



ORDINARY COUNCIL
PUBLIC MINUTES
TUESDAY 23 JULY 2013 AT 9.00AM

Council Members >>

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

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

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

The outcomes we want to achieve:

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

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

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

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

Infrastructure that meets community needs.

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

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

The outcomes we want to achieve:

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

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

Demonstrated environmental leadership.

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

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

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

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

The outcomes we want to achieve:

A safe and healthy community.

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

A cohesive and self reliant community.

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

A community with access to services and facilities.

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

A creative community.

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

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

The outcomes we want to achieve:

Transparent and accountable local government.

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

A competent, productive and contributing workforce.

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

Excellence in customer service delivery and organisational management.

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

MINUTES

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General Business

- | | | |
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REPORT	COUNCIL MEETING
DATE	Tuesday 23 July 2013 at 9.00am
ITEMS	1 TO 41
PRESENT	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

Opening of Meeting and Announcement of Visitors

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

Prayer

Pastor Dustin Bell of the Assembly of God delivered the opening prayer.

Apologies and Leave of Absence

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

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

CARRIED

Confirmation of Minutes of Previous Meetings:

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

"that the minutes of the following council meetings be confirmed:

- (i) Ordinary Council meeting of 25 June 2013; and
- (ii) Special Council meeting of 28 June 2013."

CARRIED

Disclosure of Interests

- (i) Community and Cultural Committee - Real conflict of interest - Items 13 and 14 - Councillor S Blom is a participant in Dancensations which is a recipient of a Festival and Events Grant.
- (ii) Planning and Development Committee - Potential conflict of interest - Item 1 - Councillors A Parsons, V Veitch, S Blom, R Gartrell, J Lane, T Roberts and G Eddiehausen - Lanbuilt Pty Ltd donated to the Townsville First election campaign.

Petitions

(i) Request to install double entry gate/pen to dog park located on South Vickers Road

PETITION

Date 23 July 2013

Councillor J Lane tabled a petition from residents of Townsville and advised that this petition has been actioned.

Petition Request

That council give consideration to installing double entry gate/pen to the dog park located on South Vickers Road adjacent to Jabiru Park.

Council Decision

That the petition be noted.

(ii) Objection to closing road know as Old Georgetown Road, Jensen

PETITION

Date 12 July 2013

Councillor S Blom tabled a petition from residents of Townsville.

Petition Request

The petition outlines the objection to the closing of the road know as Old Georgetown Road, Jensen as shown highlighted in green on the map attached to the petition.

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

Planning and Development Committee

In accordance with section 173 of the *Local Government Act 2009*, Councillors A Parsons, V Veitch, S Blom, R Gartell, J Lane, T Roberts and G Eddiehausen declared a perceived conflict of interest in regards to item 1.

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

"that the committee recommendations to items 1 to 6 and 8 and 9 be adopted."

CARRIED

It was MOVED by Councillor A Parsons, SECONDED by Councillor G Eddiehausen:

"that the committee recommendation to item 7 be adopted."

CARRIED

Council noted that noise complaints in respect to buskers and amplified music is controlled by way of current legislation. Council also noted that in six months if council receives complaints that it will revisit this issue (in regards to Item 7).

Councillor V Veitch dissented from the above decision (Item 7).

1 PAU - MI13/0015 MCU (Impact) Multiple Dwelling - 3 x 3 Bedroom Units 21 Pope Street, Aitkenvale

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Development Assessment
Date 10 July 2013

Address Lot 21 RP 716469, 21 Pope Street, Aitkenvale
Applicant/Owner Lanbuilt Pty Ltd C/- Milford Planning Consultants
Description Multiple Dwelling – 3 x 3 Bedroom Units

Executive Summary

A Development Application for a Material Change of Use (Impact) – Multiple Dwelling – 3 x 3 Bedroom Units on Lot 21 RP 7165469 situated at 21 Pope Street, Aitkenvale has been received from Applicant: Lanbuilt Pty Ltd C/- Milford Planning Consultants – MI13/0015 2519001 and has been recommended for approval.

The proposal includes 3 x 3 bedroom dwelling units comprising a single unit (unit 3) at the rear and a duplex unit (unit 1 and 2) at the front. Proposed unit 1 presents to Pope Street and provides an acceptable streetscape interaction. Each unit proposes one undercover parking space, unit 1 and 2 also provide another two tandem parks, and there is one visitor car parking space. The development is accessed from Pope Street with a single driveway and crossover.

Officer's Recommendation

That council approve application MI13/0015 for a development permit for Multiple Dwelling – 3 x 3 Bedroom Units under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 21 RP 716469, more particularly 21 Pope Street, Aitkenvale subject to the following conditions -

**MATERIAL CHANGE OF USE
MULTIPLE DWELLING**

SCHEDULE OF CONDITIONS

1. Site Layout

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

Drawing Name	Drawing No.	Revision No.	Stamp Date
Locality Plan	12072LH P1	B	15 May 2013
Elevations	12072LH P2	B	15 May 2013
Proposed Development Layout	13195LH C01	A	13 May 2013
Proposed Development Layout Plan Proposed Turning Path Movements	13195LH SK01	A	13 May 2013
Proposed Development Layout Plan Proposed Turning Path Movements	13195LH SK02	A	13 May 2013
Proposed Development Layout Plan Proposed Turning Path Movements	13195LH SK03	A	13 May 2013
Proposed Development Layout Plan Proposed Turning Path Movements	13195LH SK04	A	13 May 2013
Proposed Development Layout Plan Proposed Turning Path Movements	13195LH SK05	A	13 May 2013
Proposed Development Layout Plan Proposed Turning Path Movements	13195LH SK06	A	13 May 2013

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

2. Building Materials

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

3. Street Fencing

Should a fence be constructed along the Pope Street frontage it must allow the development to integrate with its streetscape and be a maximum of 1.2metres in height.

4. Storage of Materials and Machinery

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

5. Lighting

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

6. Property Numbering

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

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

7. Drying Facilities

The developer must provide adequate clothes drying facilities. Where applicable clothes drying facilities must be screened from any street or adjacent property.

8. Letterboxes

The developer must ensure the location of the letter boxes on site is sufficient to cater for the units and is designed in such a way that enhances community safety through discouraging crime and anti-social behaviour.

Note: A body corporate letterbox will be required where units will be strata titled.

9. Screen Fencing

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

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

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

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

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

10. Screening of Plant and Utilities

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

11. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Multiple Dwelling Code, in accordance with *City Plan Policy 2 - Development Standards, Section 8 - Provision for Refuse Services*. In particular,

- a) The resident of each unit is responsible for the storage of their mobile garbage (wheelie) bins including recycling bins. The developer must provide storage areas that are suitably paved, with a hose cock fitted in close proximity.

- b) An adequate hard stand area with sufficient space to accommodate all bins for collection is to be made available along Pope street frontage for the collection of mobile garbage (wheelie) bins and recycling bins (collected bi weekly). When development is operational, please contact Environmental Health Services on 4727 9003 to commence refuse service.
- c) A minimum overhead clearance of 4200mm must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- d) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

12. 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.

13. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * exposed aggregate concrete; or
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing material to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- e) The developer must provide a minimum of six (6) car spaces on site of which a minimum of one (1) spaces are required to be dedicated for visitor parking and must be made available at all times for such.

Should it be the intent that the visitor spaces be provided behind a secured gate or barrier an intercom system or similar device must be provided to ensure public access to the visitor car parks.

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

15. Minimum Floor Levels

The developer must ensure that all habitable floor levels are a minimum height of 300mm (City Plan 2005) above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm/tide event.

The developer must submit documentation signed by an engineer (who must be an RPEQ) certifying that all habitable rooms obtain the above flood immunity.

Advisory Note: In terms of applying consistency, Council would prefer that all floor levels are built to a minimum height of 450mm above the 1 in 50 year storm/tide event.

16. Water Supply

The developer must either:

- a) Connect to the existing 50mm water main currently servicing the site, and submit to council for acceptance, evidence that the development will not detrimentally impact on the capacity or pressure of the 50mm main, and that the existing main can sufficiently service the development; or
- b) Construct a new service connection from the existing DN100 water main on the opposite side of the Pope Street. Construction of this new service connection to connect to the existing 100mm diameter water main includes a road crossing. Construction of the water main is to include all fittings and valves necessary to meet Council's current standards.

Details of the water reticulation works must be submitted to and approved as part of Compliance Assessment for the development.

17. Soil Erosion Minimisation, Sediment Control and Dust Control

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

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with *City Plan Policy 2 – Development Standards*.

- b) During the construction and maintenance phases of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.

18. Landscaping

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

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

- * The footpath/road reserve along Pope Street to be turfed and provided with automated irrigation.
 - * A street tree to be planted to the road reserve fronting the site. The prescribed species for Pope Street is *Acmena hemilampra*.
- b) The landscape plans must be prepared by a suitably Qualified person who:
 - * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer.
 - c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within City Plan Policy 2 – Development Standards – Section 10 – Landscape Work Specification and Section 11 – Irrigation Systems for Developments. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

19. Existing Street Trees

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

20. Roadworks and Traffic

- a) The developer must construct the new access driveway and crossover from the existing kerb and channel to the property boundary at the developer's expense generally in accordance with Council's relevant Standard Drawings for Driveway Access and Driveway Crossovers.
- b) The developer must replace the existing vehicle access including the crossover in the kerb and channel, in accordance with Council's Standard Drawing for *Driveway Access – Urban Residential Properties*.
- c) The developer must replace the kerb and channelling as necessary to repair any irregularities or breaks for the full frontage of the site in accordance with Council's Standard Drawing for *Concrete Kerbing*.
- d) 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.

21. Further Approvals Required

a) Compliance Assessment

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

Condition 16 – Water Supply

Condition 18 - Landscaping

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

b) Plumbing and Drainage Works

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

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. Waste Collection

All residential waste is required to be collected by Council.

3. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council 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.

4. Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council 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.

5. 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.

6. Environmental Considerations

DEHP Requirements

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

7. Plumbing and Drainage Approval

A Compliance permit under the *Plumbing and Drainage Act 2002* to seal off disused sanitary drains and water lines must be obtained prior to the removal of the existing dwelling.

8. Asbestos

All asbestos must be removed, transported and disposed in accordance with the *Public Health Regulation 2005, Work Health and Safety Regulation 2011 Chapter 8 Asbestos & How to Safely Remove Asbestos Code of Practice 2011, Environmental Protection Act 2004* and Regulations.

9. Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

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

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

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 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

2 PAU - MI13/0013 MCU (Impact) Multiple Dwelling - 3 x 3 Bedroom Units 90 Anne Street AITKENVALE

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Development Assessment
Date 10 July 2013

Address Lot 4 RP 715072, 90 Anne Street, Aitkenvale
Applicant/Owner GVD Building Design/Michael Prescott
Description Multiple Dwelling – 3 x 3 Bedroom Units 90 Anne Street, Aitkenvale

Executive Summary

A Development Application for Material Change of Use (Impact) – Multiple Dwelling – 3 x 3 Bedroom Units on Lot 4 RP 715072 situated at 90 Anne Street, Aitkenvale has been received from Applicant: GVD Building Design – MI13/0013 2514065 and has been recommended for approval.

The proposal includes 3 x 3 bedroom dwelling units comprising a single unit (unit 1) facing Anne Street and a duplex unit (unit 2 and 3) located behind. Each unit proposes one undercover parking space and there are two visitor parks including a wash bay. The development is accessed from Anne Street with a single driveway and crossover.

Officer's Recommendation

That council approve application MI13/0013 for a development permit for Multiple Dwelling – 3 x 3 Bedroom Units under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 4 RP715072, more particularly 90 Anne Street, Aitkenvale subject to the following conditions -

**MATERIAL CHANGE OF USE
MULTIPLE DWELLING**

SCHEDULE OF 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
Perspective – Overall	13006PR P1	C	28 March 2013
Site Plan	13006PR P2	D	03 May 2013
Floor Plan – Unit 1	13006PR P3	C	28 March 2013
Elevations	1300PR P4	A	28 March 2013
Floor Plan Unit - 2 & 3	1300PR P5	C	28 March 2013
Elevations	1300PR P6	A	28 March 2013
Proposed Development Layout Plan	13142GV SK01	C	06 May 2013
Proposed Development Layout Plan Typical Turning Path Movements	13142GV SK02	B	03 May 2013
Proposed Development Layout Plan Typical Turning Path Movements	13142GV SK03	B	03 May 2013
Proposed Development Layout Plan Typical Turning Path Movements	13142GV SK04	B	03 May 2013
Proposed Development Layout Plan Typical Turning Path Movements	13142GV SK05	B	03 May 2013
Proposed Development Layout Plan Typical Turning Path Movements	13142GV SK06	B	03 May 2013
Proposed Development Layout Plan Typical Turning Path Movements	13142GV SK07	B	03 May 2013

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

2. Amended Plans

Prior to the issue of a Development Permit for Building Works, the developer must provide an amended plan for plan number 13142GV SK01 Proposed Development Layout Plan to Council for approval. The amended plan must show correct finished flow levels to facilitate free drainage as per the indicated overland drainage path without ponding.

