



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 27 AUGUST 2019 AT 1.00PM

Council Members >>

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

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Goals and Objectives that identify strategic intent of Townsville City Council >>

Corporate Plan >>

- Goal 1 -** A Prosperous City - Deliver a strong and innovative economy for Townsville with sustainable growth and support for local jobs and businesses.
- Goal 2 -** A City for People - Enhance people's experience of Townsville as a liveable and vibrant city by providing services that support the growth of an inclusive, knowledgeable, active, resilient, safe and healthy community.
- Goal 3 -** A Clean and Green City - Create a sustainable future for Townsville through the protection, maintenance and enhancement of our unique, natural and built environment.
- Goal 4 -** A Smarter, Faster, Better Council - Ensure the Townsville City Council remains a smarter, faster and better Council that is easy to work with, and for, and gains community trust by being transparent and managing its resources well.

Objectives >>

Goal 1 - A Prosperous City

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

Goal 2 - A City for People

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

Goal 3 - A Clean and Green City

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

Goal 4 - A Smarter, Faster, Better Council

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

ACKNOWLEDGEMENT OF COUNTRY

The Townsville City Council would like to acknowledge the traditional owners and custodians of Townsville – the Wulgurukaba of Gurambilbarra and Yunbenun; and Bindal people. We pay our respect to their cultures, their ancestors and their elders, past and present, and all future generations.

PUBLIC MINUTES

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REPORT	COUNCIL MEETING
DATE	Tuesday 27 August 2019 at 1.00pm
ITEMS	1 TO 39
PRESENT	The Mayor, Councillor J Hill Councillor V Coombe Councillor C Doyle Councillor A Greaney Councillor P Jacob Councillor M Molachino Councillor K Rehbein Councillor M Ryder Councillor M Soars Councillor L Walker

Opening of meeting and announcement of visitors

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

Acknowledgement to Country

The Chair acknowledged the traditional owners and custodians of Townsville - the Wulgurukaba of Gurambilbarra and Yunbenun; and Bindal people, and paid respect to their cultures, their ancestors and their elders, past and present, and all future generations.

Prayer

Reverend Bruce Cornish of the Uniting Church delivered the opening prayer.

Apologies and requests for leave of absence

The Mayor, Councillor J Hill advised of Councillor R Cook's apology for this meeting.

Councillor L Walker requested leave of absence for the period 7 to 13 September to attend the Company Directors Course.

Councillor P Jacob requested leave of absence (sick leave) from 12 to 23 September 2019.

Council Decision

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

1. "that the apology from Councillor R Cook be received and that for the purposes of Section 162(1)(e) of the *Local Government Act 2009*, Councillor R Cook be granted leave of absence from this meeting;
2. that Council approve Councillor L Walker's request for leave of absence for the period 7 to 13 September to attend the Company Directors Course; and
3. that Council approve Councillor P Jacob's request for leave of absence (sick leave) from 12 to 23 September 2019."

CARRIED UNANIMOUSLY

Confirmation of minutes of previous meeting

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

"that the minutes of the Ordinary Council meeting of 23 July 2019 be confirmed."

CARRIED UNANIMOUSLY

Disclosure of interests

Following recent changes to the *Local Government Act 2009* the Chief Legal Officer reminded Councillors of their obligations for disclosing conflicts of interests and material personal interests for items on the agenda.

- (i) Planning and Development Committee - Perceived conflict of interest - Item 35 - Councillors L Walker, A Greaney, M Molachino, M Ryder, M Soars, V Coombe, C Doyle, P Jacob, K Rehbein and the Mayor, Councillor J Hill - As a consequence of Council being advised that a respondent's submission would be made to the Council by Mr Ben Griffin, it has come to the Councillors' attention that Geon Property is participating in the redevelopment of the Rasmussen Shopping Centre. Geon Property is a business in which Mr Ben Griffin has significant involvement. Geon Property (Sonnenberg Pty Ltd) and three other companies in which Mr Griffin had significant interests each donated \$990 to the Team Jenny Hill election campaign on 10 February 2016, those other companies being:
 - a. Interlaken Pty Ltd;
 - b. Vibram Pty Ltd; and
 - c. Schilthorn Pty Ltd.The Councillors declared a perceived conflict of interest on the basis that Mr Griffin has an interest in the outcome of the matter.
- (ii) Planning and Development Committee - Material Personal Interest - Item 29 - Councillor C Doyle — Councillor Doyle and her husband own a State Heritage Listed building in Flinders Street and they stand to gain or lose from the proposed action.

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

(i) Taipei Smart City Summit and Expo

Councillor L Walker provided a presentation on the Taipei Smart City Summit and Expo held on 23 to 29 March 2019.

(ii) Human and Social Recovery Subgroup

The Team Manager Community Engagement provided a presentation on an update of the Human and Social Recovery Subgroup.

(iii) Townsville Dashboards / OpenGov Update

The Team Manager Community Engagement provided a presentation on an update of Townsville Dashboards / OpenGov.

(iv) Liveability Study 2019 findings

The Principal Inclusive Communities provided a presentation on the Liveability Study 2019 findings.

Mayoral Minute

The Mayor Councillor J Hill delivered the following Mayoral Minute:

"In October 2018, Council committed to establish a Smart Precinct NQ as part of its Smart City Strategy and Smart Townsville Community Partnership.

Since that time, Council has been engaging with various sectors of the community to seek input into establishing a new hub for innovation to support new and emerging businesses and entrepreneurs across North Queensland.

Today, I am pleased to announce that Smart Precinct NQ Limited has been established with initial founding members and partners from James Cook University, Burdekin Shire Council, Fierce Ventures – a locally operated technology company – and Townsville City Council.

Smart Precinct North Queensland will operate as a non-for-profit organisation, independent of any other organisation. The SPNQ will:

- establish a mechanism to attract and grow businesses in Townsville to stimulate the economy;
- play a significant role in building innovation capacity within the region and in co-ordinating relevant stakeholders;
- provide a centre to support businesses and entrepreneurs to prototype, test and scale innovation business models;
- collaborate with existing and new players in the Townsville start-up and innovation ecosystem;
- promote and support entrepreneurship and innovation within the community;
- engage with local workers in the development of new and existing businesses in future growth industries;
- help ensure that the working population of North Queensland has the skills to meet demand for future growth industries;
- improve competitiveness of local universities and industry by successfully commercialising more local research;
- assist in the development of new and current businesses to participate in future growth industries and the knowledge economy; and
- attract new investors to fund growth industries in the region.

The Board members of Smart Precinct NQ include representatives from the university sector, industry and the entrepreneurial community. All Board positions are voluntary and unpaid positions.

It is also proposed that the Mayor of Townsville City Council be appointed as a director of Smart Precinct NQ Limited, and today, I am seeking Councillors' support to be appointed as Townsville City Council's inaugural director on the Board of Smart Precinct NQ Limited."

Council decision

It was MOVED by Councillor L Walker, SECONDED by Councillor K Rehbein:

- "1. that Council note the establishment of Smart Precinct NQ Limited, a not-for-profit community organisation, as part of Council's Smart City Strategy and Smart Townsville Community Partnership; and
2. that Council nominate the Mayor to be a director of Smart Precinct NQ Limited, noting the position of director receives no remuneration."

CARRIED UNANIMOUSLY

Committee Items

Community Health and Environment Committee

It was *MOVED* by Councillor A Greaney, *SECONDED* by Councillor P Jacob:

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

CARRIED UNANIMOUSLY

1 Environmental Health and Regulatory Services - Illegal Dumping Partnership Pilot

Executive Summary

The Illegal Dumping Partnership Pilot Program is a collaborative agreement between Townsville City Council and the Department of Environment and Science. The program will look at ways to address illegal dumping and how to effectively manage it following the introduction of the Waste Levy.

The Department of Environment and Science will provide funding of \$100,000 for the employment by Council of two fulltime officers for a 6-month period. Council will work in partnership with the Department of Environment and Science by providing monthly reports relating to illegal dumping.

The two officers will be authorised to enforce any non-compliances identified under the *Waste Reduction and Recycling Act 2011* and subordinate legislation.

Officer's Recommendation

That Council note the Illegal Dumping Partnership Pilot Program between Townsville City Council and the Department of Environment and Science.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes where Council resolved that the committee recommendation be adopted.

