



SPECIAL COUNCIL

PUBLIC MINUTES

MONDAY 14 AUGUST 2017 AT 9.10AM

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.

Objectives that identify our strategic intent:

- 1.1 Support local businesses, major industries, local innovation and employment growth.
- 1.2 Promote our economic and geographic strengths and market Townsville as a vibrant 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

Enhance people's experience of Townsville as a liveable and vibrant city by providing services that support the growth of an inclusive, knowledgeable, active, safe and healthy community.

Objectives that identify our strategic intent:

- 2.1 Provide services and local infrastructure that meet community expectations, support growth 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 and community infrastructure.
- 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

Create a sustainable future for Townsville through the protection, maintenance and enhancement of our unique, natural and built environment.

Objectives that identify our strategic intent:

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

Goal 4 - A Simpler, Faster, Better Council

Transform the Townsville City Council into a simpler, faster and better council that is easy to work with, and for, and gains community trust by being transparent and managing its resources.

Objectives that identify our strategic intent:

- 4.1 Provide customer-focused services that 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 Be a valued and committed employer who provides a productive, inclusive and respectful environment for staff and the community.
- 4.4 Improve financial sustainability and provide value and accountability to the community for the expenditure of public funds.
- 4.5 Ensure that public funds are expended efficiently and that council expenditure represents value for money whilst supporting the local economy.

ACKNOWLEDGEMENT OF COUNTRY

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

MINUTES

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REPORT	COUNCIL MEETING
DATE	Monday 14 August 2017 at 9.10am
ITEMS	1 TO 6
PRESENT	The Mayor, Councillor J Hill Councillor R Cook Councillor V Coombe Councillor C Doyle Councillor A Greaney Councillor P Jacob Councillor K Rehbein Councillor M Ryder Councillor M Soars Councillor L Walker

Opening of Meeting

The Chair, the Mayor, Councillor J Hill opened the meeting at 9.10am.

Apologies and Leave of Absence

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

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

CARRIED UNANIMOUSLY

Disclosure of Interests

1. Officers' Reports - Perceived conflict of interest – Item 5 – Councillor P Jacob – Councillor Jacob's son works for a company in Townsville that is undertaking an audit on the property.

Acknowledgement to Country

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

Committee Item

Planning and Development Committee

1 MI16/0011 - MCU (Impact) I Outdoor Sport and Recreation - Rodeo Grounds1/1994 Hervey Range Road

Executive Summary

The application is for a Development Permit for a Material Change of Use for Outdoor Sport and Recreation being a Rodeo Grounds located at Lot 1/1994 Hervey Range Road, Hervey Range over Lot 1 on SP255113 and Common Property on SP255113. The proposal is ordinarily code assessable under the Townsville City Plan in the Grazing precinct of the Rural zone but has triggered impact assessment due to the inclusion of outdoor lighting for the Rodeo Arena to allow evening and night-time events.

The application includes a new Arena, holding yards, a viewing mound, a bar structure and car parking area. Amenities are proposed to be provided via temporary and transportable hire services for events. Access to the car parking area within the development site will be via an existing intersection on Hervey Range Road through a private road on common property over which this application is also subject to. It is noted that these structures are existing and one event has already been held on the property in August 2016.

The proposal involves primarily one large annual event per year with up to 3500 patrons and 40 competitors per event as well as up to four (4) other smaller events with a maximum of 400 patrons and 40 competitors. The intent is to allow for the annual international event to grow to up to 3500 people following success of the schedule but it is likely that there will be fewer patrons at the large event for the short to medium term. The smaller events with up to 400 people will be catered to locals on a far smaller scale than the large annual event. Council has taken this into consideration and conditioned the events and patron capacity as requested by the applicant. The calculation of infrastructure charges contributions has also been based on the agreed number of events, patrons and competitors.

The application was required to undertake Public Notification for a period of 15 business days during which time Council received one properly made submission against the development. Some of the statements made in the submission can be more accurately described as questions rather than objections to the development. These comments and concerns have been addressed in further detail within this report and conditioned where appropriate and relevant to do so.