3. Building Materials

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

4. Street Fencing

Should a fence be constructed along the Anne Street frontage it must allow the development to integrate with its streetscape and be a maximum of 1.2metres in height.

5. 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.

6. 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.

7. Property Numbering

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

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

8. Drying Facilities

The developer must provide adequate clothes drying facilities. Where applicable clothes drying facilities must be screened from any street or adjacent property.

9. Letterboxes

The developer must ensure the location of the letter boxes on site is sufficient to cater for the units and is designed in such a way that enhances community safety through discouraging crime and anti-social behaviour.

Note: A body corporate letterbox will be required where units will be strata titled.

10. Screen Fencing

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

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

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

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

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

11. Screening of Plant and Utilities

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

12. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of the Multiple Dwelling Code, in accordance with *City Plan Policy 2 - Development Standards, Section 8 - Provision for Refuse Services*. In particular,

- a) The resident of each unit is responsible for the storage of their mobile garbage (wheelie) bins including recycling bins. The developer must provide storage areas that are suitably paved, with a hose cock fitted in close proximity.
- b) An adequate hard stand area with sufficient space to accommodate all bins for collection is to be made available along Anne street frontage for the collection of mobile garbage (wheelie) bins and recycling bins (collected bi weekly). When development is operational, please contact Environmental Health Services on 4727 9003 to commence refuse service.
- c) A minimum overhead clearance of 4200mm must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- d) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

13. Relocation of Utilities

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

14. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * exposed aggregate concrete; or
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- e) The developer must provide a minimum of five (5) car spaces (including the car wash bay) on site of which a minimum of two (2) spaces are required to be dedicated for visitor parking and must be made available at all times for such.

Should it be the intent that the visitor spaces be provided behind a secured gate or barrier an intercom system or similar device must be provided to ensure public access to the visitor car parks.

- f) In this instance, one (1) dedicated car washing bay within a visitor car park is to be provided on site prior to the commencement of the use. Details must be submitted to and approved by Council prior to the issue of a Development Permit for Building Works. The bay is to be designed and constructed in accordance with the following:

- * imperviously paved
- * provided with a hose cock
- * graded to a central drain incorporating a silt trap
- * fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing.

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

16. Minimum Floor Levels

The developer must ensure that all habitable floor levels are a minimum height of 300mm (City Plan 2005) above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm/tide event.

The developer must submit documentation signed by an engineer (who must be an RPEQ) certifying that all habitable rooms obtain the above flood immunity.

Advisory Note: In terms of applying consistency, Council would prefer that all floor levels are built to a minimum height of 450mm above the 1 in 50 year storm/tide event.

17. Water Supply

The developer must construct a new service connection from the existing DN100 water main on the opposite side of the Anne Street. Construction of this new service connection (approximately 18 m) to connect to the existing 100mm diameter water main includes a road crossing. Construction of the water main is to include all fittings and valves necessary to meet Council's current standards. Details of the water reticulation works must be submitted to and approved as part of Compliance Assessment for the development.

18. Soil Erosion Minimisation, Sediment Control and Dust Control

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

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

19. Landscaping

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

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

- * The footpath/road reserve along Anne Street to be turfed and provided with automated irrigation.
 - * A street tree to be planted to the road reserve fronting the site. The prescribed species for Anne Street is *Schotia brachypetala*.
 - * Shade trees to be provided to the site to satisfy the landscape code Overall Outcome (e).
- b) The landscape plans must be prepared by a suitably Qualified person who:
 - * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer
 - c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within City Plan Policy 2 – Development Standards – Section 10 – Landscape Work Specification and Section 11 – Irrigation Systems for Developments. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

20. Existing Street Trees

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

21. Roadworks and Traffic

- a) The developer must construct the new access driveway and crossover from the existing kerb and channel to the property boundary at the developer's expense generally in accordance with Council's relevant Standard Drawings for Driveway Access and Driveway Crossovers.
- b) The developer must replace the existing vehicle access including the crossover in the kerb and channel, in accordance with Council's Standard Drawing for *Driveway Access – Urban Residential Properties*.
- c) The developer must replace the kerb and channelling as necessary to repair any irregularities or breaks for the full frontage of the site in accordance with Council's Standard Drawing for *Concrete Kerbing*.
- d) 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.

22. Further Approvals Required

a) Compliance Assessment

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

Condition 17 – Water Supply
Condition 19 - Landscaping

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

b) Plumbing and Drainage Works

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

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. Waste Collection

All residential waste is required to be collected by Council.

3. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council 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.

4. Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council 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.

5. 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.

6. Environmental Considerations

DEHP Requirements

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

7. Plumbing and Drainage Approval

A Compliance permit under the *Plumbing and Drainage Act 2002* to seal off disused sanitary drains and water lines must be obtained prior to the removal of the existing dwelling.

8. Asbestos

All asbestos must be removed, transported and disposed in accordance with the *Public Health Regulation 2005, Work Health and Safety Regulation 2011 Chapter 8 Asbestos & How to Safely Remove Asbestos Code of Practice 2011, Environmental Protection Act 2004* and Regulations.

9. Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

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

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

3 PAU - MI12/0065 MCU (Impact) Retirement Village and Institutional Residence (Nursing Home) 27-33 Kokoda Street, Idalia

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by Director Planning and Development
Department Development Assessment
Date 10 July 2013
Address Lot 211 SP 130980 & Lot 210 SP 130980 27-33 Kokoda Street, Idalia
Applicant/Owner The Baptist Union of Queensland C/- Brazier Motti
Description Retirement Village and Institutional Residence (Nursing Home)

Executive Summary

A Development Application for Material Change of Use (Impact) – Retirement Village and Institutional Residence (Nursing Home) on Lot 210 and 211 SP 130980 situated at 17-33 Kokoda Street, Idalia has been received from Applicant: Queensland Baptist Care C/- Brazier Motti – MI12/0065 3210059 and has been recommended for approval.

The proposal aims to create a lifestyle choice for aged and retired persons. The retirement village will include 65 independent living units, a community centre and on site amenities including open space and recreation areas all connected by a network of pathways. The institutional residence (nursing home) includes 96 dependant beds with storage and an office, kitchen, laundry, dining area and chapel. The applicant seeks to establish the use in a staged manner.

The proposed independent living units of the retirement village component provide a mix of residential types, detached and attached villa, and dual occupancies. The institutional residence also provides for a range of bedding accommodation types to cater for a broad range of needs from minimal care to full care.

Officer's Recommendation

That council approve application MI12/0065 for a development permit for Retirement Village and Institutional Residence (Nursing Home) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 211 SP 130980 and Lot 210 SP 130980, more particularly 27-33 Kokoda Street, Idalia subject to the following conditions -

DEVELOPMENT PERMIT

**MATERIAL CHANGE OF USE
Retirement Village and Institutional Residence**

SCHEDULE OF CONDITIONS

1. Site Layout

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

DRAWING NAME	DRAWING NO.	REVISION No.	STAMP DATE
Site Staging Plan	B388 S.1.03	P06	11 April 2013
Site Master Plan	B388 S.1.01	P12	11 April 2013
Landscape Intent Overall Site Plan	12/040-LS1	A	12 December 2012
Landscape Intent RAC Surrounds	12/040-LS4	A	12 December 2012
Landscape Intent Part Site Plan	12/040-LS3	A	12 December 2012
Landscape Intent Part Site Plan	12/040-LS2	A	12 December 2012
Typical Sections	B388 U.4.01	P02	12 December 2012
Elevations – Typical 3 Bed + Duplex Sheet 2	B388 U.3.04	P02	12 December 2012
Elevations – Typical 3 Bed + Duplex Sheet 1	B388 U.3.03	P02	12 December 2012
Elevations – Typical 3 Bed Duplex Sheet 2	B388 U.3.02	P02	12 December 2012
Elevations – Typical 3 Bed Duplex Sheet 1	B388 U.3.01	P02	12 December 2012
Typical 3 Bed + (3 Bed) Duplex Floor Plan	B388 U.2.04	P03	12 December 2012
Typical 3 Bed (2 Bed + Study) Duplex Floor Plan	B388 U.2.03	P05	12 December 2012
Typical 2 Bed + Study Duplex Floor Plan	B388 U.2.02	P05	12 December 2012
Typical 2 Bed + Duplex Floor Plan	B388 U.2.01	P04	12 December 2012
RAC Massing Perspectives	B388 R.1.01	P04	12 December 2012
ILU Massing Perspectives	B388 U.1.02	P04	12 December 2012
ILU Massing Perspectives	B388 U.1.02	P03	12 December 2012
Site Sections	B388 S.1.05	P04	12 December 2012
Site Sections	B388 S.1.04	P04	12 December 2012
Elevations – Sheet 1	B388 R.3.01	P04	11 April 2013
Elevations – Sheet 2	B388 R.3.02	P03	11 April 2013
RAC Ground Floor Plan	B388 R.2.01	P05	19 December 2012
RAC First Floor Plan	B388 R.2.02	P04	19 December 2012
RAC Second Floor Plan	B388 R.2.03	P04	19 December 2012
Sections	B388 C.4.01	P03	12 December 2012
Elevations	B388 C.3.01	P03	12 December 2012
Concept Elevation – Community Pavilion	B388 C.3.00	P02	12 December 2012
Community Pavilion Floor Plan	B388 C.2.01	P05	12 December 2012
Community Pavilion Massing Perspectives	B388 C.1.01	P04	12 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. Footpath

The developer is required to provide a footpath, a minimum of 2.5m in width, for the full frontage of the site adjoining Fairfield Waters Drive and Village Drive in accordance with the Fairfield Waters Pathways and Bikeways Plan 23136/485 K, stamp dated 28 September 2007.

The footpath is to be provided in accordance with the below stages:

- a) The Village Drive portion is to be constructed in conjunction with Stage 1 of the development; and
- b) The Fairfield Waters Drive portion is to be constructed in conjunction with Stage 2 of the development.

3. Amended Plans

Prior to the issue of a Development Permit for Building Works, the developer must provide an amended plan to Council for approval of the removal of the emergency access on to Fairfield Waters Drive.

4. Building Materials

The external building materials and colours to be used as part of this development must be provided in accordance with the approved plans, in particular the external finishes shown on Drawing No. B388 R.3.01 Elevations Sheet 1 and B388 R.3.02 Elevations Sheet 2, stamped 11 April 2013.

5. Noise Attenuation

At its own cost, the developer must implement the following noise attenuation measures in accordance with the recommendations of the Noise Impact Assessment 6526R01V01 prepared by ASK Consulting Engineers Pty Ltd dated the 23/11/2012, unless otherwise approved by Council:

- a) Construct a noise barrier that is a minimum height of 1.8m along the southern boundary of the site adjoining Fairfield Waters Drive;
- b) All independent living units with sensitive spaces (bedrooms and living spaces) adjoining Fairfield Waters Drive must be fitted with external solid core timber doors with acoustic perimeter seals (Rw 25);
- c) Construct a noise barrier, which is a minimum height of 1.8m above the driveway level, along the boundaries of the following adjoining lots:
 - Lot 91 on SP111984 (southern and western boundaries only)
 - Lot 101 on SP111984 (southern boundary only)
 - Lot 102 on SP111984 (eastern and southern boundary only)
 - Lot 104 on SP111984 (western boundary only);
- d) Heavy vehicle access and loading dock activities at the residential aged care facility is restricted to 7am to 7pm Monday to Sunday;
- e) Use of the car park adjacent to lot 91 on SP111984 is to be restricted from 7pm to 7am Monday to Sunday.
- f) All noise barriers must be constructed with a minimum acoustic requirement being solid and continuous with negligible holes and gaps between palings, panels, or near the ground. All noise barriers must have a minimum surface density of 10kg/m²;
- g) The details of all noise barriers must be submitted to council for approval prior to the issue of a Development Permit for Building Works;

- h) The emission of noise from the place to which this development permit relates must not result in levels greater than those specified in Table 1; and
- i) In the event of a complaint about noise that constitutes annoyance being made to council, that council considers is not frivolous or vexatious, then the emission of noise from the place to which this development permit relates must not result in levels greater than those specified in Table 1.

Table 1 Noise Emissions

Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level L (Amax adj, T)	Period
Background noise level plus 5 dB (A)	7am – 6pm
Background noise level plus 5 dB (A)	6pm – 10pm
Background noise level plus 3 dB (A)	10pm – 7am
Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level L (Amax adj, T)	Period
Background noise level plus 10 dB (A)	7am – 6pm
Background noise level plus 10 dB (A)	6pm – 10pm
Background noise level plus 8 dB (A)	10pm – 7am

6. Street Fencing

Should a fence be constructed along any road frontages (not including noise barrier fences) it must allow the development to integrate with its streetscape. The developer must submit to Council for approval details of the fence prior to the issue of a Development Permit for Building Works.

