



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 27 JUNE 2017 AT 10.31AM

Council Members >>

The Mayor, Councillor Jenny Hill
Councillor Russ Cook
Councillor Verena Coombe
Councillor Colleen Doyle
Councillor Ann-Maree Greaney
Councillor Paul Jacob
Councillor Mark Molachino
Councillor Kurt Rehbein
Councillor Margie Ryder
Councillor Maurie Soars
Councillor Les Walker

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

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

- 1.1 Create economic opportunities for Townsville to drive economic and community prosperity.
- 1.2 Maximise opportunities through engagement and partnership with stakeholder achieve a strong resilient economy.
- 1.3 Utilise the City Plan to inform the development of current and future infrastructure needs of Townsville.
- 1.4 Promote and market Townsville as a vibrant destination for commerce, entertainment and lifestyle.
- 1.5 Provide and maintain water and sewage infrastructure to ensure a functioning network.
- 1.6 Provide and maintain a leading practice integrated transport network to facilitate the sustainable growth and efficient movement of Townsville.

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

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

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

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

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

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

ACKNOWLEDGEMENT OF COUNTRY

The Townsville City Council would like to acknowledge the Bindal and Wulgurukaba peoples as Traditional Owners of the land on which our Council operates. We pay respect to Elders past, present and future and value the traditions, culture and aspirations of the first Australians of this land. We acknowledge and hold in great significance the valuable contribution that Traditional Owners have made and continue to make within the Townsville Community.

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| REPORT | COUNCIL MEETING |
| DATE | Tuesday 27 June 2017 at 10.31am |
| ITEMS | 1 TO 37 |
| PRESENT | The Mayor, Councillor J Hill Councillor R Cook Councillor V Coombe Councillor C Doyle Councillor A Greaney Councillor P Jacob Councillor M Molachino Councillor K Rehbein Councillor M Ryder Councillor M Soars Councillor L Walker |

Opening of Meeting and Announcement of Visitors

The Chair, the Mayor, Councillor J Hill opened the meeting at 10.31am.

Acknowledgement to Country

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

Prayer

Bishop Bill Ray of the Anglican Diocese delivered the opening prayer.

Apologies and Leave of Absence

There were no apologies or leave of absence noted.

Request for Leave of Absence

Councillor P Jacob requested leave of absence for the period 1 to 7 July 2017.

Council Decision

It was MOVED by Councillor L Walker, SECONDED by Councillor C Doyle:

"that leave of absence be granted to Councillor P Jacob for the period 1 to 7 July 2017."

CARRIED UNANIMOUSLY

Open Session

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

- "1. that council resolve to deal with agenda items 1 to 5 being the 2017/18 Budget in open session; and
2. that the recommendation in items 1 to 5 dealing with confidentiality not be adopted."

CARRIED UNANIMOUSLY

Mayor's Budget Speech:

"Councillors today I rise in the chamber to present and table the second budget since our election to office in March last year.

This budget builds on our direction, the direction we set in last year's budget and paves the way for the people of Townsville to take advantage of the work we have done in terms of restructuring refocusing and re-positioning our city.

There is no doubt that this city has suffered through difficult times in recent years. This budget will see us complete many of the programs and commitments that we took to the people of Townsville in the 2016 election campaign.

Last year we delivered a rates and utilities freeze, last year we began the structural reform of council beginning with accepting and implementing the Nous report. Today we bring down our second budget, a budget that has been framed around supporting those residents in Townsville that are battling, battling just to keep food on the table people, battling to make ends meet, to keep their jobs.

Our unemployment rate is at 10.7%, our youth unemployment rate is nearly 18%, our rental vacancy is well over 7% - one of the highest in the state. Increase in electricity pricing, fuel and a new EBA for staff are some of the constraints that this budget has been framed around while trying to keep our election commitments. Councillors, the task has not been easy.

One of our key platforms was to ensure that we were prudent in the way we managed your money and we are about to do that in resetting the parameters that this Council operates within. This will allow this city to grow and to prosper into the future.

In this budget we will deliver on that promise, in this budget we will ensure that the battler is our priority.

Following on from delivering on last year's promise of a rates freeze today I announce that in the 2017 2018 budget we will AGAIN freeze the general rates but also cut 5% from the gross general rate for all residential property.

For local businesses their general rates will be frozen also!

That means Council will forgo \$2.4 million in revenue this financial year alone, we want to give each and every ratepayer a break. Whether you are a home owner, investor or a business, everyone gets a break!

We are on track to keeping water, sewage and waste to CPI of 2.1%, limiting further impact of increasing costs on the community.

For our average home owner, they will see an increase of around 1.44% or 88 cents a week.

This 5% upfront cut to Gross General Rates will be provided to all residential ratepayers no matter when they pay and the early payment discount will be reduced from 15% to 10%.

This is the lowest rise from any council in Queensland.

This rates relief is about a direct financial dividend coming back to the people of Townsville as a result of cost cutting from restructure and reform at council.

With State land valuations revised down in many areas of Townsville this year, around 13,000 property owners are likely to see a drop in their overall rates and charges.

This budget will fund many of our key election commitments. Guaranteeing Townsville's water supply continues to take priority in the City Budget 2017/18 with funding for the purchase and pumping of water from the Burdekin. There will be no extra levy for the cost of water purchased from Sunwater, nor the pumping costs.

The Townsville City Council has allocated \$5.5 million for the purchase and pumping of 20,000 Mega litres of water, the equivalent of five months of continual supply.

The recent funding guarantees from both the Palaszczuk State Government and LNP Opposition to fully fund the infrastructure to solve Townsville's water security solution will save a huge additional capital cost.

The funding guarantee takes the pressure off council and the ratepayer in terms of potential capital costs and vindicates the work we have done through the Water Taskforce to make water security a priority for government.

That means our big focus in the Budget is on making sure the city has a guaranteed water supply to take us into next year.

Pumping, combined with reserves in the dams and Level 3 water restrictions, will secure the city's water supply well into next year even without rain.

While we were only required to pump for around three months this year, we're making sure we have a plan in place that covers every contingency for our community.

Pumping water to Townsville comes at a substantial cost, but the savings and efficiencies we are achieving right across council means we are able to absorb those costs without having to pass them on to ratepayers.

But understand this, further major works is being undertaken in Water area including:

- \$1.2M for rehabilitation of Dam infrastructure
- \$1.5M for rehabilitation of water reservoirs
- \$3.5M for rehabilitation of water services between mains and your meters
- \$4M for rehabilitation of small diameter mains
- \$5.2M for rehabilitation of large diameter mains
- \$500,000 Paluma Water Treatment Plant upgrade

Well over \$15 million dollars on renewals and new projects for water.

Waste Water network

- \$2.1M for construction of an upgraded pump station in North Ward
- \$3M for construction and rehabilitation of sewers
- \$2.1M for treatment plant renewals
- \$1.9M for a new sewage pump station and rising main to service Stockland Shopping Centre and new development in the area
- \$1.4M for pump station upgrades and renewals
- \$2.2M for a new water main in Jensen to support growth in that area

And importantly \$39 million to continue with the upgrade of the Cleveland Bay Treatment Plant.

Big Budget funding for Community Safety

Construction of a new Local Disaster Management headquarters to coordinate responses for all disasters, is part of a major focus on Community Safety in the 2017/18 City Budget.

A total of \$6.8 million has been set aside to build new Local Disaster Coordination facilities, which will also house the NQ

Regional Data Centre, a partnership arrangement with James Cook University, at the council's Dalrymple Road depot.

Local governments outside of South East Queensland do not even consider disaster management the way we must in the North. It is a burden that ratepayers must bear but a service we must deliver for our community.

Keeping our community safe is a priority which is why this budget also allocated \$2.4 million for 24 hour CCTV monitoring, security patrols and operation of the council's Community Response Vehicle.

We also will continue to fund:

- \$1.5 million for life guard services on The Strand, waterpark, Alma Bay, Horseshoe Bay, Balgal Beach, Pallarenda, Rockpool, Riverway Lagoons
- \$359,000 for stinger nets at the city's main swimming beaches on the mainland and Magnetic Island

This budget goes hard on waste pick-up as we deliver on our core commitment to the community with funding for a city wide hard rubbish collection and free green waste dumping in the City Budget 2017/18.

Council will also swing open the gates to the city's landfills for an additional free dumping weekend to go with the usual free long weekend in October prior to the cyclone season.

The measures are part of a bigger and improved waste management package to replace the under-utilised free dump voucher system, which attracts only 25% take -up.

Residents can dump green waste for free all year round at all the city's landfills and transfer stations from July 1 and the hard waste pick-up is scheduled to start early next year.

\$2.9 million had been set aside in the Budget to deliver the new waste management commitments to the community.

We made a commitment that hard rubbish collection and free dumping of green waste would be delivered in this term of council and I can proudly say we are keeping our promise.

I wanted to bring the hard rubbish collection back in 2012 but it was blocked by other councillors at the time who were in favour of the free tip vouchers despite the fact that 75% are never used.

The mandate we received from the community at the last election means we are now able to get on with the job and make the changes that will give residents better value for money.

Residents will receive the hard waste pick-up and free green waste dumping, and we have included an additional free dump weekend to provide residents with further options for dumping domestic waste.

Council's waste charges will also be more transparent to show residents where their money is going.

Waste charges will now show a standard kerbside rubbish/recycling bin collection charge, and a waste management levy for the hard waste collection and free green waste dumping.

Overall the new measures will cost each household an additional \$6 in their waste charge.

Existing tip vouchers will still be valid until September 30 as part of the transition arrangements.

Council will also upgrade landfills to improve facilities for the public and increase recycling.

The council will construct transfer stations at the landfills in the 2017/18 financial year to promote more recycling at the front gate and reduce the volume and impact of waste going into our landfills.

Dropping off recyclable materials at the transfer stations will be free. Paper, metal, plastics, building materials, all free.

This Budget drives good deal for road spending

Delivering upgrades to our roads and drains network across the city is fundamental to the 2017/18 City Budget.

This budget will pump \$36.6M into upgrades, reconstruction, reseals and overlays of 111 streets and other priority projects to support the city's growth.

A further \$8.7 million will be invested in strengthening the city's drainage network with \$3.3 million allocated to replace kerb and channel across the city in suburbs including North Ward, Currajong, Hermit Park, Hyde Park, Kelso, Kirwan, Aitkenvale, and West End.

Key roads projects include a

\$3.4M upgrade to the Ingham Road and Webb Drive intersection

and

\$2.5M upgrade to the Dalrymple Road and Greenview Drive intersection in Mount Louisa including the installation of traffic signals.

The fast-tracking of the Greenview Drive intersection is works that were originally planned in a few years, but the community needs the upgrades now and I am happy to say we are delivering.

While \$1.0 million has also been allocated to fix rural roads.

This council is continuing to invest in protecting our existing roads and drainage networks in this year's budget, while still building new infrastructure.

Other works included:

- \$6.5M to reconstruct sections of 20 streets and roads including Seventh Avenue, Blanes Street, Doorey Street, O'Donnell Street, Park Street, Powell Street, Sherriff Street, Coora Street, Marks Street, Finette Court, Katie Court
- \$9M for reseals and overlays on 91 streets including Droguet Court, Planet Place, Stanton Terrace, Allen Street, Alpina Place, Andrews Court, Anne Street, Arlington Court, Dalrymple Road, Franco Court, Bellamy Street, Crowder Street, Henrietta Street, Lindeman Avenue, Moreton Bay Court, Paul James Drive, Bottlebrush Court,
- \$1M of reconstruction of the underground stormwater drains on Lamington Street and Ingham Road to improve drainage; with another
- \$1.7M for the First Street, Railway Avenue drainage reconstruction

We will continue funding for a sustainable and smart city

This budget continues to prioritise protecting the environment and maintaining sustainability efforts in 2017-18.

A total of \$7.74 million is dedicated towards the management of Townsville's natural environment and resilience works.

This council takes a leadership role when it comes to conservation, resilience and sustainability and has dedicated staff and resources to these highly skilled jobs.

This budget includes strong levels of funding for a range of programs and partnerships in the community to safeguard Townsville's natural environment.

This budget includes

- \$2.3 Million Environmental and Natural Resource Management
- \$1 Million Sustainability strategic activation including investment in water quality improvement
- \$536,000 Creek to Coral programs
- \$150,000 Yellow Crazy Ants eradication.
- \$265,000 Environmental Restoration in Ross River, Fairfield Waters lakes and bushfire management programs
- \$138,000 for Feral Animal and Pest removal programs such as wild pigs and dogs.
- \$218,500 Coastal management of Rowes Bay, Pallarenda, Northern Beaches, Cungulla and Magnetic Island.