2 Environmental Health and Regulatory Services - Townsville Show & Watpac Townsville 400 Supercars 2019

Executive Summary

The annual Townsville Show was held at the Townsville Showgrounds from 28 June – 1 July 2019 and the annual Watpac Townsville 400 Supercars was held at Reid Park from 5– 7 July 2019. Over 60,000 people attended the Show and 128,000 people attended the supercars.

Council's Environmental Health Officers undertook proactive inspections of food premises operating at both the Townsville Show and the Watpac Townsville 400 Supercars. Approximately 70 inspections were conducted at the events. Overall, a high level of compliance with the *Food Act 2006* (the Act) and Food Safety Standards (the Standards) was observed therefore providing a safe and healthy environment for those consuming food at these major events.

Officer's Recommendation

That Council note the role of Environmental Health Officers in ensuring safe food is provided to the community and visitors during major events.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes where Council resolved that the committee recommendation be adopted.

3 Environmental Health and Regulatory Services - Animal Management Reference Group

Executive Summary

On 24 April 2018, Council took over the running of the Pound and as part of the new responsibilities, resolved to form an Animal Management Reference Group. Members of the group include foster organisations (Angel Paws and Townsville Fostering and Rehoming), along with a veterinary surgeon, a community member and professionals in animal related fields. The group meets every second month and they have held 4 meetings since December 2018. Established to inform and advise Council of domestic animal issues and to assist in formulating policy, the group's next focus will be on pets in emergency situations.

Officer's Recommendation

That Council note the progress of the Animal Management Reference Group.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes where Council resolved that the committee recommendation be adopted.

4 Infrastructure Planning, Assets and Fleet - Minutes TLDMG Members Meeting - 17 July 2019

Executive Summary

The Townsville Local Disaster Management Group (TLDMG) Members meet five times per year and includes core members and deputies from the Townsville City Council, Queensland Fire & Emergency Services (Emergency Management and Fire & Rescue), Queensland Police Service, Queensland Ambulance Service, State Emergency Service, Ergon, Townsville Hospital & Health Services, Townsville Enterprise Limited and a number of other agencies.

Attached to the Report to Council are the minutes of the meeting held on 17 July 2019.

Officer's Recommendation

That Council endorse the minutes of the Townsville Local Disaster Management Group Members Meeting held on 17 July 2019.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the Council minutes 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 5 to 11 be adopted."

CARRIED UNANIMOUSLY

5 Community Engagement Arts and Culture Advisory Committee Report (Minutes) 6 June 2019

Executive Summary

The Arts and Culture Advisory Committee (ACAC) is a peak body of community representatives that provides advice to Council on current and emerging arts and culture planning needs and opportunities within the community and provides feedback on Council projects, initiatives and policy matters.

The most recent Arts and Culture Advisory Committee meeting was held on 6 June 2019. This report presents the minutes of that meeting to Council.

Key presentations delivered during the ACAC meeting were:

- Tony Bligh, Solicitor, Townsville City Council, provided a presentation on Operation Belcarra and conflict of interests/material personal interests and associated processes. Discussion followed in relation to the process stopping conversations relevant to the committee;
- Councillor Colleen Doyle (ACAC Chair) and Stacey Gibson A/General Manager Community Engagement provided updates on the North Australia Festival of Arts and the Northern Fringe Festival planned to occur in July 2019; and
- Kellie Williams and Gavin Findlay representing Professional Arts North Queensland (PANQ) provided a presentation on their priorities for the Arts for the next term of Council. Both are also ACAC Members. Discussion followed in relation to the role of PANQ and the role of the Arts and Culture Advisory Committee.

Officer's Recommendation

That Council note the Minutes of the Arts and Culture Advisory Committee meeting held on 6 June 2019.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the Council minutes where Council resolved that the committee recommendation be adopted.

6 Community Engagement - Community Safety Plan 2019 - 2020

Executive Summary

The Community Safety Plan supports Townsville City Council's (Council) commitment to community safety as set out in the Corporate Plan 2020-2024.

The purpose of the Community Safety Plan is to set out Council's current response to community safety, and to lay the foundation for a future 4-year Plan, using an evidence based and coordinated approach. The aim of the Plan is to enhance perceptions of safety, reduce crime and build community resilience.

The Community Safety Plan 2019-20 identifies the community safety specifics in Townsville and describes the processes currently being undertaken in community safety, including service provision and partnership working. The Community Safety Plan 2019-20 goes on to provide emerging areas of focus for further investigation in the development of a longer term 2020-24 Plan.

Officer's Recommendation

That Council endorse the Community Safety Plan 2019-2020.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the Council minutes where Council resolved that the committee recommendation be adopted.

7 Community Programs - Regional Arts Discretionary Fund (RADF) Grant Assessment

Executive Summary

The second round of the 2018/2019 Regional Arts Development Fund (RADF) Grants closed on 1 July 2019. The RADF Committee have assessed the applications received against the RADF Program Guidelines and eligibility requirements. The assessment outcome funding recommendations are presented for Council approval.

This round of applications was the second round from the 2018/2019 financial year; however, this round was delayed due to the February monsoon event in Townsville. The funds for this round were moved and allocated into the 2019/2020 budget.

The value of the recommended grant funding for this round total \$34,457.55.

Officer's Recommendation

That Council approve the grants as recommended by the Regional Arts Development Fund (RADF) Committee as outlined in Table 1 in the Report to Council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the Council minutes where Council resolved that the committee recommendation be adopted.

8 Community Programs - Townsville City Grants and Partnerships

Executive Summary

Council recognises the vital contribution that community organisations make to the social, environmental, economic, community and cultural wellbeing of the Townsville community. Council provides community grants to support the creation, implementation and delivery of community initiatives that align with Council's corporate priorities and that demonstrate a positive contribution to improving the wellbeing of the Townsville community.

The following report outlines recommendations for applications assessed by internal Subject Matter Experts for the period up to and including the 12 May to 30 June 2019 presented in table 1. The list includes 2 applications received through the following program:

- Social Grants and Partnerships (grant value \$5,001 to \$25,000)

This report also details the Open Community Grants that were assessed by internal Subject Matter Experts for the period up to and including 22 July 2019 and approved by the Team Coordinator as per table 2 in the report. The list includes 7 applications received through the following program:

- Social Grants and Partnerships (grant value up to and including \$5,000)

Of the 7 applications that were received, all have been recommended for funding with the total value of \$26,665.58 plus \$457.60 fee waivers.

Officer's Recommendation

1. That Council approve the grant funding amount recommended as outlined in table 1 in the Report to Council.
2. That Council note the grant funding for Townsville City Grants and Partnerships, Social Grant category, for the Open Community Grants (under \$5,000) as outlined in table 2.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the Council minutes where Council resolved that the committee recommendation be adopted.

9 Community Engagement Extension to Licence to Occupy (LTO) area Townsville Target Archers Inc.

Executive Summary

Townsville Target Archers Inc. is seeking an extension to the current footprint of their existing Licence to Occupy (LTO). The current licence to occupy area is 20,000m² and is located at Riverside Park – Rosslea 4812 - Lot 10-32 RP711689.

The new proposed Licence to Occupy area will increase from 20,000m² to 20,675.52 m² this will provide the club with more scope to provide a wider range of archery activities for its members.

License to Occupy agreements formalise the conditions under which community groups can make use of open spaces on a non-exclusive basis.

Officer's Recommendation

That Council approve the increase in the area of Townsville Target Archers Inc's footprint within Riverview Park.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the Council minutes where Council resolved that the committee recommendation be adopted.

10 Community Engagement - Community Safety Advisory Committee - Minutes - 26 June 2019

Executive Summary

The Community Safety Advisory Committee (CSAC) is a community engagement body that assists in identifying, and offering advice on, current and emerging community safety and crime prevention concerns within the community, and providing feedback on Council projects and initiatives relevant to the community.

The most recent Community Safety Advisory Committee meeting was held on 26 June 2019. This report is presenting the CSAC meeting minutes to Council.

Key presentations delivered during the CSAC meeting were:

- » David Olsen, Manager Youth Justice provided a presentation on the Youth Justice services; and
- » Amanda Muller, Probation and Parole provided a presentation on the Domestic and Family Violence Hub.

Officer's Recommendation

That Council note the Minutes of the Community Safety Advisory Committee meeting held on 26 June 2019.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the Council minutes where Council resolved that the committee recommendation be adopted.

11 Community Engagement - Inclusive Community Advisory Committee - Minutes - 5 June 2019

Executive Summary

The Inclusive Community Advisory Committee (ICAC) is a peak body of community representatives providing advice to Council on current and emerging social and community planning needs and opportunities, policy matters and promoting community leadership through a 'collective impact' approach.

