 2013

### Executive Summary

In June 2012 the Department of Regional Australia, Local Government, Arts and Sport (Commonwealth) released an Ernst and Young (E&Y) Report they commissioned to undertake a review of local government infrastructure financing with particular focus on the emerging local infrastructure needs by local government.

A key recommendation (Recommendation 10) was to identify trial projects that demonstrate the key principles and could showcase financing opportunities (including a solar plant or energy plants). In response to this opportunity the *Townsville CBD: Smart Infrastructure and Sustainable Energy Framework* was produced in collaboration with existing stakeholders including Ergon Energy, IBM, Guided Innovation Alliance (GIA), JCU and various local Environmental/ICT Products and Services.

The draft Framework document outlines a range of projects/sub-projects based within the CBD of Townsville (including district cooling, solar energy, sensors and smart building technologies). These projects reflect an "integrated energy efficiency and demand management model" which bundles services/ functions to create an "economy of scale" through leveraging investment partnerships, whilst utilising innovative financing models. This integrated framework builds upon the work that Townsville City Council and partners have been doing in energy management and renewables (solar cities) and especially the CBD Master Plan.

The Framework enables visualisation of an innovative and transformative system-based approach including fostering behaviour change of residents and CBD users. The framework provides active, realisable projects for the CBD Master Plan, based on Townsville Solar City experience and existing collaborations, including IBM Smarter City Challenge.

The Townsville CBD Smart Infrastructure and Sustainable Energy Framework (draft) was submitted to the Local Government Policy Section (Department Regional Australia, Local Government, Arts and Sport) on 14 December 2012 (refer Attachment 3).

### Officer's Recommendation

That council note the *Townsville CBD: Smart Infrastructure and Sustainable Energy Framework – Improving Lifestyle and Commerce in the CBD* submitted as a preliminary response to the recommendations and opportunities identified in the Ernst and Young Report (dated June 2012).

### Committee Recommendation

That the officer's recommendation be adopted.

### Council Decision

**Refer to resolution preceding item 21 on the council minutes (page 6268) where council resolved that the committee recommendation be adopted.**

## 23 Reef Guardian Council Action Plan (2012/13)

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services  
**Department** Integrated Sustainability Services  
**Date** 2 April 2013

#### 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. Townsville City Council (TCC) was one of the first Reef Guardian Councils in the Great Barrier Reef region to be recognised through this program.

On the 21st of November 2006 council accepted the invitation from Great Barrier Reef Marine Park Authority to participate in the Reef Guardian Council Program.

The Reef Guardian Councils Program requires councils to prepare an Action Plan and sign a Memorandum of Understanding (MOU) with the Great Barrier Reef Marine Park Authority annually.

The Memorandum of Understanding and Reef Guardian Councils Action Plan attached to the Report to Council represents actions currently being undertaken by the relevant Divisions and Departments of council for the 2012/13 financial year.

#### Officer's Recommendation

1. That council note the 2012/13 Reef Guardian Councils Action Plan attached to the Report to Council.
2. That council endorse council's continued involvement in the Reef Guardian Councils Program through the signing of the attached Memorandum of Understanding and letter of request from the Great Barrier Reef Marine Park Authority.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 21 on the council minutes (page 6268) where council resolved that the committee recommendation be adopted.**

## Sports Recreation and Parks Committee

In accordance with section 173 of the *Local Government Act 2009*, Councillor J Lane declared a real conflict of interest in regards to item 25.

- (a) ***the name of the councillor who has the real or perceived conflict of interest:***  
Councillor J Lane.
- (b) ***the nature of the conflict of interest as described by the Councillor:***  
Councillor J Lane is a Patron of the Riverway Rowing Club.
- (c) ***how the Councillor dealt with the real or perceived conflict of interest:***  
Councillor J Lane dealt with the conflict by disclosing the real conflict of interest before participating in the discussion about and voting upon the item.
- (d) ***if the Councillor voted on the issue – how the Councillor voted:***  
Councillor J Lane voted as per the Committee Recommendation.
- (e) ***how the majority of persons who were entitled to vote at the meeting voted on the matter.***  
The majority of persons entitled to vote at the meeting voted as per the Committee Recommendation.

***It was MOVED by Councillor P Ernst, SECONDED by Councillor A Parsons:***

- "1. *that the committee recommendation to item 25 be adopted; and*
- 2. *that item 24 be considered separately."*

**CARRIED**

In accordance with section 173 of the *Local Government Act 2009*, Councillor A Parsons declared a real conflict of interest in regards to item 24.