This team campaigned on developing this city as the events hub for our region.

In 2017/18 our events calendar is alive and jam packed with activity.

Almost \$4.3 million will be spent to provide events across the city over the next year with an Ashes cricket tour match, three Rugby League World Cup games and the Queensland Symphony Orchestra tour that will occur during 2017/18.

World-class basketball during the Commonwealth Games and a 12 day Arts and Cultural Festival are the headline acts in a year packed with events for Townsville residents.

Townsville will be buzzing for 12 days in April when the Commonwealth Games is in full swing and the Arts and Cultural Festival will bring people together.

Tens of thousands of Townsville residents and visitors from across the country and the world will be able to watch international sport and take part in the cultural festival in what will be one of the most diverse events in the city for a number of years.

Along with the Commonwealth Games, Townsville will still play host to its big annual events like the V8s, ANZAC Day and Australia Day, Carols by Candlelight, New Year's Eve, Heritage Day and Eco Fiesta in the coming financial year. PBR international bull riding event, and of course the Centenary of the ending of WW1.

53 exhibitions featuring international, national and local artists will be on display at the Perc Tucker Regional Gallery, Pinnacles Gallery and through the community's creative spaces.

The city's three theatres as well as outdoor performance spaces will continue to offer a host of live performances from headline companies including Opera Australia's Marriage of Figaro, Queensland Symphony Orchestra, Australian Festival of Chamber Music and Australian Dance Theatre.

This is a budget that delivers a dividend to our community for the faith they placed in this council team on March 19 2016.

It's a budget that delivers on the hard work that our staff have done for the community in reducing costs, streamlining the business and putting our community first.

Their efforts deserve recognition and acknowledgement in this process.

This is a budget that delivers on the hard work of battlers. When times are tough Townsvillians pull together.

Reducing the general rate by 5% ensures all ratepayers are able to share in the belt tightening through council reforms over the last 12 months. Yet we have maintained a generous early payment of 10% for those who can pay early.

In addition, we are maintaining the most generous pensioner concession in Queensland of \$800 per year.

This has been achieved without affecting front line services. This council was elected to address the unsustainable budget position council was in. The course was set with the first budget of this term and now we are completing the transformation. Secondly we were elected to improve our engagement with you, our community. We were elected to focus on delivering outcomes, and build a resilient and a cohesive community with a strong plan for the future.

Finally, supporting, encouraging and actively promoting our city increasing economic activity where council acts as an enabler and not a roadblock. This budget delivers on that.

While there are many positive signs of a rebounding and recovery economy, it is still early days. This budget achieves much but there is more to do.

All our election commitments are fully funded and are being implemented while returning the budget in the black.

I would like to thank the CEO, all the Directors including Neil Allen and their staff for their assistance and support in delivering this budget.

I'd like to thank councillors for their input and support.

This has been a tough time in terms of changes to council but this team of councillors and staff are up to it."

Councillors provided highlights of the budget and thanked the Mayor, Chief Executive Officer and staff for their work on the budget.

Budget 2017/18

1 Environmental Health and Regulatory Services Fees & Charges 2017/18

Executive Summary

Regulatory Services delivers a range of compliance, approval and education services relating to public health and safety, environmental protection, development compliance and parking enforcement. Fees and charges are levied annually in respect of licensing, registration and permits on the basis of either full cost recovery or the provision of contracted services.

Regulatory Services has reviewed the costs associated with delivering these services and have developed a schedule of fees and charges which are reflective of the resources required to deliver the service.

The review has resulted in both proposed increases and decreases in fees and charges as well as a number of fees being removed due to the limited capacity that they were used.

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 adopt the 2017/2018 fees and charges for Regulatory Services as set out in the Fees and Charges Regulatory Service 2917-18.
3. That council adopt the fees set out in the *Environmental Protection Regulation 2008 Schedule 10 Fees* and that the fees are automatically updated when the State Government updates *Environmental Protection Regulation 2008 Schedule 10 Fees*.

Council Decision

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

"that officer's recommendations 2 and 3 be adopted."

CARRIED UNANIMOUSLY

(Recommendation 1 was not supported pursuant to the resolution of the council made at the commencement of consideration of the budget matters in this meeting.)

2 Engineering Services - Central Business District (CBD) Paid On-Street Parking Charges

Executive Summary

The purpose of this report is to set the 2017/18 fees for Regulated Parking for both on-street and off-street parking in Townsville's Central Business District (CBD).

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 adopt the 2017/18 fees for Regulated Parking as set out in *Schedule 1* below.

Schedule 1 - Townsville City Council – Schedule of 2017/18 Fees

| Description | Fee Type | Unit | New Base Fee (exc GST) | GST | New Total Fee 2016/2017 | Previous Fee 2015/2016 | \$ Change | % Change | New fee applies from | New fee applies to | Legislative Authority | Provision of the Local Govt Act the charge is raised under |
|---|----------|------|------------------------|--------|-------------------------|------------------------|-----------|----------|----------------------|--------------------|--|--|
| REGULATED PARKING | | | | | | | | | | | | |
| Zone 1 - Parking Fee (Hourly Charge) | Service | Each | \$1.00 | \$0.00 | \$1.00 | \$1.00 | \$0.00 | 0% | 01/07/2017 | 30/06/2018 | Transport Operations (Road Use Management) Act 1995, Section 103 (6) a & b | Local Government Act 2009 S.262(3)(c) |
| Zone 1 - Regulated Parking - Daily charge (9 am – 5 pm) | Service | Each | \$6.00 | \$0.00 | \$6.00 | \$6.00 | \$0.00 | 0% | 01/07/2017 | 30/06/2018 | Transport Operations (Road Use Management) Act 1995, Section 103 (6) a & b | Local Government Act 2009 S.262(3)(c) |

Council Decision

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

"that officer's recommendation 2 be adopted."

CARRIED UNANIMOUSLY

(Recommendation 1 was not supported pursuant to the resolution of the council made at the commencement of consideration of the budget matters in this meeting.)

3 Planning and Development Services | Schedule of Fees and Charges (2017-2018)

Executive Summary

Planning and Development Services undertakes a yearly review of fees and charges for services provided by the sections.

The primary focus of this review for the forthcoming financial year 2017-2018 has been to better understand the section's position relative to cost recovery and ongoing efficiencies through process and technology initiatives.

This review considers the impact on the Townsville development climate and competitiveness against other councils throughout Queensland.

It is with these considerations that whilst the income budgeted for the 2017-2018 financial year will not reach cost recovery, the fees and structure presented in this report will preserve Townsville's competitiveness in the development industry and assist the local economy.

Additional to the fiscal focus, this review has considered the expected release of the *Planning Act 2016* and associated regulation on 3 July 2017.

This change to planning legislation has required a full review of all planning fees, terminology and confirming the council's ability to charge for the service.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council adopt the Planning and Development Services – Schedule of Fees and Charges 2017-2018.

Council Decision

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

"that officer's recommendation 2 be adopted."

CARRIED UNANIMOUSLY

(Recommendation 1 was not supported pursuant to the resolution of the council made at the commencement of consideration of the budget matters in this meeting.)

4 Planning Services - Infrastructure Charges Resolution 2017/18

Executive Summary

Council's infrastructure charge resolution is reviewed on an annual basis. A new resolution is proposed for the 2017/18 financial year, considerate of the draft Local Government Infrastructure Plan (LGIP), inflationary adjustments, changes to the statutory charge caps and new statutory 'parameters' for valuing land. In a change from previous resolutions, charges are derived from recommended demand rates, rather than a mid-range of hypothetical upper and lower limits. It also allows for charging development outside a planned service area if it is conditioned to connect to that service.

This report outlines the Infrastructure Charges Resolution 2017.

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 that it makes the following resolutions pursuant to section 630 of the *Sustainable Planning Act 2009*, and that cumulatively they are the Council's *Infrastructure Charges Resolution 2017*.
3. That council resolve that the *Infrastructure Charges Resolution 2017* applies to the Townsville City Council Local Government Area for all locations where the levying of infrastructure charges are not otherwise restricted by particular legislation.
4. That council resolve that the *Infrastructure Charges Resolution 2017* has effect on and from 1 July 2017 until superseded by the commencement of another charges resolution.
5. That council resolve that the *Infrastructure Charges Resolution 2017* applies to applications for approval for:
 - Material Change of Use - all material change of use development;
 - Reconfiguration of Lot – where additional allotments are created. Charges will be calculated by reference to the land use on each allotment. For vacant allotments:
 - residential and emerging communities zonings are the equivalent of a Dwelling House (3 bedroom) on the relevant lot size, and;
 - other zonings are the equivalent of a Caretaker's accommodation (3 bedroom, detached dwelling) on the relevant site area;
 - Building Works - for self-assessable or exempt land uses and zonings:
 - as identified in Schedule 1, or;
 - relative to the existing land use (or equivalent use for a vacant allotment, as specified above), it proposes a moderate-to-high increase of demand on the infrastructure network.
6. That council resolve that the applicable infrastructure charge is to be determined by:
 - (i) applying the location factor of Schedule 2 to the base charge of Schedule 3 and the size of the development, and;
 - (ii) where the development is:
 - a. conditioned to connect to a particular service but it is not located in the relevant planned service area (refer to the Local Government Infrastructure Plan), and;
 - b. has not already conditioned the cost of connection as an 'extra payment';

the location factor shall be that from Schedule 2 which reflects the relevant combination of services, not necessarily the location of the development.

7. To calculate the net charge to be levied on a development, the applicable charge for the proposed land use is to be reduced by the applicable charge for a 'credit' land use, being:
- an existing use on the premises if the use is lawful and already taking place on the premises;
 - a previous use that is no longer taking place on the premises if the use was lawful at the time it was carried out;
 - other development on the premises if the development may be lawfully carried out without the need for a further development permit.
8. That council resolve that the applicable charge for the proposed land use and the 'credit' land use, relevant to a net charge levied on an infrastructure charges notice, be indexed at the time it is paid to council.

The indexation must be calculated:

- (i) In accordance with the 3-year moving average quarterly percentage change of the Australian Bureau of Statistics, Road and Bridge Construction Index (Queensland series) forecast by council for the December quarter of the financial year of the charge payment.
 - (ii) But is not to result in a charge that is more than the relevant State Planning Regulatory Provision (SPRP) maximum charge.
9. That council resolve that when calculating the establishment cost of trunk infrastructure subject to an offset or refund under section 633 of the *Act*, or when an application is made to recalculate establishment cost under section 657 of the *Act*, the value of trunk infrastructure is to be determined:
- (i) after the design of such infrastructure has been approved by council, and prior to the commencement of work to provide the infrastructure and;
 - (ii) for works - by the amount agreed by council's Chief Executive Officer, being an amount that is within the range determined in accordance with the quotation and tender requirements of s5.5 to s5.10 of council's procurement policy (document no. 3027, version 3, dated 15/3/13). The relevant quotations or tenders are to be sourced by the applicant in collaboration with council, and;
 - (iii) for land – by the difference in market value of the original land and land remaining after the trunk infrastructure land is removed, at the time the application was properly made, as reported by a certified practicing valuer (sourced by the applicant in collaboration with council), considerate of:
 - a. highest and best value of the land;
 - b. the value at the time the application was properly made (if the infrastructure is included in the Local Government Infrastructure Plan), otherwise at the time the application was approved;
 - c. Q100 flood levels;
 - d. all other real and relevant constraints, including but not limited to: vegetation protection, ecological values including riparian buffers and corridors, stormwater or drainage corridors, slope, bushfire hazards, heritage, airport environs, coastal erosion, extractive resources, flooding, land use buffer requirements and landslide hazards. This must also include tenure related constraints and restrictions such as easements, leases, licences and other dealings whether or not registered on title; and
 - e. relevant sales evidence and clear analysis of how those sales and any other information was relied upon in forming the valuation assessment.

10. That council resolve that conversion criteria used for making a decision on a conversion application made under section 659 of the *Act* are:
- (i) The infrastructure has capacity to service other developments in the area;
 - (ii) The function and purpose of the infrastructure is consistent with other trunk infrastructure identified in the Local Government Infrastructure Plan (LGIP). To be clear, it must:
 - a. Be consistent with the definitions of trunk infrastructure used in mapping the plans for trunk infrastructure; and
 - b. provide the associated desired standards of service to the assumed growth.
 - (iii) The infrastructure is not consistent with non-trunk infrastructure for which conditions may be imposed in accordance with s665 of the *Act*; and
 - (iv) The type, size and location of the infrastructure is the most cost effective option for servicing multiple users in the area, with the 'most cost effective option' meaning the least cost option based upon the life cycle cost of the infrastructure required to service the future urban development in the area at the desired standard of service.