7. Storage of Materials and Machinery

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

8. Site Appearance

The site is to be kept in a clean and tidy condition at all times to the satisfaction of Council.

9. Lighting

- a) The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.
- b) Lighting must be provided in accordance with the *Australian/New Zealand Standard AS/NZS1158 Lighting for Roads and Public Spaces*.
- c) External lighting of a graduated intensity must be provided which starts at a lower level of brightness at the perimeter of the site and rises to a crescendo of light at the entrance to buildings.

10. Property Numbering

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

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

11. Drying Facilities

The developer must provide adequate clothes drying facilities. Where applicable clothes drying facilities must be screened from any street or adjacent property.

12. Screen Fencing

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

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

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

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

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

13. Screening of Plant and Utilities – Retirement Village

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

14. Screening of Plant and Utilities – Institutional Residence

a) Unless otherwise approved by Council, the location and screening of the air conditioner condenser units of the Institutional Residence (Nursing Home) must be located in accordance with Drawing No. B833 R.2.01, so as not be visible from the street or surrounding residential properties.

b) All other plant and utilities must not be visible from the street.

15. Waste Management Plan

The developer must submit, as part of a Compliance Assessment application, a Waste Management Plan for the Institutional Residence (Nursing Home) in accordance with the *Environmental Protection (Waste Management) Regulation 2000 Division 2 - General Waste - Sections 10C to 10O*.

The waste management plan must clearly include, but not limited to, the following items:

- a) the subject property and development activity;
- b) name, qualifications, experience and contact details of personnel who prepared the waste management plan;
- c) details of the numbers of waste container/s to be provided on site for the development. It is recommended that contact be made with Waste Services (4727 9000) for the requested number of bins/weekly collections available;

- d) the proposed method for keeping the storage area clean, i.e. to avoid odour and vermin nuisances etc;
- e) signage for the general waste bin area to identify the type of permitted wastes allowed in each bin/s;
- f) details of the location/s of where the waste bins are to be collected in order to ensure that they are located in a manner that the truck can pick them up automatically without the driver or any other person having to relocate the bins for collection;
- g) the duration that the bins will be out for collection;
- h) the entity that will be collecting the waste for the commercial component;
- i) a description of the method, times (hours of day) and duration of storage, treatment and transport of waste to the authorised waste facility, accounting for amenity and aesthetics.

In addition, in terms of the Retirement Village component, the developer must submit details of how the independent living units will be serviced for refuse collection. The developer must provide these details in the Waste Management Plan.

16. 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.

17. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * exposed aggregate concrete; or
 - * interlocking pavers; or
 - * bitumen or
 - * other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.

18. 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 the following, in particular:

- a) The development site must be graded so that it is free draining. All runoff from storms naturally falling into this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge being the proposed box culvert drain along the northern boundary of the site or as agreed upon by Council.

- b) The developer must ensure that the proposed box culvert drain along the northern boundary of the site and the existing culvert across Fairfield Waters Drive has adequate capacity to accommodate Q50 flows. The drainage details and supporting design calculations must be submitted and approved as part of the Compliance Assessment.
- c) 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.
- d) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- e) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- f) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.
- g) Any stormwater management works must be done in accordance with the Fairfield Waters Drive Stormwater Management Plan 9671/66 prepared by Cardno dated the 3 September 2012, unless otherwise approved by Council.

19. Stormwater Drainage Easement

A drainage easement must be provided in accordance with City Plan Policy 2 – *Development Standards, Section 7 – Easements* in favour of Council over the proposed stormwater drainage system located along the northern boundary of Lot 211 SP 130980, connecting to the existing Easement D SP 130980. The easement documents must be submitted to and be endorsed by the Chief Executive Officer and registered in accordance with the *Land Title Act 1994*.

20. 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 Building Work. 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.

21. Minimum Floor Levels

The developer must ensure that all habitable floor levels are a minimum height of 300mm above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm/tide event.

The developer must submit documentation signed by an engineer (who must be an RPEQ) certifying that all habitable rooms obtain the above flood immunity.

Advisory Note: In terms of applying consistency, Council would prefer that all habitable floor levels are built to a minimum height of 450mm above the 1 in 50 year storm/tide event.

22. Sewerage Reticulation

The developer must construct all necessary sewerage infrastructure to connect the site to the nearest existing sewerage infrastructure. Details of the sewerage reticulation works must be submitted and approved as part of Compliance Assessment for the development.

23. Water Supply

The developer must construct all necessary water infrastructure to connect this site to the Council network and upgrade any part of the network needed to adequately service the development. Construction of the water infrastructure must include all fittings and valves necessary to meet Council's current standards. Details of the water reticulation works must be submitted to and approved as part of Compliance Assessment for the development.

A water network analysis must also be carried out to determine whether the existing infrastructure has adequate capacity to cater for the proposed development without impacting on existing services. It must also identify any augmentation required to the existing network. This must be submitted with the application for Compliance Assessment.

24. Soil Erosion Minimisation, Sediment Control and Dust Control

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

- a) The contingent design, implementation and maintenance of measures must be provided in accordance with City Plan Policy 2 – Development Standards.
- b) During the construction and maintenance phases of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.
- c) The developer must ensure that no sediment or litter be discharged from the site into stormwater. Stormwater inlet pits on and adjacent to the development must be protected to prevent the entry of sediment and litter.

25. Roadworks and Traffic

- a) The developer must construct three new access driveways and crossovers from the existing kerb and channel of Kokoda Street to the property boundary at the developer's expense generally in accordance with Council's relevant Standard Drawings for Driveway Access and Driveway Crossovers.
- b) The developer must construct a new access driveway and crossover from the kerb and channel of Village Drive to the property boundary at the developer's expense generally in accordance with Council's relevant Standard Drawings for Driveway Access and Driveway Crossovers.
- c) The developer must upgrade the intersection at Kokoda Street / Wairopi Street with physical islands to ensure the proper traffic channelization through the intersection as per the marked plan attached to this approval.
- d) The developer must construct a 2.5 metre wide concrete footpath to the full frontage of the site along Fairfield Waters Drive and Village Drive in accordance with Council's Standard Drawings.
- e) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

26. Landscaping

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

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

- * The footpath/road reserve along Fairfield Waters Drive, Village Drive and Kokoda Street to be turfed and provided automated irrigation.
 - * Mature street trees of a species selected for this section of road.
 - * A dense landscape buffer is to be provided along the property boundary adjacent to the 'Site Area B'.
- b) The landscape plans must be prepared by a suitably Qualified person who:
- * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer
- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within City Plan Policy 2 – Development Standards – Section 10 – Landscape Work Specification and Section 11 – Irrigation Systems for Developments. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

27. Existing Street Trees

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

28. Further Approvals Required

- a) Compliance Assessment

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

Condition 3 – Amended Plans
Condition 5 – Noise Attenuation
Condition 15 – Waste Management Plan
Condition 18 – Stormwater and Drainage
Condition 20 – Stormwater Quality Management
Condition 22 – Sewerage Reticulation
Condition 23 – Water Supply
Condition 26 – Landscaping

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

- b) Plumbing and Drainage Works

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

Concurrence Agency Conditions – Department of Transport and Main Roads

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of Transport and Main Roads advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the Department of Transport and Main Roads conditions as outlined in the Department's correspondence dated 20 May 2013.

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. Waste Collection

- a) The owner/occupier of the premises is required to provide an adequate number of waste containers to manage the waste generated by the activities being undertaken onsite.
- b) The collection of putrescibles waste arising from activities undertaken on this development must be collected and removed at periods not exceeding seven days.
- c) The collection of waste is to be undertaken so as to minimize, so far as reasonably practicable excessive noise to neighboring occupants. The collection method must ensure that waste is adequately managed to prevent escape or contamination.
- d) This development has the potential to generate or handle clinical and regulated waste material. Clinical and medical related waste is to be handled in accordance with AS/NZS 3816:1998 "Australian Standard/New Zealand Standard – Management of Clinical and Related Wastes".
- e) Where practicable, all loading and unloading shall take place within the containment area (storage area). This area is to be constructed in such a way that any spills from loading or unloading are not permitted to escape to an area subject to storm water. No clinical and related wastes shall be disposed of via the storm water drainage system.

3. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council 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.

4. Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council 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.

5. Haulage of Materials

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

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

6. 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.

7. Environmental Considerations

DEHP Requirements

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

8. 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.

9. Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

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

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

10. Food Premises

Prior to any fit out of the intended food premise, an application must be submitted to Council's Environmental Health Services for the registration of a food business licence. No fit out or construction may take place before approval is granted. A food premise is anywhere unpackaged food or beverages are prepared, packed, stored, handled, serviced, supplied or delivered for sale.

Any mechanical ventilation installed must comply with AS1668. Plans must be submitted to council's Environmental Health Services for approval as part of the food licence application.

Committee Recommendation

1. That the officer's recommendation be adopted.
2. That council request the applicant to install a pedestrian refuge in Village Drive.

Council Decision

Refer to resolution preceding item 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

4 PAU - MI13/0005 MCU (Impact) Tavern and Bottleshop 2 - 4 Ridge Drive, Alice River

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment
Date	10 July, 2013
Address	Lot 131 RP 739519, 2-4 Ridge Drive, Alice River
Applicant/Owner	Maccallum & Partners Architects/Edward and Marianne Preston
Description	Tavern and Bottleshop

Executive Summary

A Development Application for Material Change of Use (Impact) – Tavern and Bottleshop on Lot 131 RP 739519 situated at 2-4 Ridge Drive, Alice River has been received from Applicant: Maccallum & Partners Architects – MI13/0005 10036002 and has been recommended for approval.

The proposed Tavern and Bottleshop is situated over land within the Centres Planning Area (a Convenience Centre) and the Residential Planning Area (Park Residential). The development will include 1,448m² of internal Gross Floor Area (GFA) comprising a bistro or restaurant, public bar, gaming room, TAB and drive-through bottleshop and an additional 195m² of outdoor seating area, bringing the total GFA to 1,643m². It is to be developed over two stages.

During the public notification period a total of 14 adverse submissions were received and two positive submissions. In addition, an open day for the proposal was held at the location of the proposed development. At the open day a petition was made available to visitors. A petition with 89 signatures was received on the day and these were received by council during the public notification period. A further 151 signatures were obtained at a visual display of the proposal located at the shop across the road from the development site. These additional 151 signatures were provided to council the day after the public notification period ended. The applicant states that the petition is in support of the development, with the petition located beneath a sign headed 'petition in support of the tavern'. Two submitters stated that this petition could have been misleading. A further 46 signatures of support and two of non-support for the proposal were supplied to council on 25 June, well after the public notification period had ended.

Officer's Recommendation

That council approve application MI13/0005 for a development permit for Tavern and Bottleshop under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 131 RP 739519, more particularly 2-4 Ridge Drive, Alice River subject to the following conditions –

DEVELOPMENT PERMIT

**MATERIAL CHANGE OF USE
TAVERN AND BOTTLESHOP**

SCHEDULE OF 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.	STAMP DATE
Planning Scheme Precinct & Existing Site Conditions Plan	SK-101-B	11 Feb 2013
Precinct Plan	SK-102-B	11 Feb 2013
Site Plan & Road Development Plan	SK-103-D	11 Mar 2013
Floor Plan	SK-104-C	11 Feb 2013
Staging Plan	SK-105	11 Feb 2013
Elevations and Sections	SK-201	11 Feb 2013
Elevations	SK-202-A	11 Feb 2013
OTHER DOCUMENTS		
Noise Impact Assessment, Proposed Alice River Tavern, Prepared by Ask Consulting Engineers, dated 14/05/09		

- 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. Defined Use

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

3. Building Materials

Prior to the issue of a Development Permit for Building Work, the developer must submit to, and be approved in writing by Council details of the external building materials and colours to be used as part of this development. In particular all buildings and structures associated with the use must be constructed from materials and painted an appropriate colour that is sympathetic to the surrounding built form, does not cause excessive glare and achieves a high level of visual integration with the surrounding environment.

4. Signage

Prior to the issue of a Development Permit for Building Works, the developer must submit to Council for approval plans of any signage to be associated with the use. Details must include the location of the signage, construction materials, size of the sign and graphic content. To maintain amenity for adjoining properties, no illumination of the signage is to occur unless otherwise approved in writing by Council. Should signage associated with the use exceed 2m², the developer must submit plans of the signage as an application for Operational Works. All signage must comply with the City of Thuringowa Planning Scheme Policy for Advertising Devices. Approved signs must be maintained to the satisfaction of Council.

5. Hours of Operation

Operating hours must be in accordance with the requirements for operation of the premises determined by the Office of Liquor and Gaming Regulation, and as amended by them from time to time.

6. 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.

7. Storage

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

8. Site Appearance

The site is to be kept in a clean and tidy condition at all times to the satisfaction of Council.

