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**ORDINARY COUNCIL MEETING**

**MINUTES OF PROCEEDINGS OF THE ORDINARY MEETING OF THE  
TOWNSVILLE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, 86  
THURINGOWA DRIVE ON TUESDAY 28 APRIL 2009 COMMENCING AT 9.00 AM**

**PRESENT:** Councillor L Tyrell, Chair  
Councillor B Hewett  
Councillor S Blom  
Councillor N Marr  
Councillor D Bell  
Councillor J Hill  
Councillor A Parsons  
Councillor D Crisafulli  
Councillor R Gartrell  
Councillor D Last  
Councillor T Roberts  
Councillor J Lane

The Meeting was opened with prayer delivered by Father Giles Setter of the Catholic Church.

**APOLOGY:**

It was moved by Councillor J Lane, seconded by Councillor J Hill  
"that the apology received from Councillor V Veitch be accepted and leave of absence granted".

**CARRIED**

**Confirmation of Minutes:**

It was moved by Councillor B Hewett, seconded by Councillor J Lane,  
"that the Minutes of the Ordinary Meeting held on 24 March 2009, be confirmed."

**CARRIED**

The Mayor advised the order of proceedings would be amended in order to consider the report and recommendations of the Planning and Economic Development Committee first.

**Agenda Item 4**

**REPORT PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE**

**Wednesday 15 April 2009 at 9.00 am**

**ITEMS 1 TO 32**

**PRESENT:** Councillor D Crisafulli, Chair  
Councillor A Parsons  
Councillor V Veitch  
Councillor R Gartrell  
Councillor B Hewett  
The Mayor, Councillor L Tyrell  
Councillor J Lane

**OBSERVERS:** Councillor J Hill  
Councillor T Roberts (as indicated)  
Councillor N Marr (as indicated)

**A OPENING OF MEETING**

The Chair, Councillor D Crisafulli declared the meeting open at 9.00 am.

**B APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies or requests for leave of absence.

**C DECLARATIONS OF MATERIAL PERSONAL INTEREST AND CONFLICTS OF INTEREST**

The Chair, Councillor D Crisafulli declared a potential conflict of interest with regards to planning consultants, Brazier Motti – Items 1, 3 and 7.

**D DEPUTATIONS**

Deputations for Agenda Items 32, 2, 3, 9, 1, 8 and 7.

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**Councillor T Roberts and Councillor N Marr took a seat in the Chamber during the following item.**

**PLANNING ASSESSMENT UNIT**

- 1 PAU Combined Material Change of Use for Multiple Dwelling (3 x 2, 7 x 3 and 2 x 4 Bedroom Home Units) and Reconfiguration One (1) into two (2) Lots 24-26 Potts Street, Belgian Gardens MI08/030 0431034**
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**Agenda Item >> 32**

**Executive Summary >>**

This Development Application seeks a Development Permit for a Combined Material Change of Use for a Multiple Dwelling (3 x 2, 7 x 3 and 2 x 4 Bedroom Home Units) and Reconfiguration of a Lot One (1) into Two (2) Lots, situated at 24-26 Potts Street, Belgian Gardens, which has been recommended for approval.

**Officer's Recommendation >>**

That Council approve the application for Combined Material Change of Use for a Multiple Dwelling (3 x 2, 7 x 3 and 2 x 4 Bedroom Home Units) and Reconfiguration of a Lot One (1) into Two (2) Lots situated at 24-26 Potts Street, Belgian Gardens, subject to the following conditions >>

**DEVELOPMENT PERMIT**

**MATERIAL CHANGE OF USE  
MULTIPLE DWELLING (3 X 2, 7 X 3 & 2 X 4 BEDROOM HOME UNITS)**

**SCHEDULE OF CONDITIONS**

**ASSESSMENT MANAGER'S CONDITIONS:**

**1. Site Layout**

- a) The proposed development must generally comply with plans and reports prepared by Ashley Talbot Architect, LCJ Consulting Engineers and Phil Murray as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

<b>DRAWING NAME</b>	<b>DWG No</b>	<b>PLAN DATE</b>
Site Plan Analysis	DA01	22 April 2008
Site Plan Layout	DA02	22 April 2008
Air conditioning & Bin enclosure locations Lot 1	DA02	27 October 2008
Air conditioning & Bin enclosure locations Lot 2	DA02	27 October 2008
Floor Plans Lower and Mid Levels	DA03-1	22 April 2008
Floor Plans Upper Level	DA03-2	22 April 2008

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Elevations	DA04	22 April 2008
Sections	DA05	22 April 2008
Typical House	DA06	22 April 2008
Typical Duplex	DA07	22 April 2008
Statement of Environmental Effects	DA10	22 April 2008
Concept Plan (marked up)	BUL1141/SK1 B	22 September 08
Concept Landscaping Plan	Bullard	22 April 2008
Concept Landscaping Plan	Bullard	22 April 2008
Concept Landscaping Plan	Bullard	22 April 2008