11. That council resolve that the term 'Gross Floor Area' (GFA) as used in this resolution be defined as:

The total floor area of all storeys of a building measured from the outside of the external walls or the centre of a common wall), other than areas used for the following:

- (a) building services, plant and equipment;
- (b) access between levels;
- (c) ground floor public lobby
- (d) a mall;
- (e) the parking, loading and manoeuvring of motor vehicles; and
- (f) unenclosed private balconies whether roofed or not.

In addition, the term shall include the floor space of associated outdoor dining areas.

Other words and terms used in this resolution have the meaning given in the *Sustainable Planning Act 2009* or the *Queensland Planning Provisions* version 3.1. If a word or term used in this resolution is not defined in *Sustainable Planning Act 2009* or the *Queensland Planning Provisions* version 3.1, it has the meaning given in the planning scheme.

12. That council resolve to adopt the following schedules:

Schedule 1 – Building works subject to infrastructure charges

Schedule 2 – Charge areas and location factors

Schedule 3 – Base charges

Schedule 1 – Building works subject to infrastructure charges

(Y = self-assessable or exempt land use development which are candidate for charges at building works)

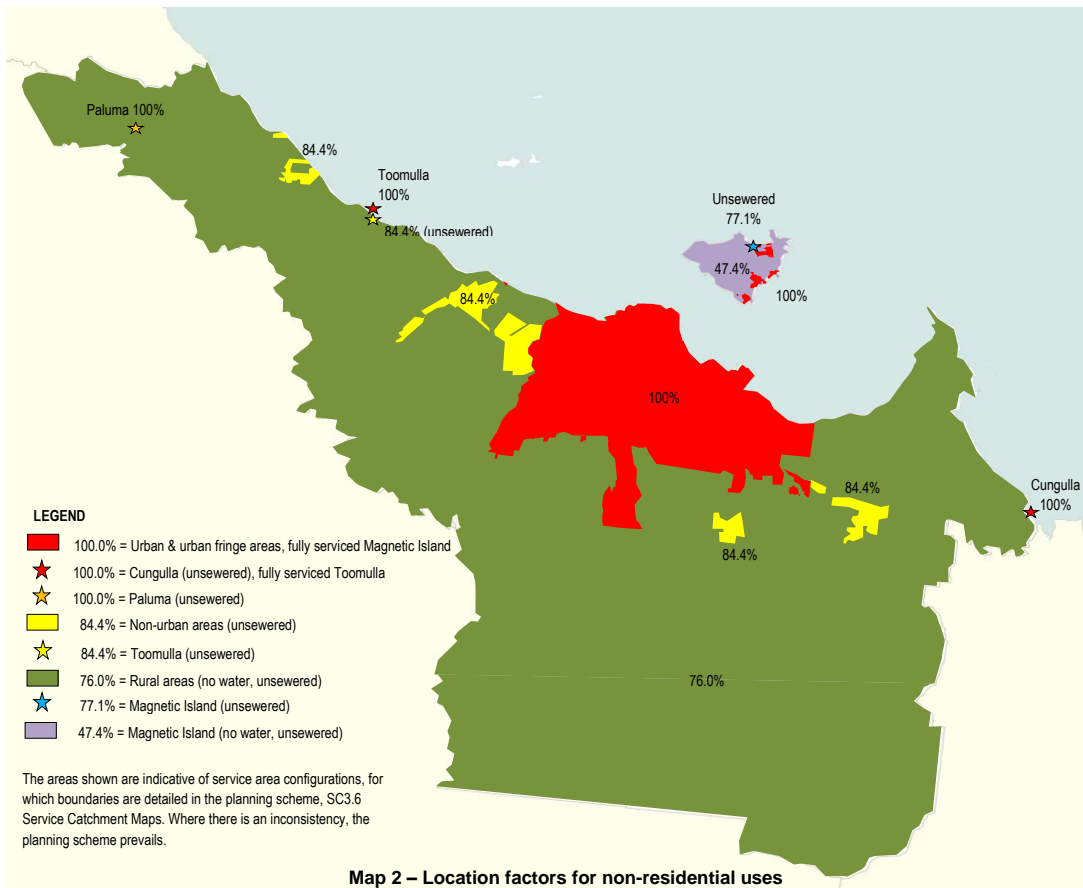
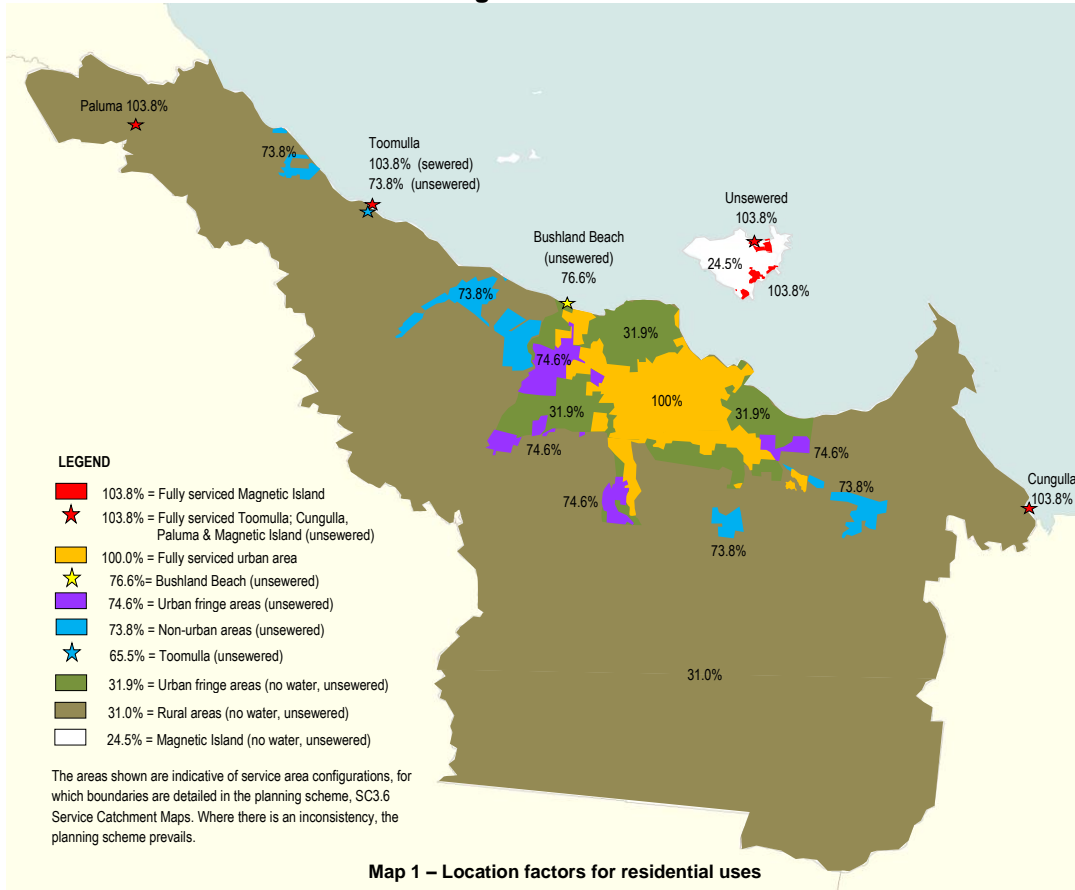
| QPP land use (associated building works) | Land use zone | | | | | | | | | | | | | | | | | | | | | |
|---|---------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|-----|-----|-----|----|---|
| | LDR | MDR | HDR | RR | CR | NC | LC | DC | MC | PC | SC | MU | SR | OS | CF | CON | LII | MII | HII | RUR | EC | |
| Animal husbandry | | | | | | | | | | | | | | | | | | | | | | Y |
| Animal keeping | Y | | | Y | | | | | | | | | | | | | | | | | | |
| Bar | | | | | | | | Y | Y | Y | | Y | | | | | | | | | | |
| Car wash | | | | | | | | Y | Y | | | | | | | | | | | | | |
| Caretaker's accommodation | Y | | | | | | | | | | | | | | | | | | | | | |
| Child care centre | | | | | | Y | Y | Y | Y | Y | Y | Y | | | | | | | | | | |
| Community care centre | | | | | | | | | | | | | | | Y | | | | | | | |
| Community residence | Y | Y | Y | Y | Y | | | | | | | | | | Y | | | | | Y | | |
| Community use | | | | | | | | | | | | | Y | | Y | | | | | | | |
| Cropping | | | | Y | | | | | | | | | | | | | | | | | | Y |
| Dual occupancy | Y | Y | Y | | Y | | | | | | | | Y | | | | | | | | | |
| Dwelling house | | | | | | | | | | | | | Y | | | | | | | | | |
| Dwelling unit | Y | Y | Y | | | | | | | Y | | | | | | | | | | | | |
| Educational establishment | | | Y | Y | | | Y | Y | Y | Y | | Y | | | | | | | | | | |
| Food and drink outlet | | | | | | | | | | | | | | | | | Y | Y | Y | | | |
| Home based business | | | | | | Y | Y | Y | Y | Y | Y | Y | | | | | | | | Y | | |
| Hotel | | | | | | | | Y | Y | | | | | | | | | | | | | |
| Indoor sport and recreation | | | | | | | Y | Y | Y | Y | Y | Y | | | | | | | | | | |

| QPP land use (associated building works) | Land use zone | | | | | | | | | | | | | | | | | | | | | |
|---|---------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|-----|-----|-----|----|---|
| | LDR | MDR | HDR | RR | CR | NC | LC | DC | MC | PC | SC | MU | SR | OS | CF | CON | LII | MII | HII | RUR | EC | |
| Intensive horticulture | | | | | | | | | | | | | | | | | | | | | Y | |
| Landing | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| Low impact industry | | | | | | | | | | | | | | | | | | Y | Y | | | |
| Medium impact industry | | | | | | | | | | | | | | | | | | | Y | Y | | |
| Multiple dwelling | | | | | | | Y | Y | Y | | | Y | | | | | | | | | | |
| Nightclub entertainment facility | | | | | | | | | | Y | | | | | | | | | | | | |
| Park | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| Research and technology industry | | | | | | | | | | | | | | | | | | | Y | Y | | |
| Retirement facility | | | | | | | | Y | Y | | | Y | | | | | | | | | | |
| Roadside stall | | | | Y | | | | | | | | | | | | | | | | | Y | |
| Rooming accommodation | | | | | | | Y | Y | Y | Y | | Y | | | | | | | | | | |
| Rural industry | | | | | | | | | | | | | | | | | | | | | Y | |
| Service industry | | | | | | | | | | | | | | | | | | Y | | | | |
| Service station | | | | | | | | Y | Y | | | | | | | | | | | | | |
| Short-term accommodation | | | | | | | Y | Y | Y | | | Y | | | | | | | | | | |
| Theatre | | | | | | | | | Y | Y | | | | | | | | | | | | |
| Warehouse | | | | | | | | | | | | | | | | | | | | Y | | |

Zoning legend

| Abbreviation | Zone |
|--------------|----------------------------|
| LDR | Low density residential |
| MDR | Medium density residential |
| HDR | High density residential |
| RR | Rural residential |
| CR | Character residential |
| NC | Neighbourhood centre |
| LC | Local centre |
| DC | District centre |
| MC | Major centre |
| PC | Principle centre |
| SC | Sub-regional centre |
| MU | Mixed use |
| SR | Sport and recreation |
| OS | Open space |
| CF | Community facilities |
| CON | Conservation |
| LII | Low impact industry |
| MII | Medium impact industry |
| HII | High impact industry |
| RUR | Rural |
| EC | Emerging communities |