9. Lighting

- a) The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.
- b) Lighting must be provided in accordance with the *Australian/New Zealand Standard AS/NZS 1158 Lighting for Roads and Public Spaces*.
- c) All security lighting and the headlight of vehicles accessing the site must be so directed or screened so that no nuisance is caused to nearby residents.

10. Property Numbering

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

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

11. Screen Fencing

The developer must provide a visual screen being a 1.8 metre high timber paling fence with a minimum 30mm gap between palings to assist with breeze between the site and any adjoining land occupied by a residential building or any adjoining land contained in a Residential precinct, unless otherwise approved in writing by Council or varied by other requirements related to this approval for acoustic screening.

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

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

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

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

12. Noise

All activities on the premises must comply with the relevant requirements for noise, being:

- (a) The Acoustic Quality objectives of the *Environmental Protection (Noise) Policy 2008* that governs noise from plant, refrigeration and service vehicles; and
- (b) The Queensland Division of Liquor Licencing noise criteria which governs patron and music noise.

In addition, all recommendations provided in the Noise Impact Assessment Report prepared by Ask Consulting and dated 14 May 2009, or any later approved addendum to this report, are to be adopted prior to the commencement of the use.

Furthermore, following the incorporation of detailed design drawings of the proposed development in accordance with the Noise Impact Assessment Report, the developer is required to submit to council for Compliance Assessment this report and all future addendums for approval.

13. Screening of Plant and Utilities

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

14. Refuse Facilities

Refuse collection arrangements must be provided by the developer so as to achieve the requirements of *General Development Code of the City of Thuringowa Planning Scheme*. In particular,

- a) The approved waste storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The developer must provide a storage area that is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.
- b) The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- c) All waste generated as a result of construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
- d) Access roads and driveways must be designed and constructed to accept vehicle loadings of not less than G.V.M. 33 tonnes.
- e) Waste collection vehicles must only utilise the premises during the times recommended in the Noise Impact Assessment Report Prepared by Ask Consulting, dated 14 May 2009 or any later approved addendum to this report. The collection of waste must be undertaken so as to minimise, so far as reasonably practicable, excessive noise to nearby sensitive uses. The collection method must ensure that all waste is adequately managed to prevent escape and contamination.

- f) The refuse bins located in the service yard area must only be utilised between the hours of 7am to 10pm which are the times that the loading dock and associated service vehicles are recommended to be utilised/utilise the premises. The refuse bins can only be utilised beyond these hours if a later addendum of the Noise Impact Assessment Report determines that material can be placed inside the bins outside the hours of 7am to 10pm without generating a noise nuisance to neighbouring properties.

15. 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.

16. Car Parking

- a) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- b) The developer must provide a minimum of 119 car spaces including disabled parking on site in accordance with Australian/New Zealand Standard AS/NZ2890.
- c) The developer must erect signage indicating the location of the entry and exits to the car parks, specific use bays (eg. visitor, disabled, bus, taxi, bicycle, loading, etc.), as well as regulatory signs controlling movement within the car park.
- d) All exposed services provided within the car parking area must be suitably screened so as to conceal any unsightly elements. Details of such screening must be submitted to and approved in writing by Council prior to the issue of a Development Permit for Building Work.
- e) All signage and line marking for off-street car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.

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

18. 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 Building Work. 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.

19. On-site Sewerage Disposal

The development must dispose of all effluent and polluted waste water within the boundaries of the site in accordance with the requirements of the EHP Permit number SPCE05342213 issued by Department of Environment and Heritage Protection.

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

20. Water Supply

The developer must construct upgrades to the water supply network sufficient to meet Council's fire-fighting flow and pressure standards. The upgrade should match those outlined in the DPM Water report dated 25 May 2012, in particular, a new duplicate 100 mm diameter water reticulation main for the full frontage of this development site in Ridge Street plus an extension of this new main (approximately 270m) back along Ridge Street to the existing 150mm diameter water main in The Ring Road. Construction of the water main is to include all fittings and valves necessary to meet Council's current standards. Details of the water reticulation works must be submitted to and approved as part of Compliance Assessment.

21. 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.

22. Roadworks and Traffic

The developer must construct road improvements, specifically the road widening, construction of turning lanes and associated line markings, and access off Ridge Drive, as described in the UDP Horman Traffic Report dated 24 November 2011 and Drawing SK01 Rev 3. Details of the roadworks must be designed and submitted to Council for approval as part of Compliance Assessment for the development.

The roadworks must make provision for the safe crossing of pedestrians from the site to the facilities on the western side of Ridge Drive. This may include the need for pedestrian refuges.

The design must also account for vehicles turning right to access the facilities on the western side of Ridge Drive.

The roadworks must also provide for the relocation of the existing bus stop on Ridge Drive adjacent to this development, to move it to a location on the road reserve adjacent the south-western corner of the site.

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.

23. Landscaping

- a) Prior to any works commencing on site, a landscaping plan is required to be submitted to and be approved by Council as part of Compliance Assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of Thuringowa Planning Scheme - General Development Code 5.5.1 (Landscaping). As part of the landscaping plan the following items are to be included:

- * The footpath/road reserve along Ridge Drive to be grass seeded/turfed and provided with automated irrigation.
- * Mature street trees of a species selected for this section of road.
- * Details showing the area of the site located along the southern and eastern boundaries being planted with a mixed height canopy providing screening to the neighbouring residences.

- b) The landscape plans must be prepared by a suitably Qualified person who:

- * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
- * is an experienced Landscape Designer

- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within Thuringowa Planning Scheme - General Development Code 5.5 (Landscaping). Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

24. Further Approvals Required

- a) **Compliance Assessment**

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

Condition 3 - Building Materials
Condition 4 – Signage*
Condition 12 – Noise
Condition 17 – Stormwater
Condition 18 – Stormwater Quality Management
Condition 20 – Water
Condition 22 - Roadworks and Traffic
Condition 23 - Landscaping

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

* The developer must obtain a Development Permit for Operational Works for any advertising devices exceeding 2m². The Development Permit for Operational Works must be approved prior to the commencement of use.

b) **Plumbing and Drainage Works**

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

Concurrence Agency Conditions – DEPARTMENT OF TRANSPORT AND MAIN ROADS

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of Transport and Main Roads advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the Department of Transport and Main Roads conditions as outlined in the Department's correspondence dated 12 March 2013.

Concurrence Agency Conditions – DEPARTMENT OF ENVIRONMENT AND HERITAGE PROTECTION

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of Environment and Heritage Protection advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the Department of Environment and Heritage Protection conditions as outlined in the Department's correspondence dated 7 May 2013.

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. Food Premises Fitout

Prior to any fit out of the intended food premise, a separate application to fit out the premises must be submitted to Council's Environmental Health Services for the registration of the food premise. No fit out or construction may take place before approval is granted. A food premise is anywhere food or beverages are prepared, packed, stored, handled, serviced, supplied or delivered for sale. An application must also be made for a licence to operate a food premise.

3. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council prior to 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.

4. Noise

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

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

5. Environmental Considerations

DEHP Requirements

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

6. Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

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

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

5 PAU - MI11/0038 MCU (Impact) Outdoor Recreation (Skirmish and High Ropes Course) and Caretakers Residence 324 Round Mountain Road, Pinnacles

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment
Date	10 July 2013
Address	Lot 2 SP 132604, 324 Round Mountain Road, Pinnacles
Applicant/Owner	Christopher and Milissa Pyper C/-Terry Feeney
Description	Outdoor Recreation (Skirmish and High Ropes Course) and Caretakers Residence

Executive Summary

A Development Application for Material Change of Use (Impact) – Outdoor Recreation (Skirmish and High Ropes Course) and Caretakers Residence on Lot 2 SP 132604 situated at 324 Round Mountain Road, Pinnacles has been received from Applicant: Christopher Pyper C/- Terry Feeney – MI11/0038 13206003 and has been recommended for approval.

The proposed skirmish facility consists of six individual rectangular fields. The skirmish compound is proposed to be located approximately 95m from each side boundary and approximately 50m from the rear boundary. The skirmish fields will not be operated during the wet season.

The skirmish facility will be operational from 9am-5pm 7 days per week for approximately 40 weeks of the year. No more than three of the six fields will be operational at any one time. This would represent about 36 players at any one time on the skirmish course.

The high ropes course is proposed to be located adjacent to the skirmish fields. Structures associated with this facility will include ‘power pole’ style timber posts at a maximum height of 13m, connected by ropes and nets. The ropes course will not be suitable to operate during the wet season.

The high ropes course will be operational from 9am to 5 pm seven days per week for approximately 40 weeks of the year. The facility is proposed to cater for corporate programs, school leadership programs and tourism activities.

Officer's Recommendation

That council approve application MI11/0038 for a development permit for Outdoor Recreation (Skirmish and High Ropes Court) and Caretakers Residence under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 2 SP 132604, more particularly 324 Round Mountain Road, Pinnacles subject to the following conditions -

SCHEDULE OF CONDITIONS

**MATERIAL CHANGE OF USE (IMPACT)
OUTDOOR ENTERTAINMENT (SKIRMISH AND HIGH ROPES COURSE) AND CARETAKERS
RESIDENCE**

MATERIAL CHANGE OF USE 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.	DATE
Site Plan	SK01	B	April 2011
Site Plan	101	C	23/08/12
Part Site Plan	102	B	23/08/12
Part Site Plan – High Ropes Course	103	B	23/08/12
Floor Plan	SK02		April 2011
Elevation Plan	SK03		April 2011
Elevation Plan	SK04		April 2011
Elevation Plan	SK05		April 2011
Machinery Shed elevations	SK07		April 2011
Elevations	201	A	23/08/12

- 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. Caretaker Residence

The Caretakers Residence must only be occupied by person/s managing the approved use/s on-site and their immediate family.

3. Hours of Operation

Unless otherwise approved by Council, the activities associated with the use must only be conducted between 9.00am to 5.00pm Monday to Sunday inclusive.

4. Restriction of Use

Unless otherwise approved by Council, the approved use (Skirmish and High Ropes Course) is limited to:

- No more than 3 of the 6 Skirmish fields operating at any one time, and no more than 36 persons participating across the 3 playing fields at any one time; and
- No more than 20 persons participating in the High Rope Course at any one time.

These two activities may operate concurrently.

5. Safety Fence

The developer must provide safety fencing/netting around the skirmish fields to prevent anyone not associated with the games in progress being shot with stray paint ball pellets.

6. Property Numbering

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

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

7. On-site Sewerage Disposal

The development must dispose of all effluent and polluted waste water within the boundaries of the site. In particular:

- a) The development must be serviced by an advanced secondary on-site domestic waste treatment system in accordance with AS/NZS 1547:2000 and the Queensland Plumbing and Wastewater Code.
- b) In accordance with the *Plumbing and Drainage Act 2002*, an application must be lodged with the Hydraulic Certification Unit, Townsville City Council before any building work or installation of an on-site treatment plant can be carried out.

8. Potable Water Supply

The approved use must not commence until such time as the following has been provided:-

- * A water tank of at least 10,000 litres for potable water for the Caretakers Residence; and
- * A proven supply of potable water for drinking purposes for the Outdoor Recreation activities to the satisfaction of Council.

9. 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.

10. Car Parking and Access Ways

- a) All car parking facilities and access ways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * gravel; or
 - * other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- e) Car parking must be provided in accordance with the approved plan number SK01 listed in Condition 1 of this approval and in accordance with Australian/New Zealand Standard AS/NZ2890.

11. Signage

Should signage associated with the use exceed 1m² (Rural Planning Area), the developer must submit plans of the signage as an application for Operational Works for approval by Council prior to commencement of the use. Details must include the location of the signage, construction materials, size of the sign and graphic content. All signage must comply with the City of Thuringowa Planning Scheme Policy for Advertising Devices. Approved signs must be maintained to the satisfaction of Council.

12. Landscaping

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

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of Thuringowa Planning Scheme - General Development Code 5.5.1 (Landscaping). As part of the landscaping plan the following items are to be included:

- * The proposed carpark and administration building area provided with shade trees.
 - * Details showing the area of the site along the south eastern boundary for the length of the internal road to the car park being landscaped to provide a suitable screen to the neighbouring property.
- b) The landscape plans must be prepared by a suitably Qualified person who:
- * is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
 - * is an experienced Landscape Designer.
- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within Thuringowa Planning Scheme - General Development Code 5.5 (Landscaping). Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

13. Roadworks and Traffic

The developer must design and construct Laudham Road to a sealed rural road standard from the Riverway Drive intersection to the existing bitumen seal at the intersection of Laudham and Round Mountain Roads to the following standards:

- a) The developer must design and construct the road and all the intersections to existing streets in accordance with Aus-Spec Development Design Specifications.
- b) The road classifications must be in accordance with council's relevant current Standard Drawing, in particular:

Designated Street	Road Type
Laudham Road	COT Rural, Type L

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

- c) The developer must construct the new access driveway and crossover from edge of the existing bitumen sealed road to the property boundary in accordance with Council's relevant Standard Drawings for Driveway Access and Driveway Crossovers.