The most recent Inclusive Community Advisory Committee meeting was held on 5 June 2019. This report is presenting the ICAC meeting minutes to Council.

Key presentations delivered during the ICAC meeting were:

- » Brendon Marty – Project Manager, who provided a presentation on the Mentally Healthy City (MHC) project; and
- » Shane Harris – Manager Volunteering NQ, who provided a presentation on youth volunteering.

Officer's Recommendation

That Council note the Minutes of the Inclusive Community Advisory Committee meeting held on 5 June 2019.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the Council minutes where Council resolved that the committee recommendation be adopted.

Governance and Finance Committee

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

"that the committee recommendations to items 12 to 17 be adopted."

CARRIED UNANIMOUSLY

12 Finance Services - Final Audit Committee Meeting Minutes 29 May 2019

Executive Summary

The minutes of the Audit Committee meeting held on 29 May 2019 are attached to the Report to Council, pursuant to Section 211.1(c) of the *Local Government Regulation 2012*.

Officer's Recommendation

That Council note the minutes of the Audit Committee meeting held on 29 May 2019.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the Council minutes where Council resolved that the committee recommendation be adopted.

13 Finance Services - Treasury Report June 2019

Executive Summary

This report 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 June 2019 and the information contained therein.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the Council minutes where Council resolved that the committee recommendation be adopted.

14 Procurement Services - Local Spend

Executive Summary

Townsville City Council is committed to supporting our local business. This support is reinforced by the Mayor's Buy Townsville Policy which has been introduced into procurement as business as usual activities. The following report determines where Council is conducting their procurement activities based on locality of suppliers.

Officer's Recommendation

That the Council note the Local Spend activities as per the Report to Council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the Council minutes where Council resolved that the committee recommendation be adopted.

15 CONFIDENTIAL REPORT - Procurement Services - Indigenous Procurement Update

Executive Summary

In recognising the need to support First Nation businesses, Procurement Services along with various Council Sections have increased procurement activities and targeted initiatives with local Indigenous Businesses. These initiatives build on and are consistent with previous commitments contained in the Council's Reconciliation Action Plan (RAP) to investigate and provide opportunities for Aboriginal and Torres Strait Islander businesses within the local community to be included in the supplier diversity available for Council's procurement.

These activities have seen a significant increase in spend during the FY18/19 period with future initiatives aimed to align Council's Indigenous procurement with both State and Federal Indigenous Procurement Policies and targeted spend increases. Over time these initiatives will become business as usual and will further strengthen Council's relationships with local Indigenous businesses.

Townsville City Council will become one of the first Councils in Australia to focus on achieving targeted spend rate increases with indigenous suppliers that align Indigenous procurement with both State and Federal policies by increasing their direct and indirect spend with Indigenous businesses to target 3% of addressable spend over the next 5 years.

As part of Procurement Services commitment in supporting and building capability with our local Indigenous Businesses, and update will be provided to Full Council on a six-monthly basis.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That the Council note the Indigenous Procurement activities as per the Report to Council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the Council minutes where Council resolved that the committee recommendation be adopted.

16 CONFIDENTIAL REPORT - Procurement Services - Addition to Sole Suppliers and Specialised Suppliers List

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.

However, 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.

Procurement Services has coordinated this report to include supplementary suppliers to the sole suppliers and specialised suppliers list.

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 the list of sole source and specialised suppliers be varied to include the below suppliers on the basis that they are a sole supplier or supplier of specialised services.
 - i. Copyright Agency Limited
 - ii. Holcim (Australia) Pty Ltd
 - iii. Future Batteries Industries Cooperative Research Centre (FBI CRC)
 - iv. Supply Nation

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the Council minutes where Council resolved that the committee recommendation be adopted.

17 CONFIDENTIAL REPORT People and Culture RPS00088 Register of Prequalified Suppliers for the Provision of Medical and Allied Health Services

Executive Summary

Public Tender RPS00088 – Register of Prequalified Suppliers for the Provision of Medical and Allied Health Services was advertised on 4 May 2019 and submissions closed on 29 May 2019. The register will replace the outgoing arrangement (RPS00018) and be utilised by Council in the procurement of service categories including occupational health, injury prevention and injury management.

This report and the attached recommendation document provide information on the evaluation assessment of the submissions received and the recommendation for awarding RPS00088 – Provision of Medical and Allied Health Services.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council award RPS00088 – Provision of Medical and Allied Health Services to the Suppliers outlined in the recommendation report, for a period of 3 years with a further 2 x 1 year options to extend.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 12 of the Council minutes where Council resolved that the committee recommendation be adopted.

Townsville Water and Waste Committee

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

"that the committee recommendations to items 18 to 20 be adopted."

CARRIED UNANIMOUSLY

18 Townsville Water and Waste - Systematic Inspection Program - Infiltration and inflow study of Sewers, Program 21 - Catchments 2A, 3B, 6, 4A, 5E, 4B, 5D, 5C

Executive Summary

Council resolved at its meeting of 26 August 2008 to undertake a Systematic Inspection Program of sewers and private house drains of all premises to identify illegal connections to Council's sewerage system.

Council is seeking approval to undertake Program 21 in the sewer catchment affected by high levels of inflow and infiltration in the suburbs of Railway Estate, South Townsville, Hyde Park, Pimlico, Townsville City, West End, Railway Estate, Mysterton, Hermit Park (Catchments 2A, 3B, 6, 4A, 5E, 4B, 5D, 5C), pursuant to section 134 of the *Local Government Act*. The program is expected to commence between 23 September and 7 October 2019 and will be completed within a period of three months.

Council's approval is sought for the systematic inspection program to continue in the catchments listed.

Officer's Recommendation

That Council approve the undertaking of a Systematic Inspection Program, pursuant to section 134 of the *Local Government Act*, in Railway Estate, South Townsville, Hyde Park, Pimlico, Townsville City, West End, Railway Estate, Mysterton, Hermit Park (Catchments 2A, 3B, 6, 4A, 5E, 4B, 5D, 5C) starting between 23 September and 7 October 2019 and completed within three months.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 18 of the Council minutes where Council resolved that the committee recommendation be adopted.

19 Presentation - Water Smart Package update

Executive Summary

The Program Director - Water Security provided a presentation on an update of the Water Smart Package.

Committee Recommendation

That this presentation be noted.

Council Decision

Refer to resolution preceding item 18 of the Council minutes where Council resolved that the committee recommendation be adopted.

20 Verbal presentation - Kerbside Collection update

Executive Summary

The Team Manager Waste Services provided a verbal presentation on an update of the Kerbside Collection.

Committee Recommendation

That this verbal presentation be noted.

Council Decision

Refer to resolution preceding item 18 of the Council minutes where Council resolved that the committee recommendation be adopted.

Infrastructure Services Committee

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

"that the committee recommendations to items 21 to 27 be adopted."

CARRIED UNANIMOUSLY

21 Infrastructure Planning, Assets and Fleet - Lease Renewal for Family Law Court

Executive Summary

The Family Law Court currently tenant 143 Walker Street. The Law Court have occupied the building for the past 19 years. The Law Court's lease has now expired and the Law Court have requested a new lease for an additional 7 years with a 5 year option.

Officer's Recommendation

That Council resolve that the exception in section 236 (1)(c)(iii) of the *Local Government Regulation 2012* applies to this lease as The Family Law Court is the existing tenant. The recommendation is for an additional 5 year lease extension.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 of the Council minutes where Council resolved that the committee recommendation be adopted.

22 Infrastructure Planning, Assets and Fleet - Extension of Lease Area for Girl Guides Aitkenvale

Executive Summary

Girl Guides Queensland have held a lease over Lot 3 RP896268 in Aitkenvale Park since November 2000 and have written to Council to seek approval to extend their current lease area for the purpose of installing a storage container to house their local archives, memorabilia and resources.

Officer's Recommendation

That Council resolve that the exemption in section 236 (1)(b)(ii) of the *Local Government Regulation 2012* applies, allowing disposal of the additional land included in the amended lease area, because the disposal is to a community organisation and because they are an existing tenant. The recommendation is for an extension to the current lease for a further 10 year term.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 of the Council minutes where Council resolved that the committee recommendation be adopted.