Similarly, through assessment against the provisions and strategic intent of the planning scheme as a whole, the use as a Rodeo is a rural-based activity proposed within a rural-zoned property where such uses are encouraged to establish. In particular, tourism ventures such as this are specifically supported in the Rural zone where the potential impacts on surrounding existing uses (such as residential dwellings in this case) in terms of noise, light and traffic can be practically mitigated.

At the time of this report proceeding to this meeting, Council is still awaiting an Amended Concurrence Agency Response from the Department of Local Government, Infrastructure and Planning relating to the state-controlled road (Hervey Range Road). As the upcoming annual event held by North Queensland Elite Rodeo is scheduled for 26 August 2017, it is recommended that Council delegate authority to the Chief Executive Officer to approve the application following receipt of the response from relevant state departments. In doing so, the following conditions will be attached to the development approval.

Officer's Recommendation

That Council delegate authority to the Chief Executive Officer to approve the application MI16/0011 for a development permit for Outdoor Sport and Recreation (Rodeo Grounds) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 1 SP 255113 and Lot 0 CP SP 255113, more particularly known as 1/1994 Hervey Range Road Hervey Range pending receipt of an Amended Concurrence Agency Response from the Department of Local Government, Infrastructure and Planning. The application will be subject to the following conditions:

1. Approved Plans and Supporting Documentation

Condition

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

Plan Name	Plan No.	Revision No.	Plan Date
Proposed Site Plan – Rodeo Grounds	01	B	June 2016
Elevations Plan – Rodeo Grounds	02	A	July 2016
Associated Reports			
Amended Property Vegetation Management Plan (Report No. DA0007-16 PVMP), Version 4, Prepared By BNC Planning, Dated July 2016			
Waste Management Plan, Received by council 27 July 2016			

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

Reason

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

Timing

During the operation and life of the development.

2. Events

Condition

The number of events per year and the maximum patrons at each event are limited to the following:

- 1 x 3500 patron event (up to 40 competitors)
- 4 x 400 patron events (up to 40 competitors)

Reason

To ensure the appropriate amount of infrastructure charges commensurate with the expected demand created by the use on council's infrastructure networks have been adequately levied and to limit the detrimental effect of the proposed use on the rural amenity of the surrounding land.

Timing

At all times following the commencement of the use.

3. Building Materials

Condition

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

Ensure protection of matters of public safety and amenity 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.

4. 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.

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 development achieving on maintenance or commencement of use.

6. On-site Waste Disposal

Condition

The development must be serviced by either:

- an on-site sewerage facility; or,
- temporary portable toilets.

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

Reason

Development is not located within a service area for a sewerage service under the *Water Supply (Safety and Reliability) Act 2008* and must be appropriately serviced by a wastewater treatment and disposal facility that is appropriate for the level of demand generated by the development.

Timing

Following issue of a Hydraulics permit (for on-site sewerage disposal) and prior to an event.

7. On-site Water Supply**Condition**

A private water supply must be provided in accordance with Part 9.4.7 Works code of the Townsville City Plan and Development manual planning scheme policy SC6.4 – SC6.4.3.11 - On-site water supply of the Townsville City Plan.

Reason

The development is not located within a service area for a reticulated water service and in accordance with relevant code/s and policy direction.

Timing

Prior to the commencement of the use.

8. Roadworks and Traffic**Condition**

- a) A new access driveway from the edge of bitumen to the property boundary must be constructed generally in accordance with Part 9.4.6 Transport impact, access and parking code of the Townsville City Plan.
- b) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with Council's standards.

Reason

To provide the development with access in accordance with council standards.

Timing

To be submitted to council as part of an application for Compliance Assessment.

9. Car Parking**Condition**

- a) The identified event car parking area and car park entrance must be provided and maintained in accordance with the approved site plan (Sheet 01, Revision B, dated June 2016, received by council 27 July 2016).
- b) Vehicle access to the identified event car parking area is restricted to the existing private road located on Common Property on SP 255113.
- c) The event car parking area and driveway must be maintained to a safe operating standard at all times during the life of the development.

Reason

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

Timing

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

10. Signage**Condition**

- (a) Plans of any signage to be associated with the use that is deemed to be assessable development in accordance with the assessment table of Part 5.8.2 of the Townsville City Plan must be submitted to council for assessment; and
- (b) Signs must be designed in accordance with Part 9.4.1 – 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.