Note: You are advised that an approval has been issued for a rural subdivision over Lot 1 SP195322 that requires a considerable length of Laudham Road to be constructed to the standard noted above. You are encouraged to consult with this developer with respect to road construction.

14. Refuse Facilities

Refuse collection arrangements must be provided by the developer. A waste management plan must be prepared and submitted to Council for approval. The waste management plan must be implemented during construction and at commencement of the use. Any amendments to the plan must not be implemented until approval from Council is issued.

15. Further Approvals Required

The following conditions must be submitted to Council for notation or acceptance prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

a) Compliance Assessment/Operational Works

Compliance assessment applies to Conditions:

- 8. Potable Water Supply
- 12. Landscaping; and
- 13. Roadworks and Traffic.

Operational Works applies to Conditions:

- 11. Signage.

All engineering associated with this development must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council.

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

b) Plumbing and Drainage Works

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

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. 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.

3. Roadworks Approval

The developer is responsible for obtaining a Roadworks approval in accordance with Local Laws 4 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

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

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

6 PAU - MI13/0003 MCU (Impact) Telecommunications Facilities 335 Bluewater Drive Bluewater

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment – Planning and Development
Date	10 July 2013
Address	Lot 16 RP 729714 - 335 Bluewater Drive, Bluewater
Applicant/Owner	NBN Co Limited C/- Aurecon Australia / Raymond J and Audrey J Simpson
Description	Telecommunications Facilities

Executive Summary

A Development Application for Material Change of Use (Impact) - Telecommunications Facilities on Lot 16 RP 729714 situated at 335 Bluewater Drive, Bluewater has been received from Applicant: NBN Co Limited C/- Aurecon Australia – MI13/0003 10500038 and has been recommended for approval.

Officer's Recommendation

That council approve application MI13/0003 for a development permit for Telecommunications Facilities under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 16 RP729714, more particularly 335 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-51-08-TOL-C2	05	26 February 2013
Site Setout Plan	4DEG-51-08-TOL-C3	05	26 February 2013
Site Elevation and Details South East	4DEG-51-08-TOL-C4	05	26 February 2013
Site Elevation and Details North East	-	-	26 February 2013
Site Elevation and Details North West	-	-	26 February 2013
Site Elevation and Details South West	-	-	26 February 2013

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

2. Building Materials

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

3. Storage of Materials and Machinery

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

4. Lighting

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.

10. Minimum Levels for Electrical Equipment

The developer must ensure that the floor level of all electrical and control equipment areas associated with the use are above the flood inundation level from Average Recurrence Interval (ARI) 50 year storm/tide event.

The developer must submit documentation signed by an engineer (who must be an RPEQ) certifying that electrical equipment associated with the use obtains the flood immunity listed above.

REFERRAL AGENCY CONDITIONS

Concurrence Agency Conditions – Department of Natural Resources and Mines

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the Department of Natural Resources and Mines advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached. The applicant must comply with the Department of Natural Resources and Mines conditions as outlined in the Department's correspondence dated 28 March 2013.

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

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

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

7 Strategic Planning - Economic Development and Strategic Projects - Permitting of Buskers

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 4 June 2013

Executive Summary

Busking is an element of city life that adds to a vibrant environment and enriches experiences within the public space. While there is potential for complaints from occupiers of premises exposed to impacts – particularly noise – of busking activity, there has been a very low incidence of complaint about busking in Townsville. It is recommended that council better facilitate busking while maintaining its capacity to take enforcement action if required.

Officer's Recommendation

1. That council note the low incidence of complaint about busking activities experienced in the first year of operation of the current local laws.
2. That council endorse the adoption of a “deemed approvals for busking” system.
3. That council agree that busking be allowed in Flinders Street East from 8:00am to 3:00am each day, and in all other areas of Townsville from 8:00am to 10:00pm, on the condition that it does not create a nuisance.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

8 Strategic Planning - City Planning Unit - Oonoonba Priority Development Area

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 18 June 2013

Executive Summary

As part of a broader state government agenda of an orderly transition of planning responsibility back to local government, Economic Development Queensland has initiated discussions with council in regard to the transition of planning responsibilities for the Oonoonba Priority Development Area to Townsville City Council. Two mechanisms have been proposed to achieve this transition, delegation of development assessment functions or revocation of the Priority Development Area and inclusion of the area in a local government planning scheme.

A number of issues of concern have been identified in regard to assuming planning responsibility for the Oonoonba Priority Development Area, including issues related to resourcing to undertake the planning functions, the recovery of infrastructure charges and the inability of council to effect amendments to the Oonoonba Urban Development Area Development Scheme. The transition of planning responsibility for the Oonoonba Priority Development Area to Townsville City Council, by way of either a delegation or revocation mechanism, is therefore not supported.

Officer's Recommendation

That council write a letter to Economic Development Queensland:

- a. thanking the state government for the offer to transition planning responsibility in relation to the Oonoonba Priority Development Area to the Townsville City Council; and
- b. advising that council would not support the transition of planning responsibility for the Oonoonba Priority Development Area to Townsville City Council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

9 Bulk Port Study Tour - Port of Newcastle and Port Kembla - 6 and 7 August 2013

GENERAL BUSINESS ITEM

Raised by	The Mayor, Councillor J Hill
Committee	Planning and Development Committee
Date	10 July 2013

The Mayor, Councillor J Hill requested Councillors from the Planning and Development Committee attend the Bulk Port Study Tour of the Port of Newcastle and Port Kembla on 6 and 7 August 2013.

Committee Recommendation

1. That council nominate Councillors L Walker, V Veitch, A Parsons and T Roberts to attend the Bulk Port Study Tour of the Port of Newcastle and Port Kembla on 6 and 7 August 2013.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to Councillors L Walker, V Veitch, A Parsons and T Roberts to allow their attendance on the Bulk Port Study Tour of the Port of Newcastle and Port Kembla on 6 and 7 August 2013.

Council Decision

Refer to resolution preceding item 1 on the council minutes (page 6471) where council resolved that the committee recommendation be adopted.

Community and Cultural Committee

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

"that the committee recommendations to items 10 to 12, 14 and 16 be adopted."

CARRIED

In accordance with section 173 of the Local Government Act 2009, Councillor S Blom declared a real conflict of interest in regards to item 13.

- (a) the name of the councillors who have the real or perceived conflict of interest:**
Councillor S Blom
- (b) the nature of the conflict of interest as described by the Councillor:**
Councillor Blom is a participant in Dancensations a recipient of a Festival and Events Grant.
- (c) how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that she had a real conflict of interest and left the meeting and did not participate in debate or voting on the matter.
- (d) if the Councillor voted on the issue – how the Councillor voted:**
The councillor vacated the chambers during discussion and voting on this item.
- (e) how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the committee recommendation.

It was MOVED by Councillor C Doyle, SECONDED by Councillor T Roberts:

"that the committee recommendation to item 13 be adopted."

CARRIED

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

"that the committee recommendation to item 15 be adopted."

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

"that the committee recommendation to item 15 be adopted with the following additional conditions:

- 6. *that the funding for Townsville Fire Ltd be conditional that proof be provided that \$140,000 working capital (inclusive of the \$50,000) exists prior to the commencement of the coming season."*

The Amendment was carried unanimously and became the substantive motion.

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

"that the committee recommendation to item 15 be adopted with the following additional conditions:

- 6. *that the funding for Townsville Fire Ltd be conditional that proof be provided that \$140,000 working capital (inclusive of the \$50,000) exists prior to the commencement of the coming season; and*
- 7. *that Townsville Fire Ltd and Townsville Crocodiles Ltd be reminded of the terms of in-kind support (facilities usage) and that use over and above those terms will result in a charge for those facilities exclusive of the agreement."*

The Amendment was lost.

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

"that the committee recommendation to item 15 be adopted with the following additional conditions:

6. *that the funding for Townsville Fire Ltd be conditional that proof be provided that \$140,000 working capital (inclusive of the \$50,000) exists prior to the commencement of the coming season; and*
7. *that both teams (Townsville Fire Ltd and Townsville Crocodiles Ltd) be required to provide an up to date business plan."*

CARRIED UNANIMOUSLY

The Amendment became the substantive motion and was carried.

10 Presentation - Community Services - Strategic Action Plan Report Q4 2013

PRESENTATION

Authorised by	Director Community and Environment
Department	Community Services
Committee	Community and Cultural Committee
Date	11 July 2013

Executive Summary

The purpose of this presentation is to inform Councillors of the key Strategic Action Plan outcomes achieved during the fourth quarter (April to June) of the 2012/13 financial year.

The Strategic Action Plans are aligned to the Townsville Community Plan (2011 – 2021), and provide a frame of reference for council to implement programs and activities in the following areas:

- Community Sport and Recreation
- Community Safety
- Aboriginal and Torres Strait Islander
- Arts and Culture
- Multicultural
- Seniors
- Disability Inclusion
- Youth
- Women's
- Families
- Lifelong Learning

These Strategic Action Plans were developed as a result of extensive community consultation and engagement. The outcomes achieved in Quarter 4 of 2012-13 reflect the substantial work undertaken by the Community Development and Library Services teams, in collaboration with community groups and networks. They also reflect council's success in developing partnerships, building capacity and responding to the identified needs of the Townsville community.

Officer's Recommendation

That council note the Community Services – Strategic Action Plan Report Quarter 4 April – June 2013 achievements and outcomes.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 on the council minutes (page 6519) where council resolved that the committee recommendation be adopted.

11 Presentation - Community Services - Community Engagement Framework

PRESENTATION

Authorised by	Director Community and Environment
Department	Community Services
Committee	Community and Cultural Committee
Date	July 11 2013

Executive Summary

The Community Engagement Framework, which was adopted by council on 24 August 2010 to provide direction and guidance on council's community engagement activities, has been reviewed and updated to clarify council's community engagement approach and processes.

Information and training about engagement and the framework will be provided to all departments of council, and the framework will be linked into the Project Management Framework, in order to provide consistency of practice and to accurately and completely report on engagement activities that are occurring on an ongoing basis, across council.

Officer's Recommendation

That council note the Community Engagement Framework presentation.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 on the council minutes (page 6519) where council resolved that the committee recommendation be adopted.

12 Community Services - Building Multicultural Communities Program application

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 28 June 2013

Executive Summary

On 12 April 2013, the Minister for Multicultural Affairs, Senator the Hon Kate Lundy, announced new measures to support Australia's vibrant and diverse multicultural communities. One of the measures was a commitment to provide resources via the Building Multicultural Communities Program (BMCP) to improve infrastructure that will enhance social inclusion and create meeting places that provide opportunities to bring together individuals and families in the community. The BMCP will provide one-off funding to eligible Australian not-for-profit, incorporated community organisations, and local government authorities that provide services and support to community groups, for projects that enhance multicultural community spaces through infrastructure, equipment, and capital works. Funding, administered by the Department of Immigration and Citizenship, of approximately \$4.55 million is available for the BMCP in 2013-14 for one-off projects to be completed by 30 June 2014.

Officer's Recommendation

That council endorse making a funding submission through the Building Multicultural Communities Program, Department of Immigration and Citizenship, Australian Government to assist in supporting targeted Culturally and Linguistically Diverse (CALD) groups to address the needs for social cohesion and a sense of belonging by creating a welcoming community culture to local multicultural groups through Building Strong, Connected Cultural Groups in Townsville.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 on the council minutes (page 6519) where council resolved that the committee recommendation be adopted.

13 Community Services - Festivals and Events Grant Program Recommendations

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 2 July 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 26 June 2013. There were seven (7) applications submitted through this program during June 2013 and it is recommended that council provide support for five (5) 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 2013/2014 (Ex GST)
Event Category: Feature Event		
Townsville Motor Boat & Yacht Club Ltd – Townsville Cruising Yacht Club	Towards the development of a signature event 'Sail Townsville' associated with the current annual Magnetic Island Race Week event to be held along the Strand and on Magnetic Island from 24 August to 3 September 2013	2013/2014 - \$15,000
Event Category: Corporate Event		
Not2Old2Dance (auspiced by Mad Maggies Promotions)	Waiver of associated venue hire fees for the Not2Old2Dance event to be held 21 Sept 2013 at Tony Ireland Stadium	Waiver of venue hire for Tony Ireland Stadium to the value of \$3,600
Event Category: Developing Event		
Backpacker Games International Pty Ltd	Waiver of associated park hire fees (including various beaches such as Horseshoe Bay and Strand park) for the 2013 International Adventure Games to be held	Waiver of associated park hire fees to the value of \$2,500
Event Category: Community Event		
Dancensations	Wavier of associated venue hire fees for the 2013 Dancing with the Townsville Stars Event to be held at Riverway Arts Centre 24 August 2013	\$780 Waived venue hire (\$300) and equipment (\$480)
Event Category: One-Off Event		
Athletics NQ	Assistance with equipment hire costs for Townsville to host the ANQ – Australian All Schools Track and Field Championships and the Australian All School Knock Out Championships to be held at the Townsville Sports Reserve from 6 to 9 December 2013	2013/2014 - \$10,000 Assistance with equipment hire costs

The following applications are not recommended for funding

Organisation	Activity/Project	Rationale Declining
Event Category: Community Event		
Queensland Railway Institute Social Bowls Club	Assistance with the delivery of the 2013 65th QLD Railway Institute State Lawn Bowls Carnival to be held at various bowls locations Request - \$2,000 assistance with bus hire	<i>This event has relatively low participation numbers and a limited community reach in terms of local participation from community members and bowls clubs. The budget provided with the application demonstrated the event income (mostly from participant fees) could cover the associated event costs.</i>
INBA Tropix (Bodyby)	Assistance with venue hire and setup costs for the 2013 INBA - Bodybuilding Natural Championships to be held 15th September 2013 Request - \$2,500	<i>This application demonstrated significant sponsorship support from external sources and was deemed self-sustainable by assessing officer's</i>

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 on the council minutes (page 6519) where council resolved that the committee recommendation be adopted.