- (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 a member of, and the immediate past president of, one of the community groups (Sharks Touch Club) being granted a License to Occupy.
- (c) ***how the Councillor dealt with the real or perceived conflict of interest:***  
Councillor A Parsons determined that he had a real conflict of interest and vacated 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:***  
Councillor A Parsons vacated the meeting 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 persons entitled to vote at the meeting voted as per the Committee Recommendation.

## 24 Community Services - License to Occupy agreements for community organisations use of Council parks

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services  
**Department** Community Services  
**Date** 3 April 2013

#### Executive Summary

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

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

Additional community groups that it is proposed to enter into License to Occupy agreements with are presented for approval.

#### Officer's Recommendation

That council approve entering into License to Occupy agreements with the United Suburbs Rugby League Football Club, Norths Cricket Club, Mundingburra Aitkenvale (MA) Olympic Football Club, Northern Beaches Cricket Club, Annandale Falcons Football Club, Sharks Touch Club, North Queensland Equestrian Group, Townsville Dressage Club, and the Townsville Softball Association.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**It was MOVED by Councillor P Ernst, SECONDED by Councillor T Roberts:**

"that the committee recommendation to item 24 be adopted."

**CARRIED UNANIMOUSLY**

## 25 Community Services - Riverway Rowing Club Inc. Change of Loan Conditions

### REPORT TO COUNCIL

**Authorised by** Director Community and Environmental Services  
**Department** Community Services  
**Date** 3 April 2013

#### Executive Summary

In 2004, the previous Thuringowa City Council approved an interest free loan to the Riverway Rowing Club for an amount of \$30,000.

On 28 April 2005 an agreement was signed with the following terms:

1. Thuringowa City Council (grantor) to provide an interest free loan of thirty thousand dollars (\$30,000) for the purchase of equipment to be used by the Riverway Rowing Club (grantee) in its operation of the Rowing Club located at Loam island;
2. Repayment instalments – Grantee to pay the Grantor an amount of \$3,000 (interest free) in May each year from 2006 until the final payment date in May 2015.

To date, the Riverway Rowing Club has paid all loan instalments to council's accounts receivable department within the agreement instalment terms.

The Riverway Rowing Club has requested Townsville City Council consider a renegotiation of the loan terms to allow the remaining balance of \$9,000 to be repaid at an amount of \$1,000 per year for the next nine years.

This request was recently tabled and supported at the Financial Assistance and Events Group (held 21 March 2013).

#### Officer's Recommendation

That council approve changes to the loan term and instalment payment amounts contained in the loan agreement between council and the Riverway Rowing Club as follows:

- a) the remaining \$9,000 to be repaid to council at an amount of \$1,000 per year for the next 9 years; and
- b) amounts of \$1,000 are to be paid by the Riverway Rowing Club in May of each year from 2013 until 2021 when the loan agreement will expire.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 24 on the council minutes (page 6271) 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 26 to 28 be adopted."*

**CARRIED**

## 26 Budget Variance Report - Whole of Council - March 2013

### REPORT TO COUNCIL

**Authorised by** Director Corporate Services

**Department** Finance

**Date** 5 April 2013

### Executive Summary

On behalf of the Chief Executive Officer, the Executive Manager Finance will present and discuss the Budget Variance Report for the whole of council for March 2013, pursuant to section 204 of the *Local Government Regulation 2012*.

The Executive Manager will circulate separately to the Agenda the Budget Variance Report for the whole of council for March 2013.

### Officer's Recommendation

That council note the financial report for March 2013 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 26 on the council minutes (page 6274) where council resolved that the committee recommendation be adopted.**



## 27 Corporate Governance - Audit Committee Minutes - 5 March 2013

### REPORT TO COUNCIL

**Authorised by** Director Corporate Services  
**Department** Corporate Governance  
**Date** 25 March 2013

#### Executive Summary

Please find the minutes of the Audit Committee meeting held on 5 March 2013 attached to the agenda item.

#### Officer's Recommendation

That council receive the minutes of the Audit Committee meeting held on 5 March 2013.

#### Committee Recommendation

That the Officer's Recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 26 on the council minutes (page 6274) where council resolved that the committee recommendation be adopted.**

## 28 Corporate Governance - Audit Committee Reports - 5 March 2013

### CONFIDENTIAL REPORT TO COUNCIL

**Authorised by** Director Corporate Services  
**Department** Corporate Governance  
**Date** 21 March 2013

#### Executive Summary

Please find the Governance Reports of the Audit Committee meeting held on 5 March 2013 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 Governance Reports of the Audit Committee meeting held on 5 March 2013.