Schedule 2 – Charge areas and location factors



Schedule 3 – Base charges

Table 1 – Base charges for residential uses

| (1) Use category | (2) Use | (3) Charge category | (4) Base charge (\$) |
|----------------------------|---|---------------------------------------|----------------------|
| Residential | Dwelling house | 1 or 2 bedroom dwelling | 17,550 |
| | | 3 or more bedroom dwelling | |
| | | on lots < 200m2 | 22,060 |
| | | on lots 201m2-299m2 | 24,770 |
| | | on lots 300m2-399m2 | 26,040 |
| | | on lots 400m2 and greater | 27,300 |
| | Dwelling unit | 1 bedroom dwelling | 11,840 |
| | | 2 bedroom dwelling | 16,770 |
| | | 3 or more bedroom dwelling | 23,680 |
| | Caretaker's accommodation (attached dwelling) | 1 bedroom dwelling | 11,840 |
| | | 2 bedroom dwelling | 16,770 |
| | | 3 or more bedroom dwelling | 23,680 |
| | Caretaker's accommodation (detached dwelling) | 1 or 2 bedroom dwelling | 17,550 |
| | | 3 or more bedroom dwelling | |
| | | on lots < 200m2 | 22,060 |
| | | on lots 201m2-299m2 | 24,770 |
| | | on lots 300m2-399m2 | 26,040 |
| | | on lots 400m2 and greater | 27,300 |
| | Multiple dwelling | 1 bedroom dwelling | 11,840 |
| | | 2 bedroom dwelling | 16,770 |
| | | 3 or more bedroom dwelling | 23,680 |
| Dual occupancy | 1 bedroom dwelling | 11,840 | |
| | 2 bedroom dwelling | 16,770 | |
| | 3 or more bedroom dwelling | 23,680 | |
| Accommodation (short term) | Hotel | 1 bedroom (non-suite) | 7,130 |
| | | 1 bedroom (suite) | 7,130 |
| | | 2 bedroom suite | 9,550 |
| | | 3 or more bedroom suite | 13,650 |
| | Short-term accommodation | 1 bedroom (non-suite, < 6 beds) | 9,750 |
| | | 1 bedroom (non-suite, 6 or more beds) | * |
| | | 1 bedroom suite | 6,340 |
| | | 2 bedroom suite | 8,960 |
| | | 3 or more bedroom suite | 12,640 |
| | Tourist park | Caravan/tent (group of 1 or 2 sites) | 9,750 |
| | | Caravan/tent (group of 3 sites) | 13,650 |
| | | Cabin (1 or 2 bedroom) | 9,750 |
| | | Cabin (3 or more bedrooms) | 13,650 |

| (1) Use category | (2) Use | (3) Charge category | (4) Base charge (\$) |
|---------------------------|-----------------------------------|--|----------------------|
| Accommodation (long term) | Community residence | 1 bedroom (non-suite) | 14,180 |
| | | 1 bedroom suite | 14,180 |
| | | 2 bedroom suite | 18,040 |
| | | 3 or more bedroom suite | 27,300 |
| | Rooming accommodation | 1 bedroom (non-suite, < 6 beds) | 14,780 |
| | | 1 bedroom (non-suite, 6 or more beds) | * |
| | | 1 bedroom suite | 7,890 |
| | | 2 bedroom suite | 10,650 |
| | | 3 or more bedroom suite | 14,780 |
| | Relocatable home park | 1 bedroom dwelling site | 11,840 |
| | | 2 bedroom dwelling site | 16,770 |
| | | 3 or more bedroom dwelling site | 23,680 |
| | Retirement facility | 1 bedroom (non-suite) | 8,160 |
| | | 1 bedroom suite | 11,840 |
| | | 2 bedroom suite | 16,770 |
| | | 3 or more bedroom suite | 23,680 |
| Other Uses * | A use not otherwise listed above. | The charge is the charge in column 3 and 4 for a use category (in column 2) that appropriately reflects the use at the time of assessment. Where these are not appropriate, the charge is to be based on first principles, determined at the time of assessment. | |

Table 2 – Base charges for non-residential uses

| (1) Use category | (2) Use | (3) Charge category | (4) Base charge (\$) |
|-------------------------|-----------------------------|---------------------|----------------------|
| Places of assembly | Club | m2 GFA | 70.88 |
| | Community use | m2 GFA | 70.88 |
| | Function facility | m2 GFA | 70.88 |
| | Funeral parlour | m2 GFA | 70.88 |
| | Place of worship | m2 GFA | 70.88 |
| Commercial (bulk goods) | Agricultural supplies store | m2 GFA | 65.77 |
| | Bulk landscape supplies | m2 GFA | 141.55 |
| | Garden centre | m2 GFA | 141.55 |
| | Hardware and trade supplies | m2 GFA | 141.55 |
| | Outdoor sales | m2 GFA | 90.29 |
| | Showroom | m2 GFA | 102.24 |
| Commercial (retail) | Adult store | m2 GFA | 182.00 |
| | Food and drink outlet | m2 GFA | 182.00 |
| | Service industry | m2 GFA | 128.82 |

| (1) Use category | (2) Use | (3) Charge category | (4) Base charge (\$) |
|-----------------------------|---|------------------------------|----------------------|
| | Service station (fuel pumps) | Nil | Nil |
| | Service station (shop component) | m2 GFA | 182.00 |
| | Service station (vehicle repair shop) | m2 GFA | 50.55 |
| | Service station (food and drink outlet) | m2 GFA | 182.00 |
| | Shop | m2 GFA | 182.00 |
| | Shopping centre | m2 GFA | 182.00 |
| Commercial (office) | Office | m2 GFA | 141.55 |
| | Sales office | m2 GFA | 141.55 |
| Education facility | Childcare centre | m2 GFA | 141.55 |
| | Community care centre | m2 GFA | * |
| | Educational establishment (Primary) | m2 GFA | 141.55 |
| | Educational establishment (Secondary) | m2 GFA | 141.55 |
| | Educational establishment (Flying Start for Qld Children program) | Nil | Nil |
| | Educational establishment (Tertiary) | m2 GFA | 141.55 |
| Entertainment | Bar | m2 GFA | 202.20 |
| | Hotel (Non-accommodation) | m2 GFA | 202.20 |
| | Nightclub | m2 GFA | 202.20 |
| | Theatre | m2 GFA | 202.20 |
| Indoor sport and recreation | Indoor sport and recreation (court areas) | m2 GFA | * |
| | Indoor sport and recreation (non-court areas) | m2 GFA | * |
| Industry | Low impact industry | m2 GFA | 50.55 |
| | Marine industry | m2 GFA | 50.55 |
| | Medium impact industry | m2 GFA | 50.55 |
| | Research and technology industry | m2 GFA | 50.55 |
| | Rural industry | As for Other Uses (Column 1) | * |
| | Transport depot | As for Other Uses (Column 1) | * |
| | Warehouse (self-storage facility) | m2 GFA | 27.01 |
| | Warehouse (Other warehouse) | m2 GFA | 29.46 |
| High impact industry | High impact industry | As for Other Uses (Column 1) | * |
| | Special industry | As for Other Uses (Column 1) | * |
| Low impact rural | Animal husbandry | Nil | Nil |
| | Cropping | Nil | Nil |
| | Permanent plantation | Nil | Nil |
| High impact rural | Aquaculture | As for Other Uses (Column 1) | * |
| | Intensive animal husbandry | As for Other Uses (Column 1) | * |
| | Intensive horticulture | As for Other Uses (Column 1) | * |
| | Wholesale nursery | As for Other Uses (Column 1) | * |
| | Winery | As for Other Uses (Column 1) | * |
| Essential services | Detention facility | m2 GFA | * |
| | Emergency services | m2 GFA | * |
| | Health care services | m2 GFA | 141.55 |

| (1) Use category | (2) Use | (3) Charge category | (4) Base charge (\$) |
|------------------|--|--|----------------------|
| | Hospital | m2 GFA | * |
| | Residential care facility | m2 GFA | 83.34 |
| | Veterinary services | m2 GFA | 141.55 |
| Specialised uses | Air services | As for Other Uses (Column 1) | * |
| | Animal keeping | As for Other Uses (Column 1) | * |
| | Brothel | As for Other Uses (Column 1) | * |
| | Parking station | As for Other Uses (Column 1) | * |
| | Crematorium | As for Other Uses (Column 1) | * |
| | Extractive industry | As for Other Uses (Column 1) | * |
| | Major sport, recreation and entertainment facility | As for Other Uses (Column 1) | * |
| | Motor sport facility | As for Other Uses (Column 1) | * |
| | Non-resident workforce accommodation | As for Other Uses (Column 1) | * |
| | Outdoor sport and recreation | As for Other Uses (Column 1) | * |
| | Port services | As for Other Uses (Column 1) | * |
| | Tourist attraction | As for Other Uses (Column 1) | * |
| | Utility installation | As for Other Uses (Column 1) | * |
| Minor uses | Cemetery | Nil | Nil |
| | Home based business | Nil | Nil |
| | Landing | Nil | Nil |
| | Market | Nil | Nil |
| | Park | Nil | Nil |
| | Roadside stall | Nil | Nil |
| | Substation | Nil | Nil |
| | Telecommunications facility | Nil | Nil |
| Other Uses * | A use not otherwise listed above. | The charge is the charge in column 3 and 4 for a use category (in column 2) that appropriately reflects the use at the time of assessment. Where these are not appropriate, the charge is to be based on first principles, determined at the time of assessment. | |

Notes

* For the base charge, refer to Other Uses *

Council Decision

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

"that officer's recommendations 2 to 12 be adopted."

CARRIED UNANIMOUSLY

(Recommendation 1 was not supported pursuant to the resolution of the council made at the commencement of consideration of the budget matters in this meeting.)

5 Financial Services - 2017/18 Operational Plan and Budget

Executive Summary

In accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*, council must adopt a Budget and Operational Plan for each financial year. The budget is integral to council's revenue raising powers and its planned spending. The recommendations in this report support the adoption of the Budget and Operational Plan for 2017/18.

The Operational Plan and Budget 2017/18, with supporting documentation and commentary, was tabled under separate cover, as follows:

Attachment 1 – Statement of Estimated Financial Position 2016/17;
Attachment 2 – Operational Plan and Budget 2017/18; and
Attachment 3 – Fees and Charges (selected) 2017/18.

All attachments will be available to the public on council's website following the full council meeting.

Officer's Recommendations

1. FINANCIAL POLICIES

That council adopt:

- 1.1. The Debt Policy as set out in Attachment 2 – Appendix 3 – *Debt Policy*;
- 1.2. The Investment Policy – as set out in Attachment 2 – Appendix 4 – *Investment Policy*;
- 1.3. The Pensioner Rates Concession Policy as set out in Attachment 2 – Appendix 5 – *Pensioner Rates Concession Policy*;
- 1.4. The Charitable and Community Organisations Rates and Charges Concessional Policy as set out in Attachment 2 – Appendix 6 - *Charitable and Community Organisations Rates and Charges Concession Policy*
- 1.5. The Revenue Policy as set out in Attachment 2 – Appendix 2 – *Revenue Policy*.

2. REVENUE STATEMENT

That, pursuant to sections 169(2)(b) and 172 of *Local Government Regulation 2012*, council adopt the Revenue Statement for 2017/18 as set out in Attachment 2 – Appendix 1 – *Revenue Statement 2017/18*.

3. FEES AND CHARGES

- 3.1. That council adopt the Fees and Charges for Community Engagement, Venues and Cultural Services, Finance Services, Information Technology Services and Legal Services as set out in Attachments 3 and 4 - Fees and Charges (selected) 2017/18 (as tabled); and
- 3.2. That council note the register of fees and charges includes details of cost-recovery fees pursuant to section 98 of the *Local Government Act 2009*; and
- 3.3. That council note cost-recovery and commercial fees and charges may be amended by resolution at any time during the financial year.

4. DIFFERENTIAL RATING CATEGORIES

That, pursuant to section 81 of the *Local Government Regulation 2012*, council adopt the differential rating categories and criteria for each category as set out in the Attachment 2 – Appendix 7 – *Differential Rating Categories 2017/18*.

5. RATEABLE VALUE OF LAND

That, pursuant to section 74 of the *Local Government Regulation 2012*, council resolve that the calculation of the rates for land is by using the rateable value of the land and the rateable value of the land for a financial year is the site or unimproved value of land for the financial year as advised by the Department of Natural Resources and Mines.

6. LIMITATION OF INCREASE IN RATES LEVIED (CAPPING)

That, pursuant to section 116 of the *Local Government Regulation 2012*, council resolve that for 2017/18 to apply a limitation of increases in rates levied (capping) as set out in Attachment 2 - Appendix 1 - *Revenue Statement 2017/18*.