23 Infrastructure Planning, Assets and Fleet - Lease Renewal for Woodstock & District Sports & Recreation

Executive Summary

The Woodstock & District Sports & Recreation Club Inc have held a lease over this premises since 1989. The current lease expires 29 August 2019. The club have written to Council requesting that their lease be renewed for a further term.

Officer's Recommendation

That Council resolve 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 and they are an existing tenant. The recommendation is for a further 10 year term upon expiry of their current lease.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 of the Council minutes where Council resolved that the committee recommendation be adopted.

24 Infrastructure Planning, Assets and Fleet - Lease Renewal for The Strand Seafood Kiosk

Executive Summary

The Strand Seafood Kiosk currently operates out of the café site on The Strand. They have a 10 year lease that is due to expire in approximately 18 months time.

The Strand Seafood Kiosk would like to refurbish the café and buy new equipment at a cost of approximately \$100,000. To justify this expense, the café would like to have an additional lease term.

The Strand Seafood Kiosk has written to Council requesting an additional 10 year lease extension.

Officer's Recommendation

That Council resolve that the exception in section 236 (1)(c)(iii) of the *Local Government Regulation 2012* applies to this lease as The Strand Seafood Kiosk is the existing tenant. The recommendation is for an additional 5 year term only, from the expiry of the current lease.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 of the Council minutes where Council resolved that the committee recommendation be adopted.

25 Infrastructure Planning, Assets and Fleet - Lease Renewal for Optus Telecommunication Towers

Executive Summary

Optus currently occupy multiple sites throughout Townsville and surrounds for the purpose of telecommunication towers. As part of their operations, Optus are installing back-up generators into some of their sites to be able to continue providing their services when power outages occur. As part of their request to introduce new infrastructure, Optus have taken the opportunity to negotiate new lease terms over two of their sites being:

- » Kelly Street – Nelly Bay; and
- » Horseshoe Bay Road – Horseshoe Bay.

The lease terms will be negotiated between Council and Optus, and then approved by the Chief Executive Officer under their delegation.

Officer's Recommendation

That Council resolve that the exception in section 236 (1)(c)(vi) of the *Local Government Regulation 2012* applies to these leases as the disposal is for the purpose of a lease for a telecommunication tower.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 of the Council minutes where Council resolved that the committee recommendation be adopted.

26 CONFIDENTIAL REPORT - Construction, Maintenance and Operations - Parks and Open Space contract TOW00065 Package 3

Executive Summary

The current contract TOW00065, which came into effect in October 2017, is divided into three work packages and is being delivered by two contractors:

- Package 1 - South-West Section – contracted to Fulton Hogan;
- Package 2 - North Shore – contracted to Fulton Hogan; and
- Package 3 - Upper Ross – contracted to Ausfield Services.

The contracts under TOW00065 for the Provision of Parks and Open Space Maintenance contracts are due to expire on 30th September 2019.

Ausfield Services have been delivering Package 3 of this contract since October 2017.

It is recommended that Ausfield's contract for Package 3 be extended for 12 months. This recommendation is made on the basis of quality performance, high customer satisfaction within the contract area, and no forecasted variation to the contract value if an extension is granted.

Endorsement of variations for additional locations within the contract area is also required to allow their formal inclusion in the contract as scheduled items.

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 extend the TOW00065 contract with the existing contractor for Package 3 for 12 months.
3. That Council endorse the listed variations described in the report for inclusion in the contract as scheduled items.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 of the Council minutes where Council resolved that the committee recommendation be adopted.

27 CONFIDENTIAL REPORT - Construction, Maintenance and Operations - Parks and Open Space contract TOW00065 Package 1 and 2

Executive Summary

The current contract TOW00065, which came into effect in October 2017, is divided into three work packages and is being delivered by two contractors:

- Package 1 - South-West Section – contracted to Fulton Hogan;
- Package 2 - North Shore – contracted to Fulton Hogan; and
- Package 3 - Upper Ross – contracted to Ausfield Services.

The contracts under TOW00065 for the Provision of Parks and Open Space Maintenance contracts are due to expire on 30 September 2019.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with Sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council approve the recommendations included in this Report to Council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 21 of the Council minutes where Council resolved that the committee recommendation be adopted.

Planning and Development Committee

In accordance with section 175E of the Local Government Act 2009, Councillors L Walker, A Greaney, M Molachino, M Ryder, M Soars, V Coombe, C Doyle, P Jacob, K Rehbein and the Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 35.

(a) the name of the councillor who has a real conflict of interest or perceived conflict of interest in the matter;

Councillors L Walker, A Greaney, M Molachino, M Ryder, M Soars, V Coombe, C Doyle, P Jacob, K Rehbein and the Mayor, Councillor J Hill.

(b) the councillor's personal interests in the matter, including the particulars mentioned in section 175E (2) as described by the councillor;

As a consequence of Council being advised that a respondent's submission would be made to the Council by Mr Ben Griffin, it has come to the Councillors' attention that Geon Property is participating in the redevelopment of the Rasmussen Shopping Centre. Geon Property is a business in which Mr Ben Griffin has significant involvement. Geon Property (Sonnenberg Pty Ltd) and three other companies in which Mr Griffin had significant interests each donated \$990 to the Team Jenny Hill election campaign on 10 February 2016, those other companies being:

- a. Interlaken Pty Ltd;
- b. Vibram Pty Ltd; and
- c. Schilthorn Pty Ltd.

The Councillors declared a perceived conflict of interest on the basis that Mr Griffin has an interest in the outcome of the matter. The Councillors stated that they would not deal with the matter and recommended that it be delegated to the Chief Executive Officer as required by section 175E(6) of the Local Government Act 2009.

(c) the decisions made under section 175E (4) and the reasons for the decisions;

Item 35 was referred to the Chief Executive Officer.

(d) whether the councillor participated in the meeting, or was present during the meeting, under an approval under section 175F;

Item 35 was referred to the Chief Executive Officer.

(e) if the councillor voted on the matter—how the councillor voted on the matter;

Item 35 was referred to the Chief Executive Officer.

(f) how the majority of councillors who were entitled to vote at the meeting voted on the matter.

Item 35 was referred to the Chief Executive Officer.

In accordance with section 175C of the Local Government Act 2009, Councillor C Doyle declared a material personal interest in regards to item 29.

(a) the name of the councillor who has a material personal interest in the matter;
Councillor C Doyle.

(b) the material personal interest, including the particulars mentioned in section 175C (2)(a) as described by the councillor;

Councillor Doyle and her husband own a State Heritage Listed building in Flinders Street and they stand to gain or lose from the proposed action.

(c) whether the councillor participated in the meeting, or was present during the meeting, under an approval under section 175F.

Councillor C Doyle vacated the meeting for item 29.

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

"1. that the committee recommendations to items 28, 30 to 35 be adopted; and

2. that items 36 and 29 be dealt with separately."

CARRIED UNANIMOUSLY

Item 36 - MCU18/0110 - Council Report and conditions - Animal Keeping - Dog Day Care and Grooming - 251 Ingham Road, Garbutt

Council considered the concerns raised by Councillors M Ryder, M Molachino, P Jacob and M Soars.

Council noted the comments provided by Councillor L Walker, the Acting Director Planning, Environmental and Cultural Services, the Mayor, Councillor J Hill and the Chief Executive Officer.

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

"that the committee recommendation to item 36 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 M Molachino
Councillor V Coombe	Councillor M Ryder
Councillor C Doyle	Councillor P Jacob
Councillor A Greaney	Councillor M Soars
Councillor K Rehbein	
Councillor L Walker	
Reasons Against	

Councillor M Molachino voted against the recommendation for the following reason:

- Councillor Molachino believes in item 36, we are setting the noise constraints to levels which are unrealistic for the proponent to comply with and will result in numerous complaints and ongoing management by compliance staff. The business is needed in Townsville but unfortunately the location is not appropriate.

Councillor M Ryder voted against the recommendation for the following reason:

- the noise restrictions put in place in the conditions, Councillor M Ryder feels, are unrealistic for a dog day care and grooming centre.

Councillor P Jacob voted against the recommendation for the following reason:

- Councillor Jacob does not support the motion because he believes it is not in the interest of the community and that he also believes the noise mitigation requirements cannot be met.

Councillor M Soars voted against the recommendation for the following reason:

- it is Councillor Soars' belief that the conditions placed on this site's activities, especially around noise, cannot be met.

Item 29 - Planning - Land Use and Urban Design - Minutes of Heritage Advisory Committee Meeting 5 June 2019

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

"that the committee recommendation to item 29 be adopted."