14 Community Services - Financial Assistance and Events Group (FAEG) - Notes of Meeting 26 June 2013

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 3 July 2013

Executive Summary

Council's Financial Assistance and Events Group (FAEG) meeting was held on 26 June 2013. The minutes are presented for information.

Officer's Recommendation

That council note the minutes of the Financial Assistance and Events Group held 26 June 2013.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 on the council minutes (page 6519) where council resolved that the committee recommendation be adopted.

15 Community Services - Partnerships and Sponsorships Program Recommendations

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 5 June 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 26 June 2013. It is recommended that council provide support for two of three requests submitted.

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)
Townsville Crocodiles Basketball Club Ltd	Assistance with the waiver of venue hire fees for RSL Stadium and operational costs during the 2013/14 NBL Season.	2013/2014 - \$18,000 and Waiver of venue hire fees for use of Townsville RSL Stadium to the value of \$55,000 (funding conditional on proof of \$500,000 in operational funding being generated, and a Board being appointed by 1 Sept 2013)
Barrier Reef Orchestra (NQ Ensembles)	Operational support for the organisation over the next three (3) financial years	2013/2014 - \$20,000 2014/2015 - \$20,000 2015/2016 - \$20,000

The following applications are not recommended for funding:

Organisation	Activity/Project	Rationale for Declining
Townsville Fire Ltd	Financial support to assist with the delivery of the Townsville Fire Clinics for the next 3 years Request - \$50,000 per year	<i>Recommendation is for council to continue providing support in accordance with the current agreed contribution of cash, waived hire fees and in-kind support for the use of Townsville RSL Stadium (as per signed funding agreement expiring 2019/2020).</i>

Committee Recommendation

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

Barrier Reef Orchestra (NQ Ensembles)	Operational support for the organisation over the next three (3) financial years	2013/2014 - \$20,000 2014/2015 - \$20,000 2015/2016 - \$20,000
----------------------------------------------	----------------------------------------------------------------------------------	----------------------------------------------------------------------

2. In respect to the applications for funding by both the National Basketball teams, that council adopt the principle of providing each group with equal support for the men's and women's League teams.
3. That council provide the Townsville Fire Ltd an additional \$44,000 for twelve months in addition to the \$6,000 already provided in the existing contract with the option of continuing this at the end of the first twelve months and that the Townsville Fire's current funding agreement be amended to reflect this decision. This agreement to be reviewed at the end of this twelve month period.

Organisation	Activity/Project	Recommendation (Ex GST)
Townsville Fire Ltd	Financial support to assist with the delivery of the Townsville Fire Community Engagement Clinics during the 2013/2014 WNBL Season.	2013/2014 - \$44,000 plus Waiver of venue hire fees for use of Townsville RSL Stadium to the value of \$80,000. <i>(this cash component be in addition to the \$6,000 provided in their current Resource Agreement)</i>

4. That council provide the Townsville Crocodiles Ltd with \$80,000 cash and \$50,000 in kind for the 2013/2014 financial year with the option to review at the end of the financial year and be conditional on proof of \$500,000 (inclusive of council funding) in working capital existing prior to the season commencing, a Board being appointed by 1 September 2013 and the League being formed.

Organisation	Activity/Project	Recommendation (Ex GST)
Townsville Crocodiles Basketball Club Ltd	Assistance with the waiver of venue hire fees for RSL Stadium and operational costs during the 2013/14 NBL Season.	2013/2014 - \$80,000 plus Waiver of venue hire fees for use of Townsville RSL Stadium to the value of \$50,000 <i>(funding conditional on proof of \$500,000 in operational funding being generated (inclusive of this grant amount), and a Board being appointed by 1 Sept 2013 and the League being formed)</i>

5. That council issue a funding agreement to the Townsville Crocodiles Ltd in a similar format to the Townsville Fire funding agreement on the condition that after twelve months or one season both teams should be required to prove their viability to the community of Townsville.

Council Decision

Refer to resolution preceding item 10 on the council minutes (page 6520) where council resolved the following:

that the committee recommendation to item 15 be adopted with the following additional conditions:

6. that the funding for Townsville Fire Ltd be conditional that proof be provided that \$140,000 working capital (inclusive of the \$50,000) exists prior to the commencement of the coming season; and
7. that both teams (Townsville Fire Ltd and Townsville Crocodiles Ltd) be required to provide an up to date business plan.

16 Community Services - Revised Ross River Waterway Management System - Management of Recreational Use Plan 2013-2015

REPORT TO COUNCIL

Authorised by	Director Community and Environment
Department	Community Services
Date	2 July 2013

Executive Summary

The Ross River Waterway Management System – Management of Recreational Use Plan (RRMP), which has existed since 2005, has been updated and revised to reflect the evolving recreational use of the waterway.

Officer's Recommendation

That council adopt the updated and revised Ross River Waterway Management System – Management of Recreational Use Plan 2013-2015, and refer it to Marine Safety Queensland (MSQ) for gazettal of the relevant changes made.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 10 on the council minutes (page 6519) where council resolved that the committee recommendation be adopted.

Smart City Sustainable Future Committee

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

"that the committee recommendations to items 17 and 18 be adopted."

CARRIED UNANIMOUSLY

17 Caring for our Country project completion report

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Integrated Sustainability Services

Date 3 July 2013

Executive Summary

Council has demonstrated significant achievement in the delivery of the Creek to Coral partnership project funded (\$909,300 ex GST) through the Australian Government's Caring for Our Country program.

Over the life of the project council has:

- engaged 25 community groups (target was 11 community groups); and
- remediated (habitat/vegetation protected) approximately 700 hectares (target was five hundred hectares).

In addition the project contributed to the development of the conservation layers in the new Townsville City Plan through the implementation of improved environmental mapping. The area included in the Very High Category is 39% (limited development is appropriate or not feasible) of the Townsville local government area, and in the High Category 34% (development with conditions).

The overall project consisted of 33 sub-projects ranging from Creekwatch to wetlands, coastal environments and turtle habitat protection (beaches). Geographically the sub-projects ranged from Paluma to Cungulla and out to Magnetic Island and engaged individuals, community groups and non-government organisations in natural resource management activities.

This has been a successful project, with benefits in environmental protection and community involvement far outweighing the investment from the Commonwealth in grant funding and from Townsville City Council in in-kind support.

Officer's Recommendation

That council note the information provided in this Report to Council.

Committee Recommendation

1. That the officer's recommendation be adopted.
2. A brief overview of the project be added to the Townsville City Council City Update.

Council Decision

Refer to resolution preceding item 17 on the council minutes (page 6528) where council resolved that the committee recommendation be adopted.

18 Reef Guardian Councils Steering Committee Meeting Report

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Integrated Sustainability Services
Date 3 July 2013

Executive Summary

The Reef Guardian Councils Steering Committee meets bi-annually to discuss and learn about reef related matters and how local governments can contribute to the protection of the Great Barrier Reef.

Recently the Steering Committee met in Townsville over a two day period (6-7 June) and learnt about important challenges and initiatives, including an update on the Strategic Assessment of the current health of the Reef and its management arrangements, following the United Nations Educational Scientific and Cultural Organisation (UNESCO) visit.

The meeting followed council's recent review and endorsement of the annual Townsville City Council Reef Guardian Council plan, as well as our continued participation in the Reef Guardian Council Programme for the full term of this council.

Councillor V Veitch presented to committee on relevant policy matters relating to council arising from the Steering Committee meeting.

Officer's Recommendation

Council to note the agenda and presentation by Councillor V Veitch on relevant policy matters arising from the Reef Guardian Councils Steering Committee meeting.

Committee Recommendation

That the Officer's Recommendation be adopted.

Council Decision

Refer to resolution preceding item 17 on the council minutes (page 6528) where council resolved that the committee recommendation be adopted.

Healthy and Safe City Committee

It was *MOVED* by Councillor G Eddiehausen, *SECONDED* by Councillor C Doyle:

"that the committee recommendations to items 19 and 20 be adopted."

CARRIED UNANIMOUSLY

19 Community and Environmental Services - Townsville Local Disaster Management Group - Minutes of Full Committee Meeting 3 July 2013

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community and Environmental Services
Date 4 July 2013

Executive Summary

The Townsville Local Disaster Management Group (TLDMG) Full Committee meets twice per year (usually June and November) with staff of the Townsville City Council, Area Director Emergency Management Queensland, State Emergency Service Local Controller and other agencies.

Attached are the minutes of the meeting held on 3 July 2013.

At this meeting, the TLDMG:

- approved the SES Annual Report 2012 – 2013;
- approved the revised Townsville Local Disaster Management Plan; and
- accepted the Places of Refuge Report.

Officer's Recommendation

1. That council endorse the minutes of the Townsville Local Disaster Management Group Full Committee Meeting held on 3 July 2013.
2. That council endorse the Townsville Local Disaster Management Group's approval of the SES Annual Report 2012 - 2013.
3. That council endorse the Townsville Local Disaster Management Group's approval of the revised Townsville Local Disaster Management Plan.
4. That council endorse the Townsville Local Disaster Management Group's acceptance of the Places of Refuge Report.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 19 on the council minutes (page 6530) where council resolved that the committee recommendation be adopted.

20 Recommendation Report for T7025 - Supply of Shelter Facilities

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Environmental Health Services
Date 12 June 2013

Executive Summary

Council provides the shelter facility elements of its animal management program on a fixed term contract basis. Tenders were called for prospective contractors to supply animal shelter facilities in Townsville with submissions closing on 18 February 2013.

Two submissions were received.

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 the Royal Society for the Protection of Animals (Queensland) be appointed as council's contractor for the supply of animal shelter services for the principal contract term of 3 years (1 July 2013 – 30 June 2016).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 19 on the council minutes (page 6530) 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 21 to 26 be adopted."

CARRIED UNANIMOUSLY

21 Budget Variance Report - Whole of Council - June 2013

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Finance

Date 4 July 2013

Executive Summary

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

The June report is still being influenced by end of year processing for June 2013. While the end of year work continues, any further adjustments that may result in a change to the 2013/14 financial year will be processed in the current open period, July 2013.

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

Officer's Recommendation

That council note the financial report for June 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 21 on the council minutes (page 6532) where council resolved that the committee recommendation be adopted.

22 Employee Sponsorship Scheme Policy

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Human Resources People Performance
Date 2 July 2013

Executive Summary

Since 2008, Townsville City Council has provided limited financial assistance or sponsorship to support employee participation in initiatives and pursuits that enhance both community and employee wellbeing. This support has been provided through an Employee Sponsorship Scheme with strict terms and conditions guiding eligibility to access assistance. In 2012, an Internal Audit Report recommended a policy be developed to advise employees on the sponsorship available and govern the ongoing delivery of the Scheme.

Officer's Recommendation

That council adopt the Employee Sponsorship Scheme Policy as follows.

POLICY

CORPORATE SERVICES

HUMAN RESOURCES PEOPLE PERFORMANCE



EMPLOYEE SPONSORSHIP SCHEME >>

1. POLICY STATEMENT >>

Townsville City Council is committed to supporting employee participation in initiatives and pursuits that enhance both community and employee wellbeing.

2. PRINCIPLES >>

Council endeavours to provide basic and limited financial assistance or sponsorship for employee participation in initiatives and pursuits that enhance both community and employee wellbeing. The financial assistance is intended to provide assistance with payment of matters including (but not limited to) registration fees, branded clothing or costume for the activity, basic refreshments such as fruit and water. Sponsorship may extend to existing basic promotional collateral such as drink bottles.

3. SCOPE >>

This policy applies to all Council employees employed at the time of the event for which assistance is sought. It does not extend to volunteers, contractors, labour hire or anyone else who is not an employee of the Council at the time of the event.

This policy only deals with the issue of provision of financial assistance and basic and existing promotional collateral. It is not intended to facilitate the provision of Council owned equipment, assets or any other resources or services.

4. RESPONSIBILITY >>

The Human Resources *People Performance* Department is responsible for the budget and approval of funding and sponsorship requests which comply with this policy.