7. DIFFERENTIAL RATES, LIMITATION ON INCREASES, MINIMUM GENERAL RATE

That, pursuant to part 4, part 5 and section 116 of the *Local Government Regulation 2012*, council resolve to set the differential general rates, minimum general rates and limitation of increase in rates levied for 2017/18 as set out in Attachment 2 – Appendix 8 – *Differential Rates, Limitations on Increases, Minimum General Rate – 2017/18*.

8. UTILITY CHARGES

8.1. Water

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy the utility charges for water for 2017/18 as set out in Attachment 2 – Appendix 9 – *Utility Charges – Water 2017/18*.

8.2. Sewerage

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy the utility charges for sewerage for 2017/18 as set out in Attachment 2 – Appendix 10 – *Utility Charges – Sewerage and Trade Waste 2017/18*.

8.3. Waste Management and Recycling

That, pursuant to part 7 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to make and levy utility charges for waste and recycling for 2017/18 as set out in Attachment 2 – Appendix 11 – *Utility Charges - Waste Management and Recycling 2017/18*.

9. SPECIAL RATES

9.1. Nelly Bay Harbour Development

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the annual implementation plan, and make and levy a special rate for the Nelly Bay Harbour Development on the following basis:

- To rateable land identified in the overall plan adopted by council at its meeting held 22 June 2010;
- To recover the cost of service and activity outlined in the Nelly Bay Harbour Overall Plan adopted by council at its meeting held 22 June 2010;
- The annual implementation plan, as set out in Attachment 2 – Appendix 12 – *Nelly Bay Harbour Development Operational Plan*; and
- At the rate of \$0.00 applied to the rateable value of the land.

10. SPECIAL CHARGES

10.1. Rural Fire Levy

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the following overall plan and annual implementation plan, and to make and levy a special charge for Rural Fire Brigades on the following basis:

- The Rural Fire Levy Special Charge will apply to all rateable land identified in the gazetted Rural Fire Board area maps for the following areas and on the following bases; and
- The overall plan for the Rural Fire Brigades Special Charge is to provide financial assistance to the brigades to enable provision of a rural fire service in each area on an ongoing basis. The amount of the charge is based upon the 3 year budget for each brigade that has been provided to council by the Queensland Fire and Rescue Service; and
- The annual implementation plan is to remit to the respective brigades the levy collected, twice a year; and
- The annual charges per property in each rural fire brigade area be as detailed in Attachment 2 – Appendix 13 – *Rural Fire Levy 2017/18*.

10.2. Julago and Alligator Creek Water Supply Scheme

That, pursuant to section 94 of the *Local Government Regulation 2012*, council resolve to adopt the annual implementation plan, and make and levy a special charge of \$1,050.00 per property per annum for the Julago and Alligator Creek Water Supply Scheme to repay a capital contribution of \$10,500 per property for the Julago and Alligator Creek Water Supply Scheme on the following basis:

- The overall plan for the Julago and Alligator Creek Water Supply Scheme was adopted by council at its meeting held on 19 August 2008.
- The properties to which the charge applies are identified in the overall plan for the Julago and Alligator Creek Water Supply Scheme was adopted by council at its meeting held on 19 August 2008.
- The annual implementation plan for the Julago and Alligator Creek Water Supply Scheme is to levy the charge to each property identified in the overall plan for the period stated in the overall plan.

11. WHEN RATES OR CHARGES MUST BE PAID

That, pursuant to section 118 of the *Local Government Regulation 2012*, council resolve that all rates and charges must be paid within 30 days after the rate notice is issued.

12. INTEREST ON OVERDUE RATES

That, pursuant to section 133 of the *Local Government Regulation 2012*, council resolve that overdue rates and charges will bear interest from 30 days after it becomes overdue and the interest will be calculated at a rate of 11.0% per annum compounding on a daily basis unless, the property owner is an Approved Pensioner as detailed in the Pensioner Rates Concession Policy, in which case overdue rates and charges will bear interest from 1 July 2018.

13. DISCOUNT FOR PROMPT PAYMENT

That, pursuant to section 130 of the *Local Government Regulation 2012*, council resolve that a discount for prompt payment of 10% will apply to the General Rate, and the Nelly Bay Harbour Development Special Rate upon full payment of all rates and charges, including arrears, by the due date shown on the notice.

14. LEVYING OF RATES

That, pursuant to section 94(2) of the *Local Government Act 2009*, council resolve to levy rates notices for 2017/18 as follows:

- General Rates, Special Rates, Special Charges and Utility Charges will be levied in advance on a half-yearly basis, utility charges for water consumption on certain properties may also be levied on a monthly basis.

15. CONCESSIONS

15.1. Pensioner Rates Concession

That, pursuant to section 119 of the *Local Government Regulation 2012*, council resolve to allow a concession of up to 85% of the general rate to a maximum of \$800 as detailed in Attachment 2 – Appendix 5 - *Pensioner Rates Concession Policy*.

15.2. Not-for-profit

That, pursuant to section 120(b) of the *Local Government Regulation 2012*, council resolve to continue granting a concession to entities whose objects do not include making a profit and that applications made to council for consideration of a concession must meet the criteria as defined in section 120 of the Regulation and as detailed in Attachment 2 – Appendix 6 - *Charitable and Community Organisations Rates and Charges Concession Policy*.

15.3. Water and Sewerage Concessions

That, pursuant to part 10 of Chapter 4 of the *Local Government Regulation 2012*, council resolve to apply concessions for water and sewerage utility charges as detailed in Attachment 2 – Appendix 6 - *Charitable and Community Organisations Rates and Charges Concession Policy*.

16. LONG-TERM FINANCIAL FORECAST

That, pursuant to section 171 of the *Local Government Regulation 2012*, council adopt the long-term financial forecast as set out in the *Strategic Financial Framework* in Attachment 2.

17. 2017/18 BUDGET

17.1 That, pursuant to section 169 of the *Local Government Regulation 2012*, council note the 2017/18 Budget is consistent with the corporate plan 2014-2019 (March 2017 update) adopted by council on 4 April 2017;

17.2 That, pursuant to section 169 of the *Local Government Regulation 2012*, council adopt as its Budget the *Financial Statements* as set out in tables 6 – 9 of the *Budget 2017/18* in Attachment 2.

18. STATEMENT OF ESTIMATED FINANCIAL POSITION

That, pursuant to section 205 of the *Local Government Regulation 2012*, council note the Financial Report and explanation of material variances relating to council's estimated financial position as at 30 June 2017 as set out in Attachment 1 of this report.

19. OPERATIONAL PLAN AND BUDGET 2017/18

That, pursuant to section 174 and 175 of the *Local Government Regulation 2012*, council adopt the Annual Operational Plan for 2017/18 as set out in Attachment 2.

20. 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.

Council Decision

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

"that officer's recommendations 1 to 19 be adopted."

CARRIED UNANIMOUSLY

(Recommendation 20 was not supported pursuant to the resolution of the council made at the commencement of consideration of the budget matters in this meeting.)

Meeting Adjournment

The Mayor, Councillor J Hill adjourned the meeting at 11.06am.

Meeting Recommencement

The Mayor, Councillor J Hill reconvened the meeting at 1.04 pm.

Disclosure of Interests

- (i) Infrastructure Services Committee - Perceived conflict of interest – Item 10 – Councillor M Molachino - The Markwell Group donated to Councillor M Molachino during the election campaign.
- (ii) Governance and Finance Committee - Material personal interest – Items 30 and 32 – Councillor P Jacob - Councillor Jacob's son is a director of a subsidiary company of one of the recommended sole providers.
- (iii) Officers' Reports - Material personal interest - Item 34 - Councillor C Doyle - Councillor Doyle advised that whilst this is a general report it has the potential to particularly impact upon her property in Flinders Street.
- (iv) Officers' Reports - Material personal interest - Items 30 and 32 - Councillor K Rehbein - One of the recommended sole suppliers is the Qld Fire and Rescue Service (QFRS). Councillor Rehbein was a full time fire fighter and he continues to work occasional shifts for the QFRS. He is entitled to payment for that work but does not seek and has not received payment. Nevertheless, he declared that he has a material personal interest in respect of the recommended appointment of the QFRS as a sole supplier.
- (v) Officers' Reports - Material personal interest - Items 30 and 32 - Councillor M Ryder - Councillor Ryder's companies Rydweld and Madmaggies have a financial agreement in place for supply of goods.

Correspondence

There was no correspondence.

Petitions

There were no petitions.

Deputations

There were no deputations.

Notices of Motion

There were no notices of motion.

Presentations

There were no presentations.

Mayoral Minute

There were no Mayoral Minutes.

Committee Items

Infrastructure Services Committee

In accordance with section 173 of the Local Government Act 2009, Councillor M Molachino declared a perceived conflict of interest in regards to item 10.

- (a) *the name of the Councillors who have the perceived conflict of interest:***
Councillor M Molachino
- (b) *the nature of the conflict of interest as described by the Councillors:***
The Markwell Group donated to Councillor M Molachino during the election campaign.
- (c) *how the Councillor dealt with the perceived conflict of interest:***
The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter and excluded himself from the meeting while the matter was debated and the vote taken.
- (d) *if the Councillor voted on the issue – how the Councillor voted:***
The Councillor vacated the Chambers during discussion and voting on this item.
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.***
The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

It was MOVED by Councillor M Molachino, SECONDED by Councillor L Walker:

"that the committee recommendations to items 6 to 9 be adopted and that item 10 be dealt with separately."

CARRIED UNANIMOUSLY

Item 10 - Engineering Services - TCW00212 Demolition Works - Townsville City Bus Hub Tender Recommendation

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

"that the committee recommendation to item 10 be adopted."

CARRIED UNANIMOUSLY

The Mayor, Councillor J Hill commended staff for the work done on the community engagement plan for the Townsville City Bus Hub.

6 Engineering Services - Review of Petition to Install Pedestrian Crossings to Connect Strand Park to the Residential Area

Executive Summary

A petition was tabled at the council meeting held on 28 February 2017 by Councillor Ann-Maree Greaney from residents requesting council to "install a safe crossing into Strand Park from the outer road around the park" with an acknowledgement to traffic having no legal requirement to give way to pedestrians on the existing paved treatments.

This report considers the warrants for pedestrian crossing infrastructure and council's recommendation in response to the petition.

Officer's Recommendation

1. That council restrict parking and undertake tree trimming to provide crossing sight distance at each paved crossing point on The Strand behind Strand Park.
2. That council agree to condition major events held at Strand Park to be required to provide traffic controllers for pedestrian movements at the two pedestrian refuge locations with the costs for this requirement being the responsibility of the event organisers.
3. That council agree to monitor the movements of pedestrians at this location to determine whether the warrant for an alternative pedestrian facility is required at some time in the future.
4. That council advise the principal petitioner of council's decision.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 9460) where council resolved that the committee recommendation be adopted.

7 Engineering Services - Permanent Road Closure Olympus Crescent, Arcadia

Executive Summary

The Department of Natural Resources and Mines - State Land Asset Management Unit have requested, on behalf of two (2) applicants, council to consider the permanent closure of an area of unnamed road reserve off Olympus Crescent in Arcadia. The application involves the 50% split of the road reserve with the two neighbouring properties with approximately 215 m² being adjoined to Lot 97 on EP281 and approximately 215 m² being adjoined to Lot 98 on EP281.

This report outlines the investigation into the request and council's recommendation.

Officer's Recommendation

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

- That the two (2) newly created parcels of land cannot be created as a separate lot but rather the road reserve is to be consolidated with the adjoining properties Lot 97 on EP281 and Lot 98 on EP281 respectively.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 9460) where council resolved that the committee recommendation be adopted.

8 Engineering Services - Round Mountain Road Lock Removal

Executive Summary

In April 2015, an approval for locked gates at either end of Round Mountain Road between Kelso Drive and Laudham Road was granted to the property owner, who owns both properties on each side of the unmaintained road reserve. A request has now been raised by the residents in the area for the locks to be removed from the gates to allow local vehicular movements between Kelso Drive and Laudham Road to access Bartlett Park.

This report outlines the investigation into this matter.

Officer's Recommendation

That council agree to remove the locks from the gates across Round Mountain Road to allow vehicular movements between Kelso Drive and Laudham Road, Pinnacles.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 9460) where council resolved that the committee recommendation be adopted.

9 Engineering Services - TCW00203 Stanley Street Cutting Stabilisation and Victoria Street Guardrail Works

Executive Summary

The north face of the Stanley Street cutting, North Ward (Victoria Street to 291 Stanley Street) requires stabilisation to improve road and pedestrian safety. The stabilisation works will also allow for the removal of the current load limit in place on the Victoria Street service road above.