CARRIED UNANIMOUSLY

**28 Planning - Land Use and Urban Design - Minutes of the City Image Advisory Committee
13 May 2019**

Executive Summary

Attached to the Report to Council are the minutes of Council's City Image Advisory Committee meeting held on 13 May 2019. Items discussed included welcoming two new committee members, a Department of Transport and Main Roads corridor amenity update, an overview of the Waterfront Promenade projects, a Flinders Lane update, a Palmer Street update, a CBD Activation update, an update on addressing the state of CBD buildings and an update on the Queens Garden Bird Aviary.

Officer's Recommendation

That Council note the minutes of the City Image Advisory Committee meeting of 13 May 2019.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

**29 Planning - Land Use and Urban Design - Minutes of Heritage Advisory Committee
Meeting 5 June 2019**

Executive Summary

The Heritage Advisory Committee met on 5 June 2019. Draft minutes of that meeting are attached to the Report to Council.

Officer's Recommendation

That Council ratify the minutes of the Heritage Advisory Committee held on 5 June 2019, attached to the Report to Council, and support the following recommendations:

1. that the Meeting Facilitator and Heritage Officer undertake further work, including costings, on the Archaeological Zoning Plan proposal and come back to the Committee;
2. that the Local History Librarian locate some of the maps referred to in the minutes (to assist with the request for recognition of Allambie Lane - Drover's Way); and
3. that once drafted, the Local Repair and Maintenance Procedure for local heritage-listed places be submitted to the Heritage Advisory Committee and Full Council. Subsequently, that the Procedure be submitted to the Minister for regulation as per the *Queensland Heritage Act 1992*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

30 Planning - Land Use and Urban Design - Music in the City

Executive Summary

Music in the City (MITC) was initially considered as a temporary, pop-up activation capable of attracting people into the Central Business District (CBD), promoting prominent outdoor spaces, encouraging desirable behaviour and creating positive experiences within the city centre. The event has now materialised into a targeted place making initiative for the CBD since 2013. The vision encompassed the delivery of free, live concerts in Perfume Gardens between 12pm and 2.00pm every Friday within the cooler winter months of the year. The aim was for people to start associating the CBD with regular fun and vibrant activities, create a culture of regularly using spaces to their full potential, as well as attracting more people into the CBD. The understanding that music transforms moods, shifts atmospheres and encourages positive behaviour provided a strong foundation of support towards the vision.

MITC has successfully delivered 72 free, live concerts over five seasons in Perfume Gardens, attracting approximately 14,400 people into the CBD between 2013 to 2019. MITC attracts a range of attendees from CBD workers and residents, regional visitors, national and international tourists, retirees, high school students on field trips, university students, professional groups, Councillors, families with pre-school aged children and parent groups. MITC has developed a loyal fan base with many patrons, who would otherwise not venture into the CBD, attending multiple concerts during respective seasons. Weekly concerts regularly attract more than 200 people into Perfume Gardens, with varying ages and backgrounds enjoying live music in the city.

Officer's Recommendation

That Council note the success of the "Music in the City" initiative.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

31 Planning - Outcome of Appeal - AP18/0007 Gleeson v TCC & Bee, No. 239 of 2018, 2-8 Pollard Street, Horseshoe Bay

Executive Summary

A submitter appeal was filed in the Planning and Environment Court by Paul Vincent Gleeson on 15 October 2018 against Council's decision to approve to approve a development application for material change of use (impact) for short term accommodation – camping grounds, situated at 2-8 Pollard Street, Horseshoe Bay.

After a series of negotiations, the applicant, Timothy Andrew Bee, elected to no longer defend the appeal. The court issued Final Orders on 20 June 2019 that the appeal be allowed and the development application be refused.

Officer's Recommendation

That Council receive this report and note the outcome of Appeal No 239 of 2018.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

32 Planning - Outcome of Appeal No 260 of 2018, Ramm v Lion-Beer Spirits & Wine Pty Ltd and TCC, 11 Anthony Street, South Townsville

Executive Summary

A submitter appeal was lodged in the Planning and Environment Court on 31 October 2018 by Carey John Ramm against Council's decision to approve the development permit – Material Change of Use – Micro Brewery and Taproom on land situated at 11 Anthony Street.

After a series of negotiations and mediations between the parties, the appeal resulted in a conditions package being agreed, with the Court issuing Final Orders on 9 May 2019.

This matter is now at an end.

Officer's Recommendation

That Council receive this report and note the outcome of Appeal No 260 of 2018.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

33 Planning - New Appeal Riley v TCC, No. 116 of 2019 299 Granitevale Road, Alice River

Executive Summary

An appeal was filed in the Planning and Environment Court in Townsville on 2 July 2019 against Council's refusal of an application for Development Permit for Reconfiguring a Lot – One into Two Lots on land located at 299 Granitevale Road, Alice River.

The applicant is seeking an order from the Court that the application be approved subject to conditions.

Officer's Recommendation

1. That Council resolve to defend the refusal of the development application in Planning and Environment Court Appeal No. 116 of 2019.
2. That Council, under *Section 257 (1)(b)* of the *Local Government Act 2009*, resolve to delegate authority to the Chief Executive Officer to settle the Planning and Environment Court Appeal, in the event that a mutually acceptable settlement emerges relating to the above matter.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

34 Future Cities - Liveability Study 2019 - Findings

Executive Summary

The Liveability Study is a transformative way to identify Townsville's community values. It creates a stronger citizen-centric approach by understanding evidence based community values and using the information for the prioritisation of investment (built and social infrastructure and services).

The purpose of the Liveability Study is to make places better for people by providing community insights that help us understand local values and current experience of place in order to build a clear base for planning and investment. The findings and results are data driven, rigorous, representative and able to be used for multiple projects. The aim of the study is to save time, money and improve the effectiveness of the engagement in driving changes that have the greatest value to the community

The study involved two surveys (Care Factor and PX Assessment). The Care Factor Survey required respondents to prioritise different aspects of an ideal neighbourhood, to identify what they personally cared about most. The PX Assessment Survey focused on five Townsville neighbourhoods and asked respondents to rate how different aspects of a specific neighbourhood impacted on their 'lived place experience' of that place. The five Townsville Neighbourhoods surveyed for the PX Assessment were North Ward (including The Stand), Townsville City, Aitkenvale, Thuringowa and Gulliver. The surveys were undertaken from 29 April to 26 May with 2,606 responses received overall. A total of 1966 responses were received for the Care Factor Survey alone, which was the highest response rate for this survey in Australia thus far.

The combination of the surveys gave a representation of neighbourhood strengths, weakness and improvement priorities in relation to liveability. Across the Townsville Local Government Area (LGA) the greatest neighbourhood strengths were local businesses that provide for our daily needs, access to neighbourhood amenities, and elements of the natural environment. Our liveability improvement priorities included sense of neighbourhood and personal safety, access and safety of walking, cycling and/or public transport, and general condition of public open space. Through celebrating our neighbourhood strengths and improving our neighbourhood liveability priorities we can achieve better places for the people of Townsville.

Officer's Recommendation

That Council note the findings of the Liveability Study.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

35 MCU18 0023 Report - Council Report and conditions Preliminary Approval - Variation Request to override

Executive Summary

An application has been lodged for a Variation Request to Override the Planning Scheme for Riverview Village Master Plan along with a Material Change of Use for a Shopping Centre and a Boundary Realignment being five (5) lots into five (5) lots. The application has been made over land described as Lot 10 RP717612, Lot 2 RP717924, Lots 1 and 2 RP723335 and Lot 9 SP156440 and situated at 1125 to 1135 Riverway Drive, Rasmussen.

The Preliminary Approval application seeks to override the Townsville City Plan by way of a master plan known as the *Riverview Village Master Plan* to allow for uses such as Shopping centre, Shop, Health care services, Food and drink outlet, Service station and Veterinary services to commence in accordance with the Master Plan over proposed Lots 1, 2 and 3. The Material Change of Use application seeks approval for the Shopping Centre over proposed Lot 1 with the Reconfiguring a Lot application seeking to establish the lots to facilitate development in accordance with the Riverview Village Master Plan. The uses including an expansion to the Shopping centre, Shop, Health care services, Food and drink outlet, Service station and Veterinary services listed that would be subject to subsequent applications in accordance with the Riverview Village Master Plan.

The proposed Shopping Centre includes a full line supermarket with a gross floor area (GFA) of 3,490m² along with 961m² of GFA for speciality shops. The development proposes the provision of 240 car parking bays.