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

Reason

Signage not approved with this Development Permit or deemed either Exempt or Self Assessable development requires a Code Assessable Operational works development application to be lodged with Council in accordance with relevant code/s and policy direction.

Timing

Prior to the commencement of the use.

11. Soil Erosion Minimisation, Sediment Control**Condition**

Erosion and sediment control management must be installed and maintained in accordance with Part 9.4.2 Healthy Waters Code of the Townsville City Plan.

Note: The contingent design, implementation and maintenance of measures must be provided in accordance with *SC6.4.3.8.6 Development manual planning scheme policy* of the Townsville City Plan.

Reason

Development ensures that the receiving waters during construction are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.

Timing

At all times during the construction phase.

12. Vegetation Disposal**Condition**

The disposal of vegetation must be carried out in accordance with Part 9.4.7 Works code of the Townsville City Plan.

Reason

Vegetation to be disposed of in an environmentally responsible manner in accordance with Development manual planning scheme policy SC6.4.5 and SC6.4.6.11 of the Townsville City Plan.

Timing

Prior to, or during construction of the development.

13. Vegetation Retention and Protection**Condition**

Unless otherwise approved by Council in writing all trees/vegetation must be retained as detailed in Condition 1 above.

Reason

Vegetation to be retained must be protected in accordance with relevant code/s and policy direction.

Timing

At all times during the construction of the development and following the commencement of the use.

14. Waste Management**Condition**

The Waste Management Plan, prepared by BNC Planning, received by council on 27/07/2016 is approved. The waste management plan must be implemented during construction and at all times following commencement of the use. Any amendments to the plan must not be implemented until approval from Council is issued.

Reason

Ensure protection of matters of public health and amenity in accordance with relevant code/s and policy direction.

Timing

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

15. Outdoor Lighting**Condition**

Outdoor lighting fixtures installed and maintained as part of the use must not emit glare or light above the levels stated in *Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting* (or the current applicable standard).

Reason

To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the Queensland Environmental Protection Act 1994 Section 440.

Timing

At all times following the commencement of the use.

Referral Agency Conditions

Concurrence Agency Conditions – North Queensland State Assessment Referral Agency

Pursuant to Section 285 and Section 287 of the *Sustainable Planning Act 2009*, the North Queensland State Assessment Referral Agency (NQ SARA) advises that it has no objection to Townsville City Council issuing a Development Permit for Reconfiguring a Lot subject to the conditions, as attached.

Advice

1. Infrastructure Charges

Condition

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

2. Water Restrictions

- 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

Condition

a) Compliance Assessment

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

Condition 2 – Noise Management
Condition 9 – Roadworks and Traffic

All engineering, soil erosion and sediment control and acoustic/noise management designs/documentation associated with such an application must be prepared and where necessary, certified by a suitably qualified/experience person.

b) **Onsite sewerage facility**

Before an onsite sewerage facility can be installed on a property; the applicant is required to apply for a permit to install the treatment facility on that property as per the *Plumbing and Drainage Act 2002*. Applications to install an onsite sewerage facility are to be lodged with the Hydraulic and Building Services Unit of council as part of the plumbing/drainage application. Applicants should also refer to the Onsite sewerage facilities for nonsewered properties guidelines which provides details on the application and installation stages of an onsite sewerage facility. This document may be found on Council's website.

c) **Building Works**

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

d) **Operational works - Signage**

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

4. Storage of Materials and Machinery

Condition

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

Building Work Noise

Condition

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

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

5. Specifications and Drawings

Condition

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

6. Environmental Protection Act 1994

Condition

This Development Permit does constitute permission for the ongoing operation of the approved use to commit an unlawful environmental nuisance as defined and regulated under the *Environmental Protection Act 1994*. The operator and land owner must ensure compliance with the *Environmental Protection Act 1994* (and any other relevant legislation, policies and guidelines) at all times during the operation and life of the development.