Council has tendered the works under TCW00203 Stanley Street Cutting Stabilisation and Victoria Street Guardrail Works.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award tender TCW00203 Stanley Street Cutting Stabilisation and Victoria Street Guardrail Works to CES Civil NQ Pty Ltd, for the lump sum price of \$245,836.00 (excluding GST)
3. That council delegate authority to the Chief Executive Officer, or her delegate, to award variations up to the approved project budget provided the variations are for the completion of the work under the contract.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 9460) where council resolved that the committee recommendation be adopted.

10 Engineering Services - TCW00212 Demolition Works - Townsville City Bus Hub Tender Recommendation

Executive Summary

Council has recently purchased the building located at 126-134 Ogden Street Townsville City for the proposed Townsville City Bus Hub. The building is required to be demolished to enable the construction of a connecting road between Ogden and Hanran Streets. Tenders were called during the period of 15 April to 10 May 2017 for the demolition works required for the project. There were three (3) tenders received.

The overall bus hub project has attracted funding to the value of \$4,000,000 from the State Government, being managed through the Department of Transport and Main Roads with a completion date of 30 June 2018. The attached TCW00212 recommendation report provides an analysis, evaluation and recommendation of the tenders received for the demolition works for the Townsville City Bus Hub project.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award tender TCW00212 – Demolition Works – Townsville City Bus Hub construction to Markwell Group for their tender Lump Sum amount of \$146,289.00 excluding GST.
3. That council delegate authority to the Chief Executive Officer, or her delegate, to award variations up to the contract budget (\$186,289 excluding GST) provided the variations are for the completion of the work under the contract, including the treatment and disposal of acid sulphate soil should it be determined necessary.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 6 of the council minutes (page 9460) where council resolved that the committee recommendation be adopted.

Planning and Development Committee

It was MOVED by Councillor L Walker, SECONDED by Councillor M Molachino:

"that the committee recommendations to items 11 to 18 be adopted."

CARRIED UNANIMOUSLY

11 P&CE - Planning Services - Proposed Alignment Amendment 2017/02 Townsville City Plan and Planning Scheme Policies

Executive Summary

The new *Planning Act 2016* (the Act) is scheduled to commence on 3 July 2017 and will replace the current *Sustainable Planning Act 2009* and associated statutory instruments. The commencement of the Act will be the culmination of four years of planning reform within Queensland. To ensure the Townsville City Plan aligns with the requirements of the new Act, an amendment is required to the Townsville City Plan and associated planning scheme policies. Alignment amendments are limited to amendments where the effect of the Planning Scheme is not substantially changed, and which are consistent with the Act. Accordingly, the changes in the Townsville City Plan are minor in nature relating to the terminology of the new Act and no policy changes have occurred.

It should be noted, that not all supporting statutory instruments (such as the proposed Planning Regulation) have been finalised by the State Government. Finalisation of these instruments may give rise to changes in the making of the alignment amendment (before the 3 July, 2017) which will be minor in nature.

Officer's Recommendation

1. Pursuant to section 293(1) of the *Planning Act 2016* and step 3.1 (a) of the Alignment amendment rules (Minister's rules under section 293 of the *Planning Act 2016*), council make the alignment amendment to the Townsville City Plan and planning scheme policies.
2. Council delegate authority to the Chief Executive Officer to approve any further minor alignment amendments to the Townsville City Plan and associated planning scheme policies as part of the adoption of the new *Planning Act 2016* and supporting statutory documents commencing on 3 July 2017.
3. Pursuant to section 293(1) of the *Planning Act 2016* and step 3.1 (b) of the Alignment amendment rules (Minister's rules under section 293 of the *Planning Act 2016*), council commence the alignment amendment to the Townsville City Plan and planning scheme policies upon the commencement of the *Planning Act 2016*, being 3 July 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9465) where council resolved that the committee recommendation be adopted.

12 P&CE - Planning Services - Proceed to Public Notification - 78-94 John Melton Black Drive, Garbutt

Executive Summary

Council resolved to make a major amendment to the Townsville City Plan in relation to the land parcel located at 78 – 94 John Melton Black Drive, Garbutt in September 2015. The amendment relates to changing the land parcels from the Open space zone to the Low density residential zone to reflect a current development approval. The proposed major amendment was forwarded to the Minister for state interest review and discussions regarding state interests have concluded.

On 6 April 2017, the Minister provided formal correspondence to council advising that all state interests had been appropriately integrated with respect to the proposed major amendment and that council may undertake public consultation on the proposed planning scheme amendment for a period of 30 business days.

Officer's Recommendation

That, pursuant to section 117(1), Part 5, Chapter 3 of *Sustainable Planning Act 2009*, council resolve to undertake public notification of the proposed amendment for a period of 30 business days.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9465) where council resolved that the committee recommendation be adopted.

13 P&CE - Planning Services - Proceed to Public Notification - 134 Racecourse Road, Cluden

Executive Summary

Council resolved to make a major amendment to the Townsville City Plan in relation to the land parcel located at 134 Racecourse Road, Cluden in July 2015. The amendment relates to changing the land parcel from the Open space zone to the Low impact industry zone. The proposed major amendment was forwarded to the Minister for state interest review and discussions regarding state interests have concluded.

On 6 April 2017, the Minister provided formal correspondence to council advising that all state interests had been appropriately integrated with respect to the proposed major amendment and that council may undertake public consultation on the proposed planning scheme amendment for a period of 30 business days.

Officer's Recommendation

That, pursuant to section 117(1), Part 5, Chapter 3 of *Sustainable Planning Act 2009*, council resolve to undertake public notification of the proposed amendment for a period of 30 business days.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9465) where council resolved that the committee recommendation be adopted.

14 P&CE - Planning Services - Heritage and Urban Planning - Minutes of the City Image Advisory Committee 23 March 2017

Executive Summary

Attached to the Report to Council is the Report of council's City Image Advisory Committee meeting held on 23 March 2017.

Officer's Recommendation

That council note the Report of the City Image Advisory Committee meeting of 23 March 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9465) where council resolved that the committee recommendation be adopted.

15 P&CE - Planning Services - Heritage and Urban Planning - City Image Advisory Committee additional member

Executive Summary

The Townsville City Council City Image Advisory Committee (CIAC) has been established in accordance with the council resolution of 26 July 2016 (attachment 1 of the Report to Council). In line with the Terms of Reference (attachment 2 of the Report to Council) council has specific membership along with organisational nominated representatives and business and community members. After the resolution passed confirming the membership of the CIAC (attachment 3 of the Report to Council) the chair noted that the Chamber of Commerce should have a membership in CIAC as it was deemed they were a missing piece according to the Terms of Reference and the selection criteria.

Officer's Recommendation

1. That council approve the additional membership of Kevin Booth from the Townsville Chamber of Commerce to the Townsville City Council City Image Advisory Committee.
2. That council approve the addition of the Townsville Chamber of Commerce to the membership of the City Image Advisory Committee Terms of Reference.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9465) where council resolved that the committee recommendation be adopted.

16 MI17/0011 MCU (Impact) - Funeral Parlour - Mortuary, 58-62 Keane Street, Currajong

Executive Summary

The proposal is for a Funeral Parlour – Mortuary to be established within a small warehouse tenancy that is located within a larger warehouse complex located in the industrial area of Keane Street in Currajong. The proposal includes primarily the storage and preparation of human bodies on the site with all other activities normally associated with a Funeral Parlour such as viewings by family/friends, funerals and burials, and cremation to be undertaken off the site at alternative locations (not part of this application).

The application is identified as impact assessable in the Low impact industry zone under the Townsville City Plan and received one properly made submission during the public notification period. The primary concern centred on perceived rental insecurity that could be created due to public concern of the activities associated with the use (i.e. storage and preparation of bodies) operating close to the adjoining owners' warehouses. These concerns whilst not considered to be adequate grounds for refusal under the *Sustainable Planning Act 2009*, formed the basis of negotiations between council, the applicant and the operator resulting in the recommendation of Conditions 2 and 3 to address the primary concern raised (refer to 'public notification' section of this Report to Council for further details). It is considered that adequate measures have been undertaken in order to mitigate the potential impacts raised in the submission as much as practicable and reasonable to do so.

Officer's Recommendation

That council approve the application MI17/0011 for a Development Permit for Funeral Parlour - Mortuary, under section 243 of the *Sustainable Planning Act 2009*, on land described as Lot 3 RP 728787, more particularly located at 58-62 Keane Street Currajong subject to the following conditions:

DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE FUNERAL PARLOUR – MORTUARY

MATERIAL CHANGE OF USE CONDITIONS

1. Approved Plans and Supporting Documentation

Condition

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

| Plan Name | Plan No. | Revision No. | Revision Date |
|--|------------|--------------|---------------|
| Proposed Use Areas – Tenancy 8, Building 'B' | M1168-SK01 | A | 20/03/2017 |

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

Reason

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

Timing

During the operation and life of the development.

2. Limitation of use – Mortuary**Condition**

The use is approved for a Mortuary as defined by the Oxford Dictionary:
a room or building in which dead bodies are kept, for hygienic storage or for examination, until burial or cremation.

The approved use may include activities such as administration/office functions, and the storage and preparation of deceased bodies for funerals/burials only.

The following activities are not approved:

- The premises must not be open to the public for viewings, burial or funeral services (to occur off-site).
- Postmortem services.
- Cremation of bodies.

Reason

To ensure development is carried out in accordance with the application documentation.

Timing

At all times during the life of the development.

3. Signage**Condition**

Advertising signage which identifies the approved use and/or the business name must not be placed on the premises.

Reason

To limit the impacts of the development on the surrounding community's perceptions.

Timing

At all times during the life of the development.

4. Relocation of Services or facilities**Condition**

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

Reason

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

Timing

Prior to the commencement of use and at all times during the life of the development.

5. Storage**Condition**

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

Reason

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

Timing

At all times following the commencement of the use.

Advice**1. Further Approvals Required****Condition****a) Plumbing and Drainage Works**

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

b) Building Works

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

2. Clinical/Medical waste**Condition**

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

3. Discharge to sewer network**Condition**

In accordance with section 193(2) of the *Water Supply (Safety and Reliability) Act 2008*, a prohibited substance, as defined under Schedule 1 of the Act, must not be discharged into the reticulated sewer network.

Note: Whole blood is identified in Schedule 1 of the Act as a prohibited substance.

All prohibited substances, as defined under the Act, must be captured on-site and removed for treatment/disposal at an accredited medical/clinical waste facility in accordance with the *AS/NZS 3816:1998 Australian Standard/New Zealand Standard – Management of clinical and related wastes*.

Reason

To ensure the activities involved with preparation of bodies does not contaminate the local sewer network.

Timing

At all times following the commencement of the use.

4. Environmental Considerations**Condition**

Department of Environment and Heritage Protection Requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

5. Chemical Storage

Condition

Where chemicals are stored or handled on site, the storage and handling of chemicals must be in accordance with the relevant WHS Code of Practice.

6. Emergency power supply

Condition

Due to the nature of the approved use and the contents to be stored at the premises, the operator of the facility should consider the installation of an emergency/back-up power supply (such as a generator) to be utilised in the event electricity to the premises is discontinued.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9465) where council resolved that the committee recommendation be adopted.

17 MI16/0027 Report - Material Change of Use (Impact) | Health Care Service (Medical Centre) - 2 Miles Avenue, Kelso

Executive Summary

The application seeks a Development Permit for a Material Change of Use for a Health Care Service at 2 Miles Avenue in Kelso. The site is within the Low density residential zone where a Health Care Service is impact assessable.

To determine whether the proposed development fully aligns with the Townsville City Plan and Centres hierarchy, it was referred to the Planning Team for strategic comment. The Planning Team's comments have been inserted in full into this report under section 4.2 – Planning Services.

On review of the comments from the Planning Team, it is considered that the proposal generally conflicts with the Townsville City Plan and Centres Hierarchy which underpins the centres zone and part of the strategic framework. It is therefore recommended to the Committee that the proposal be refused.

Recommendation

That council refuse the application MI16/0027 for a Health Care Service at 2 Miles Avenue, Kelso on the following grounds:

- a) The proposal is inconsistent with theme 3.3.1(1) in that the use is outside the District Centre, which has been zoned to develop to its full potential and will meet the needs of the community for at least 25 years. There is no basis to support using residential land outside of the District centre, as the District centre is under-utilised and has land mass to cater for the proposal.