#### Committee Recommendation

That the Officer's Recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 26 on the council minutes (page 6274) 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 29 to 32 be adopted."*

**CARRIED UNANIMOUSLY**

## 29 Townsville Water and Waste - Cost Sharing with Department of Main Roads

### REPORT TO COUNCIL

**Authorised by** Director Townsville Water and Waste  
**Department** Townsville Water and Waste  
**Date** 28 March 2013

### Executive Summary

Townsville Water has traditionally contributed to the costs of relocating water and wastewater infrastructure impacted by road work activities conducted by the Department of Main Roads, in accordance with the agreement between the Local Government Association of Queensland and the Department of Main Roads entitled "Cost sharing based responsibilities within state controlled roads" (attached to the report to council).

The council's willingness to contribute in the past was largely influenced by the existence of state government subsidies for water and sewerage infrastructure. These subsidies are no longer available and the Local Government Association of Queensland is currently undertaking a review of the agreement on behalf of Queensland local governments.

Three Main Roads projects are scheduled by the Department in the next twelve months which will require the relocation of council owned water and wastewater infrastructure.

Given the withdrawal of subsidies by the State, continued devolution of state responsibilities to local governments and the extreme financial pressures facing Townsville City Council it is recommended that costs of relocating council infrastructure as a result of Main Roads activities be borne entirely by the Department.

### Officer's Recommendation

1. That council resolve to advise Main Roads Department that it will not contribute towards costs associated with relocation council owned infrastructure as a result of their activities.
2. That council resolve to advise the Local Government Association of Queensland of the council's decision.

### Committee Recommendation

That the officer's recommendation be adopted.

### Council Decision

**Refer to resolution preceding item 29 on the council minutes (page 6277) where council resolved that the committee recommendation be adopted.**

### 30 Townsville Water and Waste - Waste Price Benchmarking 2012/2013

#### REPORT TO COUNCIL

**Authorised by** Acting Director Townsville Water and Waste  
**Department** Townsville Water and Waste  
**Date** 9 April 2013

#### Executive Summary

Each year AEC Pty Ltd produces Waste Price Benchmarking comparison for large and medium councils across Queensland.

The 2012/2013 edition has recently been released. The report demonstrates that Townsville City Council charges continue to be some of the lowest in the state for domestic recycling and waste collection and most classes of landfill waste.

#### Officer's Recommendation

That council note the "Waste Disposal Service Fee Benchmarking" and the "Waste Management Residential Price Benchmarking" reports for medium-large Queensland service providers produced by the AEC group for 2012/2013.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 29 on the council minutes (page 6277) where council resolved that the committee recommendation be adopted.**

**31 Programs & Technical Support - Tender Evaluation for Contract T8007 - Supply and Construction of Cosgrove DN375 Trunk Sewer Extension and Pump Station Decommissioning**

**CONFIDENTIAL REPORT TO COUNCIL**

**Authorised by** Director Townsville Water and Waste  
**Department** Townsville Water and Waste  
**Date** 3 April 2103

**Executive Summary**

Townsville City Council is progressing detailed sewer infrastructure planning of its sewage system. This sewer planning has identified the need for a DN375 trunk sewer to be extended from the Bohle industrial area through to the planned Cosgrove residential development on the hill slopes of Mt Louisa. Furthermore, the sewer will enable the northern half of the Cosgrove development to be serviced with a reticulated sewer system.

The sewer planning also confirmed that two existing sewage pump stations on Ingham Road could be connected to the above trunk sewer via the construction of a DN150 sewer extension. This will then allow these two existing pump stations to be decommissioned. The design and documentation of the DN375 trunk sewer, DN150 sewer extension and associated pump station decommission works were awarded to local engineering firm UDP Consulting in 2012 and tendered by Townsville Water in early 2013.

Six tenders were submitted for the works and after the tender evaluation it is recommended that NQ Excavations Pty Ltd be awarded the tender for \$1,155,221.10 (including GST).

**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 T8007 for the Supply and Construction of Cosgrove DN375 Trunk Sewer Extension and Pump Station Decommissioning to NQ Excavations Pty Ltd for the lump sum price of \$1,155,221.10 including GST.
3. That council, under *Clause 257 (1)(b) of the Local Government Act 2009*, delegate authority to the Chief Executive Officer, or his delegate, to award variations 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 29 on the council minutes (page 6277) where council resolved that the committee recommendation be adopted.**

## 32 TWW Business Management and Compliance - Monthly Report Card - March 2013

### CONFIDENTIAL REPORT TO COUNCIL

**Authorised by** Director Townsville Water and Waste  
**Department** TWW Business Management and Compliance  
**Date** 10 April 2013

#### Executive Summary

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

#### 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 March 2013.

#### Committee Recommendation

That the officer's recommendation be adopted.