The application is impact assessable and accordingly was subject to public notification. During the public notification period a total of 14 submissions were received of which nine were in support of the development and five were opposed to it.

The land is currently within the Low density residential zone where development of this nature and scale is not envisaged within the intent of the Townsville City Plan. Accordingly, the proposal is an out-of-centre development which is considered to have an adverse impact on the function of the Rasmussen District Centre and other designated activity centres in the planning scheme area and would compromise the Townsville City Plan's Strategic Framework. Furthermore, there is no demonstrated need for such retail facilities in this residential location.

Officer's Recommendation

That Council refuse application MCU18/0023, MCU18/0024 and RAL18/0014 for a Development Permit for Reconfiguration of a Lot (Boundary Realignment 5 into 5 lots), Development Permit for Material Change of Use for a Shopping Centre and a Preliminary Approval that includes a Variation Approval varying the effect of the Townsville City Plan for a Material Change of Use (Shopping Centre, Shop, Health Care Services, Food and Drink Outlet, Service Station and Veterinary Services) on land described as Lot 10 RP717612, Lot 2 RP717924, Lots 1 and 2 RP723335 and Lot 9 SP156440, more particularly 1125 to 1135 Riverway Drive, Rasmussen on the following grounds:

Reasons for Refusal:

1. For the Development Application seeking a Development Permit for Material Change of Use for Shopping Centre in proposed Lot 1, and for the part of the Development Application seeking a Preliminary Approval for Material Change of Use for Shopping Centre, Shop, Health Care Services, Food and Drink Outlet, Service Station and Veterinary Services in proposed Lots 1, 2 and 3:
 - (a) the proposed development would result in unacceptable town planning outcomes, in that:
 - (i) the development is inconsistent with the clear intentions of Townsville City Plan (“the Planning Scheme”), in that it proposes centre-type development within the Low density residential zone which is inconsistent with the character, form and intent of development otherwise anticipated within that locality, and is inconsistent with the following parts of the Planning Scheme:
 - (1) Strategic Framework, sections 3.2.5 (twelfth paragraph), 3.3.1(3), 3.3.2.2 Land use strategies (first and fourth paragraphs), 3.4.2.1(1)(a); and
 - (2) Low Density Residential Zone code 6.2.1.2 (1), (2) (a) to (e), (3) (a), (c) and (h), PO 9, PO15, PO17 and PO19.
 - (ii) by proposing development which would be most analogous to a Local Centre under the Planning Scheme, the development is inconsistent with the Planning Scheme’s intentions with respect to the scheme’s centres hierarchy by proposing out-of-centre development, which is inconsistent with the following parts of the Planning Scheme:
 - (1) Strategic Framework, sections 3.2.5 (fifth paragraph), 3.3.1(8) and (9); 3.3.4.1(1), (3), (5), (6) and (26), 3.3.4.2 Land use strategies (first paragraph), 3.3.6 (1), (2) and (3) and 3.6.1 (1); and
 - (2) Low Density Residential Zone code 6.2.1.2(3)(h) and PO17.
 - (iii) the proposed development, by its close proximity to the existing zoned Rasmussen District Centre, would induce undue hardship upon that centre, and would otherwise reduce the likelihood of that centre developing to fulfil the function of a District Centre, which is inconsistent with the following parts of the Planning Scheme:
 - (1) Strategic Framework, sections 3.2.5 (fifth paragraph), 3.3.1(8) and (9); 3.3.4.1(1), (3), (6) and (26), 3.3.4.2 Land use strategies (first paragraph) and 3.3.6 (1), (2) and (3) and 3.6.1 (1);
 - (b) the proposed development would result in unacceptable traffic outcomes in that, by providing an unsignalised intersection to Riverway Drive permitting left in, left out, right in only movements, the proposed development would compromise the safe and efficient operation of Riverway Drive (including the signalised intersection of Riverway Drive and Santal Drive), as well undue impacts on the surrounding local street network, which is inconsistent with the following parts of the Planning Scheme:
 - (i) Strategic framework, 3.3.1(10) and 3.3.5.1(1) and (4);
 - (ii) Transport impact, access and parking code, overall outcome 9.3.5.2(2)(a) and PO1 and PO5; and
 - (iii) Development manual planning scheme policy SC6.4.3.13.3(2)(d).

- (c) approval of the proposed development would not advance the purpose of the *Planning Act 2016*, because it would deliver development inconsistent with the provision of an integrated, coordinated and accountable system of land use planning;
 - (d) there are relevant matters that would warrant refusal of the proposed development, that include:
 - (i) any need for additional centre-type retail facilities within the locality is best served by those facilities being delivered within the Rasmussen District Centre, in circumstances were that site:
 - (1) is less than 1 km from the subject site;
 - (2) it is appropriately zoned to delivery those facilities;
 - (3) is better and more centrally located to serve the catchment;
 - (4) has available land for future expansion to consolidate the functions of a District Centre;
 - (5) has approved signalised all movement intersection off Riverway Drive which will provide better vehicle and pedestrian connections;
 - (6) has established accessibility to public transport; and
 - (7) will better integrate with the existing and planned hierarchy of centres;
 - (ii) the proposed development would cause undue impacts upon the current and future development in the Rasmussen District Centre and, to a lesser extent, the Thuringowa Major Centre; and
 - (iii) there is no need for the proposed development on the subject site, or more generally.
2. For the part of the Development Application for a Preliminary Approval that comprises a Variation Request for a Variation Approval to vary the effect of the Planning Scheme with respect to future centre-type development on proposed Lots 1, 2 and 3:
- (a) The development application seeking a Preliminary Approval for Material Change of Use for Shopping Centre, Shop, Health Care Services, Food and Drink Outlet, Service Station and Veterinary Services in proposed Lots 1, 2 and 3 ought to be refused, for the reasons contained in paragraph 1 above;
 - (b) the proposed variations to the Planning Scheme are fundamentally inconsistent with the Planning Scheme's intention for the site and surrounds, and the delivery of a coordinated hierarchy of centres more generally, for the reasons described in paragraphs 1(a) and (b) above; and
 - (c) the approval would unreasonably impact upon the potential for future submissions to be made to any code-assessable development application for Shopping Centre, Shop, Health Care Services, Food and Drink Outlet, Service Station and Veterinary Services over proposed Lots 1, 2 or 3 into the future, which is particularly pertinent given:
 - (i) the preliminary approval has a proposed completion period of 10 years;
 - (ii) the uncertainty around demographics and population growth figures in the Upper Ross corridor relied upon to demonstrate need for the proposal; and
 - (iii) the future opportunities for the planned network of centres to meet the needs of the community of this period; and

3. For the part of the Development Application seeking a Development Permit for Reconfiguration of a Lot (Boundary Alignment – 5 into 5 lots), in circumstances where the related development applications are refused, approval of his part of the application would create lots that are inconsistent with the intentions for the zoned locality, and do not create, for each lot, proper vehicular and pedestrian access to a formed road, which is inconsistent with the requirements of the following provisions of the Planning Scheme:
 - (a) Reconfiguring a lot code, Overall outcomes (2)(a) and (h) and PO2, PO8, PO26, PO27 and PO28; and
 - (b) Low density residential zone code Overall outcome 3(b).

Committee Recommendation

Due to the Councillors having a perceived conflict of interest this item be referred to the Chief Executive Officer.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

36 MCU18/0110 - Council Report and conditions - Animal Keeping - Dog Day Care and Grooming - 251 Ingham Road, Garbutt

Executive Summary

This development application seeks a development permit for a Material Change of Use for Animal Keeping, more particularly a dog day care and grooming service at 251 Ingham Road, Garbutt. The application proposes day care and grooming services for 35 dogs being cared for by one full time and three part time employees. The proposal does not involve any new building work and will retain the existing site infrastructure and servicing. The application was submitted in response to a Show Cause notice issued by Council as the use has been operating without approval.

The site is designated within the Low impact industry zone and the application was assessed in accordance with the provisions of the *Planning Act 2016* and the Townsville City Plan. The application was Impact Assessable against the planning scheme and therefore required public notification. During the notification period two submissions were received objecting to the development with a further submission received after the notification period supporting the development and their professional operations. All three submissions were from adjoining properties. The two submissions against the proposal primarily have concerns with the noise, stormwater/waste management and conflicts with the Townsville City Plan. Each of the concerns have been addressed further in this report.