7. Roadworks Approval

Condition

The developer is responsible for obtaining a Roadworks permit in accordance with Subordinate Local Law No. 1.15 (Carry out Works or Interfering with a Road or its Operation) 2011 for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works. The application must indicate the following:

- a) Completed Roadworks permit application form;
- b) Prescribed fee;
- c) Traffic Management Plan prepared by a suitable qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices (Queensland) Part 3 – Works on Roads.

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

8. Food Business

Condition

Where a food business is required to be licensed under the *Food Act 2006* Section 49, a Food Licence Application must be made prior to construction of the food premises.

Please contact council's Environmental Health unit on 1300 878 001 for further information.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

It was **MOVED** by Councillor M Ryder, **SECONDED** by Councillor L Walker:

"that the committee recommendation be adopted."

CARRIED UNANIMOUSLY

Council agreed to change the order of business to consider item 2 in the confidential section.

2 Community Engagement - Feasibility Study for a Concert Hall in Townsville

Refer to resolution following item 1 of the Council Minutes (page 9568) where Council agreed that item 2 be considered in the confidential section.

Refer page 9571 of the Council Minutes for item 2 - Community Engagement - Feasibility Study for a Concert Hall in Townsville

Officers' Reports

Planning and Community Engagement

3 Ministerial Business Mission to Singapore - 21 to 23 August 2017

Executive Summary

The Mayor, Councillor J Hill, has been invited to attend a Ministerial Business Mission to Singapore from 21 - 23 August 2017. The delegation will be jointly led by the Hon Steven Ciobo MP, Minister for Trade, Tourism and Investment and Senator the Hon Marise Payne, Minister for Defence.

The program will comprise meetings, business briefings and networking opportunities with Singaporean Government officials and leaders of industry. The delegation is focussed on the Singapore Armed Forces training activities.

Officer's Recommendation

1. That Council approve the Mayor, Councillor J Hill, to attend the Ministerial Business Delegation to Singapore from 21 - 23 August 2017.
2. That Council approve travel and in accordance with section 162(1)(e) of the *Local Government Act 2009* grant leave of absence to the Mayor, Councillor J Hill, for the period of 21 - 23 August 2017.

Council Decision

It was **MOVED** by the Mayor, Councillor J Hill, **SECONDED** by Councillor C Doyle:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

4 Townsville International Education Delegation to China - 16 to 24 September 2017

Executive Summary

The Mayor, Councillor J Hill will lead a high level education delegation to China with local Townsville education providers.

The purpose of the business delegation is to grow Townsville's education market and to also develop and strengthen Townsville's global reputation as a world-class destination for education, edu-tourism, training and research.

Council noted that consultation was also undertaken with William Ross High School.

Officer's Recommendation

1. That Council approve the Mayor, Councillor J Hill to attend the Townsville International Education Delegation to China from 16 to 24 September 2017.
2. That Council approve travel and in accordance with section 162(1)(e) of the *Local Government Act 2009* grant leave of absence to the Mayor, Councillor J Hill for the period of 16 to 24 September 2017.

Council Decision

It was MOVED by the Mayor, Councillor J Hill, SECONDED by Councillor C Doyle:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Confidential Items

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

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

- | | |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 275 (e) | contracts proposed to be made by it (Item 6); |
| Section 275 (f) | starting or defending legal proceedings involving it (Item 5); and |
| Section 275 (h) | other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage (Items 2, 5 and 6)." |

CARRIED UNANIMOUSLY

The Council discussed the items.

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

"that Council RESOLVE to open the meeting."

CARRIED UNANIMOUSLY

Committee Item

Community and Cultural Development Committee

2 Community Engagement - Feasibility Study for a Concert Hall in Townsville

Executive Summary

Council engaged the services of Jenny Bott to undertake a Feasibility Study for a Concert Hall in Townsville. Jenny Bott was tasked to:

- assess, analyse and summarise the assumptions and progress to date in the feasibility of a recital/concert hall in Townsville;
- explore and assess the possible usage and revenue streams for the hall with particular focus on the impact of location, design and scale of the business model(s);
- research and analyse the business models and sustainability of other recital/concert halls in Queensland, Sydney and one of two regional cities; and
- develop one or more scenarios with business cases for the TCC to consider regarding the proposed developments.