#### Council Decision

**Refer to resolution preceding item 29 on the council minutes (page 6277) where council resolved that the committee recommendation be adopted.**

## Officers Reports

### Planning and Development

#### 33 Strategic Planning - Proposed handover and construction of Lakeside Drive by the Department of Transport and Main Roads

##### REPORT TO COUNCIL

**Authorised by** Director Planning and Development  
**Department** Strategic Planning  
**Date** 12 April 2013

##### Executive Summary

Council has received advice from the Department of Transport and Main Roads that they intend to change their planning paradigm from using Lakeside Drive (aka Abbott Street deviation) as the future main road with Abbott Street being terminated at the south end and decommissioned as a declared road, to retaining Abbott Street as the declared main road and having it run in parallel with Lakeside Drive which they now propose as a local road under Townsville City Council control.

They propose to build Lakeside Drive, between Lakeland Boulevard and Oonoonba Road, and hand the entire length of Lakeside Drive to council as a local road. The offer to build Lakeside Drive does not prevail unless council accepts the responsibility of Lakeside Drive as a local road.

##### Officer's Recommendation

That council formally advise the Department of Transport and Main Roads that council:

- would welcome Department of Transport and Main Roads constructing Lakeside Drive as per the originally agreed strategy of Lakeside Drive being the connection through to Railway Avenue; and
- does not accept their offer to have Lakeside Drive transferred to council as a local road, as council believes it still serves as a vital link between the Bruce Highway and Railway Avenue.

##### Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

### 34 Strategic Planning - Heritage and Urban Planning Unit - Footpath Paving Policy - Denham Street

#### REPORT TO COUNCIL

**Authorised by** Director Planning and Development  
**Department** Strategic Planning  
**Date** 11 April 2013

#### Executive Summary

At the meeting of 26 February 2013 council approved remedial footpath works outside the Dalgety Apartments on Denham Street. At the time council's new footpath paving policy was still being developed. As a result Covercrete was selected as the temporary footpath treatment.

As of early April the new footpath paving policy is nearing completion. Significantly, the footpath finish to the areas in the CBD (Type P1) and CBD Fringe (Type P2) has been determined. The CBD Fringe area, comprising Denham Street, is proposed to be finished in poured 'Onyx' (black) concrete with a 'salt and pepper' (black and white) aggregate. It is to be light washed and have a granite paver banding (Refer Figure 1 of the agenda item).

Sample panels are scheduled to be constructed by Construction and Maintenance on 16 April 2013. This will be to finalise the specific quantities of 'Onyx' and 'salt and pepper' ratios of the proposed paving type above (P2) for inclusion into a specification.

#### Officer's Recommendation

That council approve the use of the P2 pavement type at the Dalgety Apartments on Denham Street to be consistent with the most likely treatment specified in the new draft footpath paving policy, in-lieu of the temporary Covercrete option previously approved.

#### Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

**Councillor V Veitch thanked Infrastructure Services and Planning and Development staff for working together on the above matter.**



## Corporate Services

### 35 Corporate Governance - Australia Day National Conference

#### REPORT TO COUNCIL

**Authorised by** Director of Corporate Services

**Department** Corporate Governance

**Date** 16 April 2013

#### Executive Summary

The biennial Australia Day National Conference will be held in Canberra 13 – 14 June 2013. The conference provides an opportunity for council representatives and event organisers to meet share ideas and learn from each other to develop Australia Day activities.

Council has been offered a subsidised registration and travel expenses to attend.

#### Officer's Recommendation

1. That council approve the attendance of a Councillor to attend the Australia Day National Conference in Canberra 13 – 14 June 2013.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the nominated Councillor to attend the Australia Day National Conference to be held in Canberra 13 – 14 June 2013

#### Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## 36 Corporate Governance - Jezzine Barracks - Deputation Minister for Defence

### REPORT TO COUNCIL

**Authorised by** Director Infrastructure Services

**Department** Major Projects

**Date** 17 April 2013

### Executive Summary

The purpose of this report is to grant leave of absence to the Mayor, Councillor J Hill to attend a deputation in Canberra with the Minister for Defence the Honourable Stephen Smith MP to seek reimbursement of full costs of asbestos treatment found at the Jezzine Barracks site. At the time of writing this report a date was yet to be confirmed for the deputation.