In summary, following an assessment against the applicable assessment benchmarks it is recommended that the application be approved subject to reasonable and relevant conditions. These include additional conditions being imposed on the development permit to assist in mitigating noise impacts to adjoining low impact industrial properties to an acceptable standard.

Officer's Recommendation

That Council approve development application MCU18/0110 being a Material Change of Use for Animal Keeping (Dog day care and grooming) under the provisions of the *Planning Act 2016* on land described as Lot 72 T 118192, more particularly 251 Ingham Road Garbutt on the grounds outlined in this report, and subject to the following conditions:

SCHEDULE OF CONDITIONS MATERIAL CHANGE OF USE (ANIMAL KEEPING – DOG DAY CARE)

1. Approved Plans and Supporting Documentation

Condition

- a) The development must generally comply with the plans 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.	Council Stamp Date
Proposed Works (Site and Floor Plan)	A-001	P1.1	25/07/2019
Elevations & Section	A-002	P1	17/04/2019
Associated Report			
Noise Impact Assessment prepared by Dedicated Acoustics, titled A297-251 Ingham road Garbutt – Noise Impact Assessment (Rev 1 – Draft A), dated 17 th July 2019			

- 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.

Reason

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

Timing

During the operation and life of the development.

2. Building Materials

Condition

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

Reason

To ensure protection of matters of public safety and amenity in accordance with relevant codes and policy direction.

Timing

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

3. Property Numbering

Condition

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

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

Reason

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

Timing

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

4. Hours of Operation**Condition**

Unless otherwise agreed in writing by council, the activities associated with the use must only be conducted between 7:30am to 6pm Monday to Friday inclusive.

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

Reason

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

Timing

At all times following the commencement of the use.

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

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

Reason

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

Timing

Prior to the commencement of use.

6. Dust Management**Condition**

A dust management plan must be prepared and submitted to council for approval.

Reason

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

Timing

Technical details are to be submitted to council as part of a Certificate of Compliance within 1 month of the development permit being issued, and to be maintained for the life of the development.

7. Stormwater Drainage**Condition**

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

Reason

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

Timing

Technical details are to be submitted to council as part of a Certificate of Compliance within 1 month of the development permit being issued, and to be maintained for the life of the development.

8. Soil Erosion Minimisation, Sediment Control and Contaminated Water**Condition**

- a) Erosion and sediment control measures must be installed and maintained to ensure all sand/soil is contained within the play/holding pens and to avoid transport of these sediments across the boundaries during storm events; and
- b) All contaminated water from the facility must be contained onsite with no water from the facility flowing or leaching through to any adjoining properties across the boundaries.

Reason

To demonstrate compliance to Part 9.3.2 Healthy waters code of Townsville City Plan.

Timing

At all times during the life of the development.

9. Car Parking**Condition**

- a) Parking facilities, associated ramps, and driveways must be provided in accordance with Part 9.3.5 Transport impact, access and parking code and designed in accordance with SC6.4 Development manual planning scheme policy specifically SC6.4.3.5 Car parking and public transport facilities guidelines of the Townsville City Plan and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890. All car parking facilities must be maintained to a safe operating standard at all times thereafter.
- b) A minimum of **8** car spaces including disabled parking must be provided on site in accordance with SC6.10 Parking rates planning scheme policy of the Townsville City Plan.
- c) Signage must be provided that clearly marks and dedicates **4** car parks for the Dog day care and grooming service.

Reason

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

Timing

To be established onsite within 1 month of the issuing of a Certificate of Compliance associated with Conditions 15 and 16, and to be maintained for the life of the development.

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

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

Reason

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

Timing

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

11. Landscaping

Condition

The proposed landscape buffer shown on drawing A-001 Issue P1 must be constructed using a mix of upright shrub screen plantings such as *Syzygium Elite*, *Phyllanthus cuscutiflorus* or similar, at 1.2m spacings.

Reason

To achieve the desired screening outcome in accordance with relevant code/s and policy direction.

Timing

To be established onsite within 1 month of the issuing of a Certificate of Compliance associated with Conditions 15 and 16, and to be maintained for the life of the development.

12. Signage

Condition

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

Reason

Signage not approved as part of this Development Permit or deemed either Accepted development or Accepted development subject to requirements will require a Code assessable Operational work development application to be lodged with council in accordance with relevant code/s and policy direction.

Timing

Prior to the commencement of the use.

Advice

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

13. Refuse Facilities

Condition

Refuse collection arrangements must ensure:

- a) All faecal waste is to be collected daily from all outside areas, must be stored in a sealed receptacle and disposed of as part of normal waste collection services a minimum of once a week; and
- b) Dog food is to be stored in a vermin proof receptacle; and
- c) All buildings, enclosures, structures and areas used for the Animal Keeping use must be constructed, maintained and operated in such a manner as to provide for the effective control of flies, rodents, pests, weeds, odour, and other deleterious matter.

Reason

To ensure the premises is appropriately serviced and to protect matters of public health and amenity in accordance with relevant code/s and policy direction.

Timing

Must be maintained at all times for the life of the development.

14. Protection of Operational Airspace**Condition**

- a) Development must comply with PO1 of Part 8.2.1 Airport environs overlay code of the Townsville City Plan in terms of permanent or temporary physical obstructions.
- b) Development must comply with PO2 of Part 8.2.1 Airport environs overlay code of the Townsville City Plan in terms of emissions.
- c) Development must comply with PO3 of Part 8.2.1 Airport environs overlay code of the Townsville City Plan in terms of not attracting a significant number of flying vertebrates.
- d) Development must comply with PO7 of Part 8.2.1 Airport environs overlay code of the Townsville City Plan in terms external lighting.

Reason

To ensure the development does not have detrimental effect on the operation of airspace.

Timing

Must be maintained at all times for the life of the development.

15. Noise Mitigation**Condition**

Details of the following noise mitigation measures are to be submitted to council for approval within 1 month of the development permit being issued, and the works must be implemented onsite within 1 month of the issuing of the Certificate of Compliance for:

- a) The type of screening material that is to be implemented along both entry paths to ensure direct line of sight between dogs on site and dogs entering the site occurs; and
- b) Details of the type of material that will be installed or retrofitted to all gates on site to ensure they do not make any noise that is audible within the outdoor dog play areas.

Reason

To ensure the use complies with PO6 of the Low impact industry zone code 6.5.1, and to comply with the recommendations within the noise impact assessment report.

Timing

Technical details are to be submitted to council as part of an application for Certificate of Compliance within 1 month of the development permit being issued and be established onsite within 1 month of the issuing of a Certificate of Compliance.

16. Acoustic Fencing**Condition**

An acoustic fence must be provided on site with a minimum height of 2.5 metres and constructed with overlapped timber palings along the sides and full length of the rear boundary (as shown on the approved plans) with a minimum weight of 12.5kg/m².

Reason

To ensure the use complies with PO6 of the Low impact industry zone code 6.5.1, and to comply with the recommendations within the noise impact assessment report.

Timing

Technical details are to be submitted to council as part of an application for Certificate of Compliance within 1 month of the development permit being issued and be established onsite within 1 month of the issuing of a Certificate of Compliance.

17. Noise Management**Condition**

All recommendations outlined in the approved Noise Impact Assessment, other than Item 3.5.3, must be implemented, and adequate noise monitoring must be undertaken to ensure the use operates at or below a volume of $L_{Aeq,adj,1hr}$ 45dB(A) for the indoor areas of the adjoining existing sensitive receptors in accordance with Environmental Protection (Noise) Policy 2008 (as amended).

Reason

To ensure the use complies with PO6 of the Low impact industry zone code 6.5.1, and to comply with the recommendations within the noise impact assessment report

Timing

To be established onsite within 1 month of the issuing of a Certificate of Compliance associated with Conditions 15 and 16, and to be maintained at all times during the life of the development.

18. Acoustic Post Construction Certification**Condition**

The developer must submit to council a post construction certification, two months following the commencement of the use, demonstrating that the recommendations of the approved Noise Management Plan (condition 17), have been achieved including any subsequent Noise Impact Assessment associated with this development.

The Post Construction Certification must clearly demonstrate compliance with the approved Noise Management Plan except where varied by these conditions of approval. Certification must be provided by a suitably qualified acoustic consultant.

Reason

To ensure the acoustic quality objectives of the approved Noise Management Plan have been effectively implemented/installed.