The proposal is a use on the periphery of the District centre, the District centre is the focal point for the Upper Ross area. The centre is not fully developed as there has been no catalyst development to encourage expansion. There is opportunity to incorporate the proposed Health care services into the centre to accommodate additional health services required within this locality.

- b) The proposal is inconsistent with theme 3.3.1(8) in that it impinges on the hierarchy of centres and reduces a service that should be located in the District centre such that it develops in the scale and form intended in in the centres hierarchy. The proposal is considered out-of-centre development in that additional areas outside of the Rasmussen district centre have not been catered for due to the capacity within the existing centre.
- c) The proposed development conflicts with the theme stated within 3.3.4(1) and (6) Element – Activity Centres as the proposed development is considered to be an “out-of-centre” type development and is not anticipated for by the Townsville City Plan. The Economic Needs Assessment supplied has not stated that the centres zoned in the catchment lack capacity to provide this service.
- d) The proposal is inconsistent with theme 3.3.4(23) Element – Activity Centres in that the use reduces the ability for the District centre to develop fully into its role and function for the Upper Ross catchment, allowing development outside this under-utilised centre will provide a catalyst for other centre related development to also look at locating outside the centre, the cumulative impacts will erode the viability of the centre. Uses should only be considered outside a centre if the centre is not capable of sustaining the use as the centre is a fully functioning centre with no opportunity for expansion. This is not the case for the Rasmussen centre.

Low density residential zone code

- e) The proposal is inconsistent with the overall outcome of the Low density residential zone code 3(h) in that proposed use can be located in the under-utilised District Centre across the road, which is more appropriately zoned and located to cater for the day to day support to the community needs within the District centre within the need to encroach into land designated for housing.

The use of residential land for the proposed use is unreasonable given the surplus of available land appropriately zoned and located to such that impacts on the surrounding residential amenity can be mitigated.

- f) The proposal is inconsistent with PO9(c) with regards to traffic impacts. The submissions have planning merit as the introduction of additional traffic on the Allambie Lane/Miles Avenue intersection will exacerbate the existing situation, which has not been adequately addressed within the report nor evidence provided that offsite impacts will not occur at this intersection as a result of the development.
- g) The proposal is inconsistent with PO17(c) in that the proposed use can be located in an existing centre which caters for the day-to-day needs of the community. The location of the proposed use has the ability to impact on the role and function of the under-utilised District Centre directly adjacent to the site. The applicant has not justified why the use should be located in Low density residential land instead of the designated District Centre.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9465) where council resolved that the committee recommendation be adopted.

18 Planning Services - Economic Development - Amended Lease Conditions - Commercial Properties

Executive Summary

Property assessment number 0404001, Belgian Gardens is a reserve designated for a Caravan Park. The lessee is proposing to carry out capital works on the property and buildings that are in addition to, and beyond the scope of council's planned capital works for the site. As part of the request a new lease term is being considered.

Section 235(b) of the *Local Government Regulation 2012* exempts the council from inviting tenders for large-sized contractual arrangements (\$200k+GST) if the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.

Council will retain its usual control measures for contractors with respect to the scope and quality of works and level and timing of expenditure.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to apply the exemption set out in section 236(1)(c)(iii) of the *Local Government Regulation 2012* to the renewal of the lease for Property Assessment Number 0404001, Belgian Gardens being the Rowes Bay Caravan Park.
3. That council grant authority to the Chief Executive Officer to renew the lease conditions for Property Assessment Number 0404001, Belgian Gardens:
 - to the existing lessee;
 - for a term of 20 years with an option for a further 10 year term;
 - on commercial terms, including that the tenant must carry out not less than \$100,000 in improvements to the property each year; and
 - with a further condition added to the lease if the option is exercised, so that during that further 10-year term if the Council resolves that the land is required for another purpose that will benefit the community, the Council may terminate the lease without compensation by giving 12 months' notice. (The tenant will not have an obligation to carry out the capital improvements during that termination notice period).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 9465) where council resolved that the committee recommendation be adopted.

Community and Cultural Development Committee

It was MOVED by Councillor C Doyle, SECONDED by Councillor M Ryder:

"that the committee recommendations to items 19 to 23 be adopted."

CARRIED UNANIMOUSLY

The Mayor, Councillor J Hill commended the Street Art Activation Working Group for the recent Sturt Street art work.

19 Community Resources - Learning Communities Leadership Group Minutes - 27 April 2017

Executive Summary

The first meeting of the newly reformed Learning Communities Leadership Group was held on 27 April 2017. Attached are the Minutes of the meeting for noting.

Officer's Recommendation

That council note the minutes of the Learning Communities Leadership Group held on 27 April 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 19 of the council minutes (page 9474) where council resolved that the committee recommendation be adopted.

20 Community Resources - Street Art Activation Working Group Minutes - 7 April 2017

Executive Summary

The Street Art Activation Working Group met on 7 April 2017. The minutes of that meeting are attached for noting.

Officer's Recommendation

The council note the minutes of the Street Art Activation Working Group meeting 7 April 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 19 of the council minutes (page 9474) where council resolved that the committee recommendation be adopted.

21 Community Engagement - Report of Arts and Culture Advisory Committee - 6 April 2017

Executive Summary

Attached to the Report to Council is the Report of council's Arts and Culture Advisory Committee meeting held on 6 April 2017

Officer's Recommendation

That council note the Report of the Arts and Culture Advisory Committee meeting of 6 April 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 19 of the council minutes (page 9474) where council resolved that the committee recommendation be adopted.

22 Community Engagement - New Licence to Occupy (LTO) - Pace Park, Rollingstone and District Community Association

Executive Summary

Townsville City Council has previously established a number of Licences to Occupy (LTO) with community groups in order to formalise their use of council controlled spaces.

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

- Rollingstone and District Community Association (RADCA) are seeking a licence to occupy land located in the suburb of Rollingstone – Pace Park Rollingstone (MYSTIC AVENUE) Part of lot 52B on SP160493/2.
- The LTO will be for a term of 5 years for the purpose of activities reasonably defined as training or playing, and those consistent with the operations of the community association supporting local activities in the area.
- The subject land area is a local park in one of the more regional locations of the Townsville local government area. The park does not have any significant embellishments. RADCA have sought to obtain an LTO over the park in order to enhance community activities and use of the park.

Officer's Recommendation

That council approve the issuing of a Licence to Occupy (LTO) to Rollingstone and District Community Association (RADCA), over the identified part of lot 52B on SP160493/2 for a term of five years.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 19 of the council minutes (page 9474) where council resolved that the committee recommendation be adopted.

23 Community Engagement - New Lease - Northern Beaches Cricket Club - Kilcora Park

Executive Summary

Northern Beaches Cricket Club is seeking a lease over part of the parcel of land located at Kilcora Park, 33 Kilcora Street, Mount Low (part of Lot 71 RP 8082767) for the purpose of relocating a 'Jezzine P1 Hut' to the park to serve as a clubhouse (approximately 72m²).

The lease documentation offered to the club will include a peppercorn lease rate. However the lease will also include a clause allowing the rent/cost of the lease to be reviewed by council on a yearly basis on the anniversary of the lease commencement date.

The club have been operating within Kilcora Park for seven years. They currently have a lease which includes equipment shed and 2 practice cricket wickets in the park as well as Licence to Occupy over the playing fields. This new lease period and end date will be determined so that it aligns with the expiry of other existing lease on this land to ensure easier process of renewing leases in the future.

Officer's Recommendation

1. That council approve the issuing of a lease to Northern Beaches Cricket Club over the parcel of land located at Kilcora Park, 33 Kilcora Street, Mount Low (part of Lot 71 RP 8082767) for a period up to 23 November 2025, for the fee of \$1.00 per year, exclusive of GST, if requested.
2. That council resolves that the exemption in section 236 (1)(b)(ii) of the Local Government Regulation 2012 applies to the disposal of the land included in the lease, *because the disposal is to a community organisation*.
3. That the lease provide for the Club to be responsible for the following:
 - a) Maintenance, Repair, Replacement of:
 - a) Structural (Clause 6.1a)
 - b) Services/pipes/conduits (clause 6.1 (b))
 - c) Painting (clause 6.3)
 - d) Minor maintenance (clause 6.6)
 - b) Survey Plan

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 19 of the council minutes (page 9474) where council resolved that the committee recommendation be adopted.

Governance and Finance Committee

In accordance with section 172 of the Local Government Act 2009, Councillor P Jacob declared a material personal interest in regards to items 30 and 32.

- (a) **the nature of the material personal interest as described by the Councillor:**
Councillor P Jacob's son is the director of a subsidiary company of one of the recommended sole providers.
- (b) **how the Councillor dealt with the material personal interest:**
Councillor Jacob vacated the Chambers during discussion of items 30 and 32.

In accordance with section 172 of the Local Government Act 2009, Councillor K Rehbein declared a material personal interest in regards to items 30 and 32.

- (a) **the nature of the material personal interest as described by the Councillor:**
Councillor Rehbein advised that one of the recommended sole suppliers is the Qld Fire and Rescue Service (QFRS). Councillor Rehbein was a full time fire fighter and he continues to work occasional shifts for the QFRS. He is entitled to payment for that work but does not seek and has not received payment. Nevertheless, he declared that he has a material personal interest in respect of the recommended appointment of the QFRS as a sole supplier.
- (b) **how the Councillor dealt with the material personal interest:**
Councillor Rehbein vacated the Chambers during discussion of items 30 and 32.

In accordance with section 172 of the Local Government Act 2009, Councillor M Ryder declared a material personal interest in regards to items 30 and 32.

- (a) **the nature of the material personal interest as described by the Councillor:**
Councillor Ryder's companies Rydweld and Madmaggies have a financial agreement in place for supply of goods.
- (b) **how the Councillor dealt with the material personal interest:**
Councillor Ryder vacated the Chambers during discussion of items 30 and 32.

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor P Jacob:

"that the committee recommendations to items 24 to 29 be adopted and that item 30 be dealt with separately."

CARRIED UNANIMOUSLY

Item 30 - Procurement Services - Additional Sole Suppliers May 2017

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor M Molachino:

"that the committee recommendation to item 30 be adopted."

CARRIED UNANIMOUSLY

24 Finance Services - Budget Variance Report - April 2017

Executive Summary

On behalf of the Chief Executive Officer, the Chief Financial Officer will present and discuss the Budget Variance Report for the whole of council for April 2017, pursuant to section 204 of the *Local Government Regulation 2012*.

Officer's Recommendation

That council note the financial report for April 2017 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 24 of the council minutes (page 9477) where council resolved that the committee recommendation be adopted.

25 Finance Services - Treasury Report - April 2017

Executive Summary

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

Officer's Recommendation

That council note the treasury report for April 2017 and the information contained therein.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 24 of the council minutes (page 9477) where council resolved that the committee recommendation be adopted.

26 Finance Services - Audit Committee Meeting Minutes on 23 March 2017

Executive Summary

The minutes of the Audit Committee meeting held on 23 March 2017 are attached to the Report to Council.

Officer's Recommendation

That council receive the minutes of the Audit Committee meeting held on 23 March 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 24 of the council minutes (page 9477) where council resolved that the committee recommendation be adopted.

27 Legal Services - Audit Committee Governance Reports - 23 March 2017

Executive Summary

The Legal Services reports of the Audit Committee meeting held on 23 March 2017 are attached to the agenda item.

Officer's Recommendation

1. That the reports/attachments 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 Legal Services reports (Governance & Risk and Legal) of the Audit Committee meeting held on 23 March 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 24 of the council minutes (page 9477) where council resolved that the committee recommendation be adopted.

28 Financial Services - Request for concession - Property Number 110620

Executive Summary

A request has been received for a concession of the general rate for seven (7) properties. In accordance with Part 10, Section 120 of the *Local Government Regulation 2010*, council may grant a concession for rates under certain eligibility criteria.

The application has been made under council's concessions policy specifically in relation to a not-for-profit community organisation.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to grant a 100% concession for the general rate for the property number 110620 and that the concession includes general rates from 1 January 2017. This property was in receipt of 100% from 2012, this was changed to 50% concession following policy changes with regards to gaming licensed premises in 2014. The Gaming machines have now been removed and Gaming licence surrendered.
3. That council resolve that the concession will continue to be granted until such time that the land use changes or change of ownership for the property is recorded or council decides otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 24 of the council minutes (page 9477) where council resolved that the committee recommendation be adopted.