Significant consultation was undertaken with various Councillors, staff and key external stakeholders, including the arts community of Townsville.

Jenny Bott's Feasibility Study findings are presented to Council for endorsement.

Officer's Recommendation

1. That the report and attachments be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the documents remain confidential unless Council decides otherwise by resolution.
2. That Council endorse the findings of the "Feasibility Study for Concert Hall" prepared by Jenny Bott AO dated July 2017.
3. That Council request the Chief Executive Officer to commence implementation of the findings of the "Feasibility Study for Concert Hall" prepared by Jenny Bott AO dated July 2017.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

It was MOVED by Councillor R Cook, SECONDED by Councillor M Ryder:

- "1. that the report be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the documents remain confidential unless Council decides otherwise by resolution;
2. that officer's recommendations 2 and 3 be adopted;
3. that Council prioritise the preferred location of a future concert hall as the following:
 1. Central Park;
 2. Queens Hotel site; andthat a business case be prepared for the Central Park site."

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 P Jacob
Councillor A Greaney	
Councillor R Cook	
Councillor V Coombe	
Councillor C Doyle	
Councillor M Ryder	
Councillor L Walker	
Councillor M Molachino	
Councillor K Rehbein	
Councillor M Soars	
Reasons Against	

Councillor Jacob disagreed with the order of the preferred location of a future concert hall. Councillor Jacob suggested the order be as follows:

1. Queens Hotel site; and
2. Central Park.

The order of business resumed.

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

(a) the name of the Councillors who have the perceived conflict of interest:

Councillor P Jacob

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

Councillor Jacob's son works for a company in Townsville that is undertaking an audit on the property.

(c) how the Councillor dealt with the perceived conflict of interest:

The Councillor determined that he could reasonably be perceived to have a conflict of interest in this matter and excluded himself from the meeting while the matter was debated and the vote taken.

(d) if the Councillor voted on the issue – how the Councillor voted:

The Councillor vacated the Chambers during discussion and voting on this item.

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

The majority of persons entitled to vote at the meeting voted as per the officer's recommendation.

Officers' Reports

5 Legal Services - Accounts Receivable Update - Rate Arrears

Executive Summary

This report recommends initiating sales proceedings to recover unpaid rates and charges on a commercial property.

Significant efforts have been made to reach suitable payment arrangements with the registered property owner and all avenues of recovery, in line with Council's recovery policy, have now been exhausted.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That pursuant to Chapter 4, Part 12 Division 3 of the *Local Government Regulation 2012*, Council commence sale proceedings to recover outstanding rates and charges for Property Number 532709.
3. That Council delegate to the Chief Executive Officer the authority to discontinue any sale proceedings commenced pursuant to Chapter 4, Part 12 Division 3 of the *Local Government Regulation 2012* in circumstances where the Chief Executive Officer or the delegated officer determines on the facts available to them at the time that it would not be in the best interests of Council or would be unfair or unjust to the property owner to proceed with the sale or any auction of the property.

Council Decision

It was **MOVED** by Councillor V Coombe, **SECONDED** by Councillor R Cook:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

6 Update on Current Economic Activation Opportunities

Executive Summary

This confidential report updates the Council on current economic activation opportunities and associated contract negotiations and if negotiations with proponents are successful, the steps required to be taken to activate the opportunities and any associated beneficial enterprises.

Officer's Recommendation

1. That the report and each 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 update supplied in closed session and authorise the Chief Executive Officer to continue to finalise negotiations with proponents regarding the economic activation opportunities discussed in closed session at this meeting and as discussed and resolved at the Special Council meeting held on 10 July 2017.

Council Decision

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

- "1. that officer's recommendation 1 be adopted; and
2. that Council note the update supplied in closed session and authorise the Chief Executive Officer to continue to negotiate with proponents regarding the economic activation opportunities discussed in closed session at this meeting and as discussed and resolved at the Special Council meeting held on 10 July 2017."

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Close of Meeting

The Chair, Mayor Councillor J Hill declared the meeting closed at 11.05am.

CONFIRMED this TWENTY-NINTH day of AUGUST 2017

MAYOR

CHIEF EXECUTIVE OFFICER