Timing

Certification must be submitted within one month following the issuing of the Certificate of Compliance being issued in accordance with Conditions 15 and 16.

19. Odour Management**Condition**

An Odour Management Plan must be submitted to council for approval.

Reason

To ensure that the use does not cause an odour nuisance to nearby sensitive receptors.

Timing

Technical details are to be submitted to council as part of an application for Certificate of Compliance within 1 month of the development permit being issued.

20. Limitation on Number of Dogs

Condition

The maximum number of dogs permitted on site, at any one time must be 25.

Reason

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

Timing

At all times following the commencement of the use.

Advice

1. Infrastructure Charges

Advice

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

2. Water Restrictions

Advice

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

3. Further Approvals Required

Advice

a) Certificate of Compliance

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

Condition 6 – Dust Management
Condition 7 – Stormwater drainage
Condition 9 – Carparking
Condition 11 – Landscaping
Condition 15 – Noise Mitigation
Condition 16 – Acoustic Fencing
Condition 18 – Acoustic Post Construction Certification
Condition 19 – Odour Management

b) **Plumbing and Drainage Works**

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

c) **Building Works**

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

d) **Road Works Permit**

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

e) **Operational work – Signage**

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

4. Further Inspections Required

Advice

Compliance with Conditions

The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to a further approval.

Condition 1 – Building Materials
Condition 2 – Property Numbering

5. Specifications and Drawings

Advice

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

6. Environmental Considerations

Advice

Department of Environment and Science requirements.

Construction must comply with relevant Legislation, Policies and Guidelines.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 28 of the Council minutes where Council resolved that the committee recommendation be adopted.

Officers' Reports

Council agreed to consider item 39 as the next item of business.

39 Community Programs - Townsville City Grants and Partnerships - Shakespeare Under the Stars T/A TheatreiNQ

Executive Summary

Council recognises the vital contribution that community organisations make to the social, environmental and economic community and cultural wellbeing of the Townsville community. Council provides community grants to support the creation, implementation and delivery of community initiatives that align with Council's corporate priorities and that demonstrate a positive contribution to improving the wellbeing of the Townsville community.

Shakespeare Under the Stars T/A TheatreiNQ have applied through Townsville City Grants and Partnerships (Community Organisations) - Social Category - for \$30,000 (cash), and \$2,554 (in kind) support towards delivery of the 2019 Shakespeare Under the Stars to be held on 17 to 29 September 2019.

Shakespeare Under the Stars, an event now presented annually by TheatreiNQ, has been a part of Townsville for almost thirty years. Through the years it has changed from being an outdoor production at the Vincent campus of JCU to being performed in the West End Quarry to Kissing Point to the former Panorama House on Castle Hill to its current location in Queens Gardens.

Officer's Recommendation

That Council approve the issuing of a Townsville City Grants and Partnership Funding Agreement to Shakespeare Under the Stars T/A TheatreiNQ to the total value of \$32,554 which comprises of \$30,000 cash and \$2,554 in-kind (venue waiver), from Townsville City Grants and Partnerships (Social Category) Program 2019/20.

Council Decision

It was MOVED by Councillor C Doyle, SECONDED by Councillor A Greaney:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

The order of business resumed.

Confidential Items

It was MOVED by Councillor V Coombe, SECONDED by Councillor P Jacob:

"in relation to items 37 and 38, pursuant to Section 275 of the *Local Government Regulation 2012*, that this meeting be closed to the public so that Councillors can discuss:

- (e) contracts proposed to be made by Council; and
- (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."

CARRIED UNANIMOUSLY

The Council discussed the items.

It was **MOVED** by Councillor V Coombe, **SECONDED** by Councillor P Jacob:

"that Council RESOLVE to open the meeting."

CARRIED UNANIMOUSLY

37 CONFIDENTIAL REPORT - Procurement Services - Additional Organisation to Sole Suppliers and Specialised Suppliers List

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.

However, 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.

Procurement Services has coordinated this report to include supplementary suppliers to the sole suppliers and specialised suppliers list.

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 the list of sole source and specialised suppliers be varied to include the below suppliers on the basis that they are a sole supplier or supplier of specialised services.
 - i. Mount Isa to Townsville Economic Development Zone (MITEZ)

Council Decision

It was **MOVED** by Councillor M Soars, **SECONDED** by Councillor C Doyle:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

38 CONFIDENTIAL REPORT - Legal Services - LGAQ Motions Submission

Executive Summary

A number of potential motions to address issues at a state government process or state legislative level for presentation by Council to the Local Government Association of Queensland (LGAQ) are outlined in this report for consideration by Councillors.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That Council endorse the motions contained in Attachment 1 to this Report to Council for consideration by LGAQ.

Council Decision

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

"that Council endorse the motions contained in amended Attachment 1 to this Report to Council for consideration by LGAQ."

CARRIED UNANIMOUSLY

39 Community Programs - Townsville City Grants and Partnerships - Shakespeare Under the Stars T/A TheatreiNQ

Refer to page 10730 of the Council Minutes where Council agreed to consider item 39 as the next item of business.

Refer page 10730 of the Council Minutes for item 39 - Community Programs - Townsville City Grants and Partnerships - Shakespeare Under the Stars T/A TheatreiNQ

General Business

(i) Travel to Singapore and Shangshu

The Mayor, Councillor J Hill provided the following general business item:

"Councillors,

Townsville also has a close relationship with Singapore and in July I received a letter from the Ministry of Defence of the Republic of Singapore regarding the establishment of the Australia-Singapore Military Training Initiative (ASMTI) near Greenvale. Singapore welcomes this development as an opportunity to deepen their relationship with our City.

While the Singapore Military have been training at Shoalwater Bay near Rockhampton for over 25 years, North Queensland now has the opportunity to engage with the Singapore Military as part of the Australian Singapore Military Training Initiative.

It is important to build this relationship because over the next 20 years Singapore will be a major player in Australia's defence profile here in North Queensland. The importance of this relationship as it progresses over time cannot be overstated.

Many of the Singaporean soldiers who will be training in our region will go on to senior positions in business and government in Singapore and other parts of the world. We need to ensure these young men feel welcome and see the opportunities our City and region have to offer.

As part of the master-planning process for the ASMTI Singapore's Ministry of Defence will be working closely with the Australian Department of Defence and Australian Defence Force to understand how Townsville could support their training and logistical needs. The Singaporean Government will be assured that their soldiers are welcomed in this City just as everyone who wears the uniform in our community.

Townsville has had a Sister City relationship with Changshu, China since 1995. As part of our efforts to build a stronger relationship with Changshu, the council invited Miss Ma Wen-Quing and Mr Wu Si-Yuan to perform as part of the North Australian Festival of Arts in July this year.

In return, Townsville has been invited to participate in the Changshu Forum on Culture and Tourism from 19 to 21 September 2019. The forum is an annual event and will give Townsville the opportunity to present our products and services directly to 100 wholesale tourism representatives.

In July, approval was given for two Townsville tourism operators to attend the forum - Chris Briggs, General Manager, Sealink North Queensland, and Michael Jones, Chief Executive Officer, The Ville Resort - Michael is also on the Board of Directors of Townsville Enterprise Limited and Deputy Chair of TEL's Tourism and Events Strategic Advisory Committee.

Tourism is one of the fundamental principles to economic growth and Changshu is keen to promote our City as a tourism destination.

During the forum representatives from Changshu's sister cities, Ayabe and Satsumasendai of Japan, Muan of the Republic of Korea, and of course Townsville, will be invited to sign friendship city agreements with the host Changshu.

I propose that I take the opportunity while travelling to Changshu to visit Singapore to meet with government representatives to continue the discussion around the ASTMI in more detail.

To that end, I request approval to travel overseas from 15 September 2019, returning on 21 or 22 September 2019 to meet with representatives from the Ministry of Defence in Singapore, Military support industries and other government agencies and to participate in the Changshu Forum on Culture and Tourism in China. "

Council Decision

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

"that Council approve for the Mayor, Councillor J Hill to travel overseas from 15 September 2019, returning on 21 or 22 September 2019 to meet with representatives from the Ministry of Defence in Singapore, Military support industries and other government agencies and to participate in the Changshu Forum on Culture and Tourism in China".

CARRIED UNANIMOUSLY

Close of Meeting

The Chair, Mayor, Councillor J Hill declared the meeting closed at 3.25pm

CONFIRMED this TWENTY-FOURTH day of SEPTEMBER 2019

MAYOR

CHIEF EXECUTIVE OFFICER