29 Financial Services - Request for concession - Property Number 347598

Executive Summary

A request has been received for a concession for the general rate for property number 347598. The application has been made under council's concessions policy specifically in relation to a not-for-profit community organisation.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to grant a 100% concession for the general rate for the property number 347598 and that the concession includes general rates from 1 January 2017.
3. That council resolve that the concession will continue to be granted until such time that the land use changes or change of ownership for the property is recorded or council decides otherwise.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 24 of the council minutes (page 9477) where council resolved that the committee recommendation be adopted.

30 Procurement Services - Additional Sole Suppliers May 2017

Executive Summary

It is a requirement of the *Local Government Regulation 2012* to:

- invite written quotations where the carrying out of works or the supply of goods and services involves costs greater than \$15,000 in a financial year or over the proposed term of the contractual arrangement.
- invite tenders where the carrying out of works or the supply of goods and services involves costs greater than \$200,000 in a financial year, or over the proposed term of the contractual arrangement.

Additionally council's Procurement Policy contains provisions regarding obtaining quotations for amounts less than \$15,000 and the process for when quotes cannot be sought.

The *Local Government Regulation 2012* acknowledges that there are instances where it will not always be possible to meet the requirements of seeking quotes from the required number of suppliers, or the calling of tenders, and provides a number of exceptions to manage these instances.

The report recommends the additional suppliers listed at attachment 1 be added to the sole suppliers and/or suppliers of specialised or confidential services list for 2017.

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 in accordance with section 235(a) and (b) of the *Local Government Regulation 2012* that it is satisfied that these suppliers as listed in Attachment 1 of the Report to Council are sole suppliers and/or suppliers of specialised or confidential services for the 2017 calendar year.

Committee Recommendation

Because Councillor Jacob's vacating the chamber for this item left the meeting without a quorum, the remaining Committee members agreed that it was appropriate that this item be referred to Ordinary Council for consideration and decision.

Council Decision

Refer to resolution preceding item 24 of the council minutes (page 9477) where council resolved that the committee recommendation be adopted.

Council agreed to change the order of business to consider item 32 as the next item of business.

Officers' Reports

32 Procurement Services - Additional Sole Suppliers May 2017

Executive Summary

It is a requirement of the *Local Government Regulation 2012* to:

- invite written quotations where the carrying out of works or the supply of goods and services involves costs greater than \$15,000 in a financial year or over the proposed term of the contractual arrangement; and
- invite tenders where the carrying out of works or the supply of goods and services involves costs greater than \$200,000 in a financial year, or over the proposed term of the contractual arrangement.

Additionally council's Procurement Policy contains provisions regarding obtaining quotations for amounts less than \$15,000 and the process for when quotes cannot be sought.

The *Local Government Regulation 2012* acknowledges that there are instances where it will not always be possible to meet the requirements of seeking quotes from the required number of suppliers, or the calling of tenders, and provides a number of exceptions to manage these instances.

The report recommends the additional suppliers listed at Attachment 1 of the Report to Council be added to the sole suppliers and/or suppliers of specialised or confidential services list for 2017.

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, in accordance with section 235(a) and (b) of the *Local Government Regulation 2012*, that it is satisfied that these suppliers as listed in Attachment 1 of the Report to Council are sole suppliers and/or suppliers of specialised or confidential services for the 2017 calendar year.

Council Decision

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor M Molachino:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Open Session

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

"that item 34 be considered in open session ."

CARRIED UNANIMOUSLY

In accordance with section 172 of the *Local Government Act 2009*, Councillor C Doyle declared a material personal interest in regards to item 34.

(a) the nature of the material personal interest as described by the Councillor:

Councillor Doyle advised that whilst this is a general report it has the potential to particularly impact upon her property in Flinders Street.

(b) how the Councillor dealt with the material personal interest:

Councillor Doyle vacated the Chambers during discussion of item 34.

34 Townsville City Masterplan Refresh

Executive Summary

Pure Projects were appointed to review the existing CBD and designated Priority Development Areas (PDA). The report was extended to include key tourist designations, recreational areas and development opportunities including Castle Hill, Rowes Bay and Radical Bay on Magnetic Island and balance of the city.

The purpose of the exercise was to provide an updated Masterplan enabling the activation of the Town Centre and identify key tourism, infrastructure and development opportunities. The Masterplan represents a key transformational strategy for Townsville.

The document, Townsville Master Planning Strategic Analysis and Reporting undertaken by Pure Projects is presented to council for its endorsement.

Council also considered the verbal comments provided by Don Morris of Pure Projects at the meeting (via teleconference).

Officer's Recommendation

1. That council note and endorse the findings and recommendations of the Townsville Master Planning Strategic Analysis and Reporting undertaken by Pure Projects.
2. That council request the Chief Executive Officer to commence implementation of the Townsville Master Planning Strategic Analysis and Reporting in accordance with the recommendations and next steps outlined in the document.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Confidential Items

It was MOVED by Councillor A Greaney, SECONDED by Councillor V Coombe:

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

Section 275 (e) contracts proposed to be made by it (Items 31, 33, 35, 36 and 37);
Section 275 (f) starting or defending legal proceedings involving it (Item 33); and
Section 275 (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage (Items 35, 36 and 37)."

CARRIED UNANIMOUSLY

The council discussed the items.

It was MOVED by Councillor A Greaney, SECONDED by Councillor V Coombe:

"that council RESOLVE to open the meeting."

CARRIED UNANIMOUSLY

31 Planning & Community Engagement - Economic Development - TCW0201 Operation of a city market

Executive Summary

Council issued tender TCW00201 on 25 March 2017 for the preferred supplier arrangement for the operation of a city market. The tender closed on 10 May 2017 and five submissions were received with each tenderer declaring they had no conflict of interest.

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 TCW00201 – Operation of a city market in line with Option A as presented in the body of this report subject to reaching acceptable commercial arrangements.

Council Decision

It was MOVED by Councillor A Greaney, SECONDED by Councillor V Coombe:

"that the officer's recommendation be adopted."

CARRIED

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

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

Councillor Walker believes that the result of the tender evaluation (for the operation of the city market) was too close to call and that he was not happy with the point scoring.

32 Procurement Services - Additional Sole Suppliers May 2017

Refer to resolution following item 30 of the Council Minutes (page 9481) where council agreed that item 32 be considered after item 30.

Refer page 9482 of the Council Minutes for item 32 - Procurement Services - Additional Sole Suppliers May 2017

33 Townsville Water and Waste - Land Acquisition for Pump Station 7A

Executive Summary

Sewage pump station 7A, located at Howitt Street in North Ward, requires upgrade in order to sufficiently service its existing and projected catchment loads. Due to the existing pump station site being constrained, a new site needs to be acquired in order to construct a new pump station. A concept design report, in which various site options were investigated, has identified the preferred site. This report details the process followed regarding the acquisition.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to compulsorily acquire 6 Isley Street, designated as Lot 30 on Crown Plan T118279, for the proposed site for Pump Station 7A upgrade and delegate to the Chief Executive Officer authority to effect that acquisition if necessary.

Council Decision

It was **MOVED** by the Mayor, Councillor J Hill, **SECONDED** by Councillor P Jacob:

"that this item be held over to the next council meeting."

CARRIED UNANIMOUSLY

34 Townsville City Masterplan Refresh

Refer to resolution following item 32 of the Council Minutes (page 9482) where council agreed that item 34 be considered in open session.

Refer page 9483 of the Council Minutes for item 34 - Townsville City Masterplan Refresh

The order of business resumed.

35 Economic Activation Opportunity - Manufacturing Plant

Executive Summary

This confidential report was discussed in closed session and updates the Council on a current economic activation opportunity regarding a proposed battery manufacturing plant for the Townsville region and associated contract negotiations. This confidential report proposes the establishment of a beneficial enterprise to support this revenue and jobs creation opportunity, including creating a wholly-owned special purpose company vehicle.

Officer's Recommendation

1. That the report and its attachments (with the exception of Attachment 1 - Site Map) each 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:
 - a) support the use and excision of council's owned property at Woodstock as identified in the confidential report presented and discussed in closed session to enable the establishment of a Battery Manufacturing Plant in preference to the current use of that land, as part of the establishment of the beneficial enterprise proposed in this report;
 - b) note and endorse the actions proposed by the Chief Executive Officer in relation to progressing the economic activation opportunities associated with establishment of a Battery Manufacturing Plant in the Townsville region at Woodstock as outlined in this report, including in relation to finalising negotiations with any existing lessees in relation to the council-owned land identified as identified in the confidential report presented and discussed in closed session;
 - c) approve entry into and conduct of the beneficial enterprise under the *Local Government Act 2009* on the basis of the matters outlined in this report;
 - d) in furtherance of the above-mentioned beneficial enterprise, authorise the Chief Executive Officer to do all things necessary to establish the beneficial enterprise, including obtaining any necessary approvals to make all necessary financial arrangements under the *Statutory Bodies Financial Arrangements Act 1982*, attending to any necessary land transfers or applicable lease surrender arrangements, and/or finalising and enter into binding terms and agreements with the various proponents outlined in this report on terms the Chief Executive Officer considers most advantageous to council;
 - e) in furtherance of the beneficial enterprise mentioned in paragraph 2(b), authorise the Chief Executive Officer to establish a wholly council-owned special purpose Corporations Law company ('SPV No1') generally in accordance with the draft Constitution in Attachment 2 and the governance framework outlined in Attachment 3, subject to incorporation of any feedback from council at this meeting; and

- f) upon the establishment of SPV No1, and in furtherance of the beneficial enterprise outlined in this report and in accordance with section 236(b)(i) of the *Local Government Regulations 2012*, council resolve to transfer the land mentioned in Item 2(a) above to SPV No1 contemporaneously with and exchange for being issued shares in SPV No 1 to the same value as that land.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

36 Economic Activation Opportunity - FIFO Hub

Executive Summary

This confidential report updates the council on a current economic activation opportunity and associated contract negotiations and proposes the establishment of a beneficial enterprise to support this opportunity.

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 and endorse the actions proposed by the Chief Executive Officer in relation to progressing the economic activation opportunities outlined in this confidential report and discussed in closed session.

Council Decision

It was MOVED by Councillor A Greaney, SECONDED by Councillor M Soars:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

37 Establishment of Development Corporation

Executive Summary

This confidential report is to be discussed in closed session and updates council on a current economic activation opportunity regarding establishing a Development Corporation for the Townsville region. This confidential report proposes the establishment of a beneficial enterprise to support this revenue and jobs creation opportunity, including creating a wholly-owned special purpose company vehicle, focussing initially on opportunities inside the Townsville Priority Development Area.

Officer's Recommendation

1. That the report and its attachments each 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:
 - (a) approve entry into and conduct of a Development Corporation as a beneficial enterprise under the *Local Government Act 2009* on the basis of the matters outlined in this report; and
 - (b) in furtherance of the beneficial enterprise mentioned in paragraph 2(a), authorise the Chief Executive Officer to establish a wholly council-owned special purpose Corporations Law company ('Dev Corp') generally in accordance with the draft Constitution in Attachment 1 and the governance framework outlined in the confidential report and discussed in closed session, subject to incorporation of any feedback from council at this meeting.
3. That the Board of the Development Corporation comprise the Mayor, two independent directors to be nominated by the council, and the officers within council holding the respective positions of Chief Executive Officer, Chief Financial Officer and Director Planning and Community Engagement.

Council Decision

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor M Molachino:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

General Business

(i) Councillor remuneration

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor A Greaney:

- "a. that council rejects the 17% maximum total increase in remuneration recommended in the 2016 Remuneration Tribunal report;
- b. that council resolves to accept the recommended annual increase in remuneration levels for mayors, deputy majors and councillors of 2% from 1 July 2017 contained in the 2016 Remuneration Tribunal's report; and
- c. any further increase in remuneration for the mayor, deputy mayor and councillors is to reflect the percentage increase contained in the next EBA to be negotiated with staff."

CARRIED UNANIMOUSLY

(ii) Neil Allen

The Mayor, Councillor J Hill advised that Neil Allen is leaving council after over 10 years of service. Councillor Hill provided several highlights of Neil's career with Townsville City Council and advised that he has been a confidante, colleague and friend. Councillor Hill thanked Neil for all of his assistance over the years.

(iii) Confirmation of Minutes of Previous Meeting

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

"that the minutes of the Ordinary Council meeting of 23 May 2017 be confirmed."

CARRIED UNANIMOUSLY

Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 3.15pm.

CONFIRMED this TWENTY-FIFTH day of JULY 2017

MAYOR

CHIEF EXECUTIVE OFFICER