Employees are responsible for completing the appropriate application form seeking financial assistance and/or promotional collateral.

Management is responsible for supporting the employee's application for financial support/promotional collateral on the basis that it meets the relevant criteria, including availability of funds.

5. DEFINITIONS >>

Employee – means all employees employed by Council at the time of the event for which assistance is sought. It does not extend to volunteers, contractors, labour hire or anyone else who is not an employee of the Council at the time of the event.

The Scheme – means the Employee Sponsorship Scheme.

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EMPLOYEE SPONSORSHIP SCHEME

POLICY

CORPORATE SERVICES

HUMAN RESOURCES PEOPLE PERFORMANCE



6. POLICY >>

At the commencement of each financial year the Council will approve an amount of funds as Employee Sponsorship Scheme Funds. A Scheme year commences upon the approval of funding for that year and continues:

- for twelve months; or
 - until funding is exhausted or no longer available, irrespective of whether all applications have been assessed/approved; or
 - until a fresh allocation is made.
- a) From the Scheme funds the Council will make a contribution available to successful applicants of 50% of the total participation costs and up to a maximum of \$200 per applicant.
 - b) Applications should be submitted prior to the applicant participating in the activity or event. Supporting documentation such as registration forms and brochures must be included with the application.
 - c) If the applicant has participated in the activity or event and requests financial assistance/sponsorship after the event, receipts or other supporting documentation verifying the applicant's expenditure and participation in the event must be included with the application.
 - d) Applications submitted after participation in the event or activity must be submitted within three months after the start date of the activity or by the end of the Scheme year otherwise they will not be eligible for assessment or approval.
 - e) Where promotional collateral such as shirts or water bottles are being requested for approval under the Scheme, approval will only be provided if the design includes the Council approved logo and is compliant with the Council's branding standards.
 - f) Each application can only be made in respect of the activity specifically identified and on the specific date/s in the application.
 - g) An approval applies only for the specific application to which it was granted. Approval will not apply to the same event in a subsequent year/ cycle. A separate application must be made and separate approval obtained.
 - h) Applications will be assessed against the following criteria:
 - The eligibility of the applicant;
 - The applicant's history of funding under the scheme. If the Council receives a number of applications and has insufficient funds to approve all applications, an application that meets all of the assessment criteria and has been funded a lesser number of times will receive preference to approval of funding in order to ensure fair distribution of assistance;
 - Compliance with the terms and conditions of this policy;
 - The appropriateness of Council making a sponsorship in respect of the activity; and
 - The community and employee's wellbeing benefit derived from the employee's participation in the activity.
 - i) Applications will be approved / not approved by the Executive Manager Human Resources *People Performance* following assessment against the above criteria and the applicant will be advised of the outcome of their application.

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EMPLOYEE SPONSORSHIP SCHEME

POLICY

CORPORATE SERVICES

HUMAN RESOURCES PEOPLE PERFORMANCE



- j) Employees will be representing Townsville City Council and must adhere to the Code of Conduct for Staff at all times while participating in the event.
- k) In the event that an individual or team to which the Council has provided sponsorship or assistance receives a prize or prize money, it must be declared consistent with the employee's obligations under the Council's Code of Conduct for Staff. Direction will then be provided on what happens with the prize or prize money.
- l) Applicants who receive sponsorship may be requested to provide evidence that they have participated in the event for which the funding was approved. Applicants may also be requested to provide a brief report within one month of participation, to be used for promotional purposes (e.g. newsletter, intranet). Other uses of the report will be by mutual agreement of the applicant and council.
- m) When the applicant has received funding or other support under this policy but fails to participate in the approved event or activity the applicant must return to council the funding or support provided.
- n) Applicants may request an exemption from paying back the sponsorship funding in the case of injury, illness or family bereavement preventing them from participating in the activity that the sponsorship money was intended for. Any exemption to paying back sponsorship funding due to non-participation in the activity will be at the discretion of the Executive Manager Human Resources *People Performance*.
- o) Lodging an application does not guarantee funding.
- p) Only fully completed applications will be considered.
- q) The assessment of applications will be conducted in the order that complete applications are received by the council, and funds will be allocated in that order until the Scheme funds or that Scheme year have been allocated.
- r) Townsville City Council reserves the right, at its sole discretion and at any time, to change any or all of the terms and conditions or to cancel the Scheme.

7. LEGAL PARAMETERS >>

Nil.

8. ASSOCIATED DOCUMENTS >>

Code of Conduct for Staff
Employee Sponsorship Application Form
Staff Health and Wellbeing Committee Terms of Reference

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EMPLOYEE SPONSORSHIP SCHEME

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the council minutes (page 6532) where council resolved that the committee recommendation be adopted.

23 Corporate Governance - Audit Committee Minutes - 4 June 2013**REPORT TO COUNCIL**

Authorised by Director Corporate Services
Department Corporate Governance
Date 18 June 2013

Executive Summary

Please find the minutes of the Audit Committee meeting held on 4 June 2013 attached to the agenda item.

Officer's Recommendation

That council receive the minutes of the Audit Committee meeting held on 4 June 2013.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the council minutes (page 6532) where council resolved that the committee recommendation be adopted.

24 Corporate Governance - Audit Committee Reports - 4 June 2013

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 14 June 2013

Executive Summary

Please find the Corporate Governance reports of the Audit Committee meeting held on 4 June 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 Corporate Governance reports of the Audit Committee meeting held on 4 June 2013.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the council minutes (page 6532) where council resolved that the committee recommendation be adopted.

25 PSA8095 - Confidential Report

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance – Procurement Contracts Unit
Date 26 June 2013

Executive Summary

Council issued tender number PSA8095 on 20th April 2013 for a preferred supplier arrangement for the supply and delivery of Civil Pipe Work Fittings to the Garbutt Store. The tender closed on 15th May 2013 and two submissions were received.

The value of the large-size contractual arrangement is expected to be worth more than \$800,000 ex GST per annum. The Local Government Regulation requires a large sized contractual arrangement for the total expected value in a financial year.

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

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA8095 – Preferred Supplier Arrangement for Supply and Delivery of Civil Pipe Work Fittings to Pentair Water Solutions Pty Ltd for 12 months.
3. That council award PSA8095 for 12 months with the option of a further two 12-month extensions.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the council minutes (page 6532) where council resolved that the committee recommendation be adopted.

26 Variation to contract of CEO Vehicle

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Chief Executive Officer
Department CEO Unit
Date 9 July 2013

Executive Summary

The Employment Contract for the Chief Executive Officer outlines a Total Remuneration Package that includes cash salary, superannuation and a Council vehicle (nominal value).

Council has required officers under contract of employment to replace their assigned council vehicle with a vehicle leased or owned by the officer. There were collective financial savings to the council built into the 2012/13 capital and operating budget to accommodate these changes however due to delays in finalising employment contracts these savings were not realised. The savings have been carried into the 2013/14 budget. Officers have now commenced leasing or providing their own vehicles and the components of their Total Remuneration Package have been amended accordingly – this requires the conversion of the council vehicle nominal value to cash.

The Chief Executive Officer has now handed the council vehicle back and taken up a novated lease arrangement for his new private vehicle. The Chief Executive Officer's contract requires that Council endorse the variation of the Total Remuneration Package on the basis that the variation is not incurring an additional cost or expense to council.

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 that on 3 July 2013 the Chief Executive Officer returned the council Vehicle allocated under his Contract of Employment and took up a private vehicle lease arrangement and in accordance with clause 8.4 of the said Contract council approve the variation to the Total Remuneration Package of the Contract to accommodate the transfer of the nominal value of the council vehicle (being \$22,000) to cash on the basis that this variation is at no additional cost to council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 on the council minutes (page 6532) 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 27 to 31 be adopted."

CARRIED UNANIMOUSLY

Councillor R Gartrell thanked staff for the process with regards to item 28 - Expansion of the Defined Waste and Recycling Collection Area.

27 Wastewater Operations - Infiltration and Inflow Study of Sewers - Catchments (Cranbrook, Heatley, Gulliver, Pimlico, Mundingburra, Vincent)

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations Townsville Water and Waste
Date 27 June 2013

Executive Summary

Townsville City Council has resolved at its meeting of 26 August 2008 to undertake a Systematic Inspection Program, namely Infiltration and Inflow Study (I/I) of sewers and private house drains of all premises to identify illegal connections to council's sewerage system.

Townsville Water's Wastewater Operations section seeks approval to undertake the eleventh of these programs in the catchments L2A, L2B, A9N, 9E, 9N, 9M, 10A, 10H, 10G, 10J (Cranbrook, Heatley, Gulliver, Pimlico, Mundingburra, Vincent) pursuant to section 134 of the *Local Government Act 2009*. The program is expected to commence on Monday 19 August 2013 and will be completed within a period of three months.

Before commencing this program, council's approval is sought for the:

- Systematic Inspection Program to commence; and
- authority from council to enter properties to undertake this inspection.

Officer's Recommendation

That council approve the undertaking of a Systematic Inspection Program in the catchments L2A, L2B, A9N, 9E, 9N, 9M, 10A, 10H, 10G, 10J (Cranbrook, Heatley, Gulliver, Pimlico, Mundingburra, Vincent) during the three months following 22 April 2013 pursuant to section 134 of the *Local Government Act 2009*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 on the council minutes (page 6541) where council resolved that the committee recommendation be adopted.

28 Townsville Waste Services - Expansion of the Defined Waste and Recycling Collection Area

REPORT TO COUNCIL

Authorised by Acting Director Townsville Water and Waste
Department Utility Services
Date 3 July 2013

Executive Summary

This report details the community consultation undertaken during May 2013 in relation to the potential expansion of the defined waste collection area and the introduction of a compulsory waste and recycling collection service in Alligator Creek, Nome and Julago.

Officer's Recommendation

That council resolve to not introduce compulsory combination waste and recycling services in Alligator Creek, Nome and Julago at this time.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 on the council minutes (page 6541) where council resolved that the committee recommendation be adopted.

29 Wastewater Operations - Cleveland Bay Purification Plant Odour Control and Asset Remediation Works Budget

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Townsville Water and Waste - Wastewater Operations
Date 11 July 2103

Executive Summary

This report outlines to maximum budget required to finalise the odour control and asset remediation works required at Cleveland Bay Purification Plant (CBPP) to:

- Protect the health and safety of council employees and visitors at CBPP
- Protect CBPP assets from the effects of corrosion resulting from high Hydrogen Sulphide (H₂S) levels; and
- To ensure that environmental nuisance requirements are met in relation to encroaching future development.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approve the maximum budgeted expenditure of \$8,811,941 in the 2013/2014 financial year to complete the odour control upgrade and asset remediation works at Cleveland Bay Purification Plant.
3. That council approve the maximum budgeted payment of \$8,691,887 excluding GST (\$7,925,533 for odour control and \$766,355 for asset remediation) to the Water Matters Alliance Non Owner Participants in the 2013/2014 financial year to complete the odour control upgrade and asset remediation works at Cleveland Bay Purification Plant.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 on the council minutes (page 6541) where council resolved that the committee recommendation be adopted.

30 TWW Business Management and Compliance - Monthly Report Card - June 2013

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department TWW Business Management and Compliance
Date 11 June 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 June 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 June 2013.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 27 on the council minutes (page 6541) where council resolved that the committee recommendation be adopted.

31 Request to investigate lids on two sewerage pipes located in Heatley's Parade

GENERAL BUSINESS ITEM

Raised by	Councillor L Walker
Committee	Townsville Water and Waste Committee
Date	16 July 2013

Councillor L Walker requested that the lids on the two cast iron sewerage pipes located at the top of Heatley's Parade, Belgian Gardens be investigated. Councillor Walker will provide photographs of the pipes to Townsville Water and Waste.

Committee Recommendation

That the lids on the two cast iron sewerage pipes located at the top of Heatley's Parade, Belgian Gardens be investigated.

Council Decision

Refer to resolution preceding item 27 on the council minutes (page 6541) where council resolved that the committee recommendation be adopted.

Officers Reports

Corporate Services

32 Governance - Right to Information Application Fees

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 5 July 2013

Executive Summary

The Office of the Information Commissioner has advised that as of 1 July 2013 the application fee and processing charges made under the Right to Information Act 2009 have changed.

The application fee increased from \$40.50 to \$41.90 and the processing charge from \$6.25 to \$6.45 for each fifteen minutes or part thereof.

Council's schedule of fees and charges will need to be amended accordingly.

Officer's Recommendation

That council note the increase in statutory fees for Right to Information application fee and processing charges and amend its fees and charges schedule accordingly.

Council Decision

It was MOVED by Councillor J Lane, SECONDED by Councillor V Veitch:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

33 North Queensland Local Government Association Conference Cooktown 2-4 October 2012

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 15 July 2013

Executive Summary

The North Queensland Local Government Association of Queensland's [LGAQ] 2013 Annual Conference, is to be held from 2-4 October, 2012 in Cooktown.