### Officer's Recommendation

1. That council approve the Mayor, Councillor J Hill to attend a deputation in Canberra with the Minister for Defence, the Honourable Stephen Smith MP, on a date to be confirmed, to seek reimbursement of the full cost of asbestos treatment found at the Jezzine Barracks site.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the Mayor, Councillor J Hill to attend the meeting with the Minister for Defence in Canberra on a date to be confirmed.

### Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## Confidential Items

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

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

Section 275 (e) contracts proposed to be made by it." (Item 37)

**CARRIED**

The council discussed the item.

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

"that council RESOLVE to open the meeting."

**CARRIED**

## 37 Engineering Services - Heatley Drainage

### CONFIDENTIAL REPORT TO COUNCIL

**Authorised by** Director Infrastructure Services  
**Department** Engineering Services  
**Date** 12 April 2013

### Executive Summary

Council has pursued the opportunity of undertaking drainage improvement works on Dalrymple Road and the proposed extension to Greg Jabs Court to facilitate further drainage improvements in the Riechelmann Street area in Heatley in conjunction with the development of land to the west of Domain Central. There is financial benefit to council to undertake some of these drainage improvement works as part of the developer's 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 endorse the following advice given to the consultant by staff:
  - that council does not wish to proceed with the installation of the culverts under Dalrymple Road as part of the primary contract at this time; and
  - that council wishes to proceed with the upsizing of the culvert under the proposed extension to Greg Jabs Court as part of the primary contract with the developer for the contract price of \$213,751.11.

### Council Decision

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

"that the officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

## Motions of which previous notice has been given

There were no motions.

## General Business

### (i) Five awards won recently by council

<b>GENERAL BUSINESS ITEM</b>	
<b>Raised by</b>	Chief Executive Officer and Councillor V Veitch
<b>Committee</b>	Ordinary Council
<b>Date</b>	23 April 2013

The Chief Executive Officer advised of the following four significant awards council has won recently.

At the National Awards for Local Government (conducted by the Federal Government) council won the following award:

- Regional Collaboration - for the Solar City and Smart City Campaign (Integrated Sustainability Department).

At the Local Government Managers Australia (LGMA), Queensland Branch Awards function council won the following awards:

- Regional Collaboration Project - for the Water Alliance Project council has with Mackay and Cairns (Ken Diehm, former Director Townsville Water and Waste was the driver/champion of this Alliance);
- Sustainability Project - for council's CBD Incentives Scheme (Planning and Development Division); and
- LGMA Management Challenge - Council had two teams in this year and one of council's teams won the Challenge. Council's winning team consisted of Nick Hay, Sonia Muller, Oriel Webster, Kathy Reid, Tracey Pascoe and Eulonda Bolger. This team will now compete in the National titles being held in Melbourne in June against the winners of each Australian state and New Zealand.

Councillor V Veitch advised that council has also won the following award at the National Infrastructure Awards function held in Sydney recently:

- Smart Infrastructure Award (recognising council's Smart Water Meter project).

**(ii) Request for update on Home and Community Care (HACC) and Home Assist Secure (HAS) negotiations**

**GENERAL BUSINESS ITEM**

**Raised by** Councillor R Gartrell  
**Committee** Ordinary Council  
**Date** 23 April 2013

Councillor R Gartrell requested an update on the Home and Community Care (HACC) and Home Assist Secure (HAS) negotiations.

The Director Infrastructure Services will provide a report on an update of the Home and Community Care (HACC) and Home Assist Secure (HAS) negotiations to the next Infrastructure Committee.

**(iii) Request for copy of City Wide contract specifications**

**GENERAL BUSINESS ITEM**

**Raised by** Councillor L Walker  
**Committee** Ordinary Council  
**Date** 23 April 2013

Councillor L Walker requested a copy of the City Wide contract specifications.

**(iv) Concerns - Damage to council property resulting from Facebook parties**

**GENERAL BUSINESS ITEM**

**Raised by** Councillor L Walker  
**Committee** Ordinary Council  
**Date** 23 April 2013

Councillor L Walker raised concerns regarding the potential for damage to council property as a result of Facebook parties and requested this issue be looked at through the Healthy and Safe City Committee.

The Mayor, Councillor J Hill requested Councillor G Eddiehausen to look at this matter through the Healthy and Safe City Committee.

**Close of Meeting**

The Chair, Mayor Councillor J Hill declared the meeting closed at 10.28am

**CONFIRMED this**

**day of**

**2013**

**MAYOR**

**CHIEF EXECUTIVE OFFICER**