Officer's Recommendation

1. That council consider nominating a Councillor, to attend the 2013 North Queensland Local Government Association of Queensland's Annual Conference being held in Cooktown, 2-4 October 2013.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* council grant leave of absence to nominated delegates/observers for 2-4 October 2013.

Council Decision

It was MOVED by The Mayor, Councillor J Hill, SECONDED by Councillor J Lane:

- "1. that council nominate Councillor S Blom and Councillor V Veitch to attend the 2013 North Queensland Local Government Association of Queensland's Annual Conference being held in Cooktown, 2-4 October 2013; and
2. that in accordance with section 162(1)(e) of the *Local Government Act 2009* council grant leave of absence to Councillor S Blom and Councillor V Veitch for 2-4 October 2013."

CARRIED

34 Mayor Delegation to China and South Korea 9 - 19 October 2013

REPORT TO COUNCIL

Authorised by Chief Executive Officer
Department Corporate Governance
Date 16 July 2013

Executive Summary

Townsville City Council Mayor Jenny Hill and Townsville Enterprise Limited CEO David Kippin, will lead a trade and investment business mission to Townsville's Sister Cities Changshu and Foshan, China and Suwon, South Korea in October and local businesses and organisations are invited to join them.

The International Trade and Investment Business Mission to Changshu, Foshan, and Suwon is designed to support businesses and organisations interested in doing business in those regions to explore and generate business opportunities and also to seek trade and investment opportunities for Townsville.

Delegates will participate in business meetings, in-market briefings, networking events, civic receptions and associated hospitality events.

Officer's Recommendation

1. That council nominate the Mayor, Councillor J Hill to attend the International Trade and Investment Business Mission, Changshu and Foshan, China and Suwon, South Korea, 9 - 19 October 2013.
2. That in accordance with section 162(1)(e) of the Local Government Act 2009 council grant leave of absence for the Mayor, Councillor J Hill to attend the International Trade and Investment Business Mission, Changshu and Foshan, China and Suwon, South Korea, 9 – 19 October 2013.

Council Decision

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

- "1. that the officer's recommendation be adopted; and
2. that The Mayor, Councillor J Hill provide a report on the outcome of the delegation (to the International Trade and Investment Business Mission, Changshu and Foshan, China and Suwon, South Korea) and that the final costs of the trip be provided to the Councillors."

CARRIED UNANIMOUSLY

35 LGAQ Annual Conference 2013 - Cairns - 21-24 October 2013

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 5 July 2013

Executive Summary

The Local Government Association of Queensland's [LGAQ] 2013 Annual Conference, is to be held from 21 October - 24 October, 2012 at the Cairns Convention & Exhibition Centre.

Council is entitled to two voting delegates (as part of its membership) and any additional councillors would be registered as observers. Council is entitled to eight votes which may be distributed between the two delegates as council sees fit.

Council may submit a motion for consideration at the Annual Conference on any topic relevant to local government. To enable a copy of the Preliminary Agenda to be forwarded to member councils prior to the Annual Conference, agenda items must be received by the LGAQ no later than 30 August 2013.

Prior to the conference on Monday 21 October there will be a Media and Communications forum available. Council may like to nominate a representative to attend to advance their skills in communication and media liaison. There is no additional cost to attend the forum.

Officer's Recommendation

1. That council consider nominating two Councillors, as delegates to attend the 2013 Local Government Association of Queensland's 117th Annual Conference being held in Cairns, 21-24 October 2013.
2. That council nominate the number of votes per delegate, out of an entitlement of 8 votes.
3. That council consider nominating a Councillor/s as observer/s to attend the 2013 Local Government Association of Queensland's 117th Annual Conference being held in Cairns, 21-24 October 2013;
4. That in accordance with section 162(1)(e) of the *Local Government Act 2009* council grant leave of absence to nominated delegates/observers for 21-24 October 2013.
5. That council determine any motions for submission to the Annual Conference of relevance to Townsville, the region or local government industry.
6. That council nominate a representative to attend the Media and Communications forum on 21 October 2013 in Cairns, prior to the annual conference.

Council Decision

It was MOVED by Councillor J Lane, SECONDED by Councillor V Veitch:

- "1. that council nominate The Mayor, Councillor J Hill and Councillor C Doyle as delegates to attend the 2013 Local Government Association of Queensland's 117th Annual Conference being held in Cairns, 21-24 October 2013;
2. that the number of votes per delegate be four, out of an entitlement of 8 votes;
3. that council nominate Councillor P Ernst as an observer and proxy for The Mayor, Councillor J Hill at the 2013 Local Government Association of Queensland's 117th Annual Conference being held in Cairns, 21-24 October 2013;
4. that in accordance with section 162(1)(e) of the *Local Government Act 2009* council grant leave of absence to The Mayor, Councillor J Hill, Councillor C Doyle and Councillor P Ernst for 21-24 October 2013; and
5. that Officer's Recommendation nos. 5 and 6 be adopted."

CARRIED UNANIMOUSLY

36 Queensland Regional Arts and Culture Conference 2013

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 10 July 2013

Executive Summary

The Queensland Regional Arts and Culture conference is to be held from 21-23 August 2013 in Rockhampton.

The conference will explore the arts and culture at the heart of regional communities, growing creativity and building connection and a sense of identity and place. The biennial Queensland Regional Arts and Culture Conference brings together key stakeholders from the regional arts and culture sector in Queensland and beyond, and provides an opportunity for delegates to build knowledge, skills and networks. The Program features talks, workshops and panels that focus on vibrant arts communities, regional identities, urban activation, cultural tourism and community participation.

Officer's Recommendation

1. That council approve the attendance of Councillor S Blom to attend the 2013 Queensland Regional Arts and Culture conference being held in Rockhampton on 21-23 August 2013.
2. That in accordance with section 162(1)(e) of the Local Government Act 2009 leave of absence be granted to Councillor S Blom from council to allow attendance at the 2013 Queensland Regional Arts and Culture conference being held in Rockhampton on 21-23 August 2013.

Council Decision

It was MOVED by Councillor G Eddiehausen, SECONDED by Councillor C Doyle:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

37 Townsville Shines Results - Presentation

PRESENTATION

Authorised by Director Corporate Services
Department Marketing Communications
Committee Full Council
Date 23 July 2013

Executive Summary

From markets, exhibitions and concerts to national sporting matches and race meetings, the Townsville winter brings the best and most diverse entertainment offered in the city.

Townsville City Council's #TownsvilleShines campaign kicked into full swing in the lead up to and during this year's Townsville 400 to coincide with the city's biggest sporting event. Townsville's promotional campaign is continuing to reach new heights with more than 4.5 million Twitter impressions reached over the past month and just under 500,000 twitter accounts.

This presentation will include a full snap-shot of the 2013 campaign results as well as comparison to the previous year's results.

Officer's Recommendation

That council note the presentation.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Council thanked Chelsea McLennan, Marketing Communications Officer and her team for their work on the Townsville Shines campaign.

38 Local Government Managers Australia Queensland Annual Conference 3 - 5 September 2013

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 17 July 2013

Executive Summary

The Local Government Managers Australia Queensland annual conference will be held in Brisbane 3 – 5 September. The theme is *Mapping Local Government* and will focus on the key foundations of local government success – innovation, leadership and engagement, with presentations and workshops from experienced practitioners in the areas of:

- Community Services;
- Governance;
- Corporate Planning;
- Finance; and
- Infrastructure

Early bird registration closes 23 July 2013.

Officer's Recommendation

1. That council approve the attendance of an interested councillor at the Local Government Managers Australia Queensland Annual Conference 3 – 5 September 2013 in Brisbane.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested councillor from council to allow attendance at the Local Government Managers Australia Queensland Annual Conference 3 – 5 September 2013 in Brisbane.

Council Decision

It was MOVED by Councillor C Doyle, SECONDED by Councillor G Eddiehausen:

"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 Sections 275 (c), (h) and (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 (c) the local government's budget; (Item 39)
- Section 275 (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage." (Item 39)
- Section 275 (e) contracts proposed to be made by it; and (Items 39, 40 and 41)

CARRIED

Council discussed the items.

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

"that council RESOLVE to open the meeting."

CARRIED

39 Infrastructure Services Directorate: Continuation of Townsville 400 beyond 2013 Report

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Infrastructure Services
Date 10 July 2013

Executive Summary

The initial five years of the Townsville 400, under contract between the Queensland Government and V8 Supercars Australia (V8SA), has been run and has been an outstanding success for North Queensland, exceeding the predicted economic benefits.

Rather than take up the five year option remaining for the Townsville event, both parties have agreed to pursue a new contract containing all three Queensland Events.

For the new contract to proceed, new financial arrangements have been mandated. Council has been requested by both parties to commit to improving the event budget by a very modest amount compared to the commitment required of the other councils. The rationale for this is that the economic benefit that is generated is realised in the cities that host the event. Council can achieve the required savings, by assuming funding responsibility for the event Traffic Management Plan (TMP), and a number of Department of Transport and Main Roads (DTMR) tasks.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve:
 - 1) to accept responsibility for the Traffic Management Plan (TMP) for the Townsville 400 event,
 - 2) that V8 Supercars Australia (V8SA) be requested to novate the current TMP contract and intellectual property to council,
 - 3) to accept financial responsibility for Department of Transport and Main Roads (DTMR) works, only including the removal of the Charters Towers Road/Boundary Street traffic signals, and the race line marking of main roads within the Reid Park circuit, and the reinstatement of same, in the wake of the Townsville V8SA Event, and
 - 4) to make provision in the 2014/2015 budget, and thence for the term of the new contract for the staging of the Townsville V8SA event, an "in-kind" support amount of \$750,000, (indexed by construction industry CPI).

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

40 Engineering Services - T8167 - Tender Award for Engineering Consultancy Services for the Blakeys Crossing Upgrade Project on Ingham Road

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 24 June 2013

Executive Summary

This report outlines council's recommendation for awarding tender T8167 - Engineering Consultancy Services for the Blakeys Crossing Upgrade, Ingham Road, Townsville. Tenders for this project have been called to enable council to be in a position to commence contract administration for both the construction phase and finalisation phase of this project.

The construction Tender T8159 - Engineering Consultancy Services for the Blakeys Crossing Upgrade, Ingham Road, Townsville, is being evaluated and is anticipated to be awarded in August 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 (9) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award Tender T8167 - Engineering Consultancy Services for the Blakeys Crossing Upgrade, Ingham Road, Townsville to St George Project Services Pty Ltd (the successful tenderer as per the attached Recommendation Report and Evaluation Sheets) for a lump sum value of \$713,143.75 (including GST).
3. That council delegate authority to the Executive Manager, Engineering Services to extend the duration of this contract in terms of the total estimated hours, in line with the head construction contract.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

41 Planning and Development - Residential Development of Riverway Stage 3, 4 and 5

REPORT TO COUNCIL

Authorised by Chief Executive Officer
Department Planning & Development
Date 17 July 2013

Executive Summary

On 11 August 2006 council entered into an agreement with HIG Riverway (JV) Pty Ltd ACN 115 856 874 ("HIG") for the sale of property described as Lots 1 and 2 on SP 160487 located within the Riverway precinct. HIG seek to make a revised development application for the undeveloped portion (Lot 1), rescind the existing agreement and enter into new agreements for the completion of the proposed development. In November 2012 council resolved to enter into further negotiations with HIG about all of the terms and conditions of the agreement and proposed development. On Wednesday 10 July representatives of HIG met with Councillors and outlined the proposal to Council.

Officer's Recommendation

1. That council seek to renegotiate the terms of the sale of Lot 1 and enter into a new agreement for the sale subject to the requirements of Council that any new agreement is:-
 - i. at no lesser price than the existing agreement; and
 - ii. on terms broadly outlined in the proposal from Honeycombes/HIG attached; and
 - iii. otherwise satisfactory to council.
2. That council delegate authority to the Chief Executive Officer to negotiate the terms and conditions of the new agreements subject to the conditions stipulated in resolution 1.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

General Business

(i) Request for update on council's executive management contracts for employment renewal

GENERAL BUSINESS ITEM

Raised by	Councillor A Parsons
Committee	Ordinary Council
Date	23 July 2013

Councillor A Parsons requested an update on council's executive management contracts for employment renewal.

The Chief Executive Officer provided an update on this matter.

(ii) Port Moresby

GENERAL BUSINESS ITEM

Raised by	The Mayor, Councillor J Hill and Councillor C Doyle
Committee	Ordinary Council
Date	23 July 2013

The Mayor, Councillor J Hill provided an overview of her recent trip to Port Moresby which included comments on a visit to the Port of Port Moresby and the work carried out by Townsville businesses in Port Moresby, particularly the charity work of Curtain Brothers.

Councillor C Doyle congratulated the Director Planning and Development and staff for their work on Project Hetura.

The Mayor, Councillor Hill provided an overview of Project Hetura, including the issue of funding.

Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 11.30am.

CONFIRMED this

day of

2013

MAYOR

CHIEF EXECUTIVE OFFICER