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

## 2. Water Supply and Sewerage Headworks Contributions

The developer must pay a water supply and sewerage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 2 – Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development, unless otherwise approved by Council. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

## 3. Road Network Headworks Contribution

The developer must pay a road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 5 – Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development, unless otherwise approved by Council. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

## 4. Breakwater Road Network Headworks Contribution

The developer must pay a breakwater road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 7 – Breakwater Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

## 5. Stormwater Drainage Headworks Contribution

The developer must pay a stormwater drainage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 6 – Stormwater Drainage Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development, unless otherwise approved by Council. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**6. Building Materials**

Prior to the issue of a Development Permit for Building Works, the developer must submit to, and be approved in writing by Council details of the external building materials and colours to be used as part of this development.

In particular, all buildings and structures associated with the use must be constructed from materials and/or painted an appropriate colour that is sympathetic to the surrounding built form, does not cause excessive glare and incorporates high standard quality finishes.

**7. Lighting**

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

**8. Property Numbering**

Effective property numbers must be erected at the premises prior to the commencement of the use and be maintained to the satisfaction of the Council. The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.

**9. Drying Facilities**

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

**10. Letterboxes**

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

**11. Street Fencing**

Should a fence/wall be constructed along the Potts Street and Robinson Street frontage it must allow the development to integrate with its streetscape. The developer must provide Council with plans of the fence/wall for written approval prior to a Development Permit for Building Works being issued.

**12. Screen Fencing**

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

Notwithstanding the above, with the written consent of the proprietor of any adjoining land, the screen on the boundary shared with that neighbour may consist of other materials or lesser height. For such a variation the developer must submit to and be approved by Council details of the alternative screen

together with the written consent of the applicable adjoining owner prior to a Development Permit for Building Work being issued.

Unless written consent is obtained from the affected adjacent property owner, the developer must not construct a fence adjacent to the property boundary where it impedes the maintenance and serviceability of an existing boundary fence. Furthermore consultation with adjoining property owners is essential so an amicable result is achieved in respect to the removal or retention of any existing adjoining fence.

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

### **13. Screening of Air Conditioners and Plant Rooms**

The location of the air conditioner condenser units are to be provided at ground level and in accordance with Site Plan DA02 with an amended plan date of 27 October 2008.

### **14. Car Parking**

- a) All car parking facilities and associated ramps and driveways must be constructed in accordance with Council Standards detailed in City Plan Policy 2 – Development Standards and must be maintained thereafter to that standard.
- b) The developer must provide on site car parking spaces in accordance with the approved site plan DA01 dated 22 April 2008.

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

- c) Two (2) shared car wash bays/visitor bays are to be provided on site and are to be provided prior to the occupation of any of the units. Details are to be submitted to and approved by Council prior to the Development permit for Building Works being issued. The bays are to be designed and constructed in accordance with the following:
  - \* imperviously paved
  - \* provided with a hose cock
  - \* graded to a central drain incorporating a silt trap.
  - \* fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing.
- d) The layout of the on-site car park must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- e) The permeable manoeuvring areas and car parking areas as identified on the approved plans are hereby approved.
- f) The developer must provide signage to all visitor car parking spaces.

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**15. Driveway Construction**

The developer must provide an access driveway to proposed lots 1 and 2 in the areas indicated as D of the approved plan. The driveway must be constructed of:

- \* exposed aggregate concrete;
- \* interlocking pavers; or
- \* Other alternative aesthetically pleasing materials to be approved in writing by Council prior to signing the survey plan.

**16. Landscaping**

- a) Prior to any works commencing on site a landscaping plan is required to be submitted to Council for a compliance assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of City Plan Policy 1.

As part of the landscaping plan the following items are to be included:

- \* The Robinson Street road reserve surrounding the new cul-de-sac bowl and accesses (as required by this approval) is to be turfed and provided with automated irrigation;
  - \* The full length of the road reserve between the south eastern boundary and the narrowed section of Potts Street is to be turfed and provided with automated irrigation;
  - \* One (1) mature street tree is to be provided in Robinson Street between the proposed crossover and the crossover of 13 Robinson Street and must be of the species selected for this section of road.
  - \* A minimum of four (4) mature street trees are required along the south eastern boundary of the Potts Street access and must be of the species selected for these sections of road;
  - \* Use of local hard landscape materials to create a sense of place and a link to Castle Hill;
  - \* Detail all aspects of how landscaping will be constructed to ensure anchorage for large plant/tree/palm specimens in this shallow root zone environment (use of structural soils); and
  - \* Extensive high quality on-site landscaping is to be provided throughout the entire site. In particular, landscaping must be provided within the front boundary setback of Potts Street and Robinson Street and must comprise a mixed height canopy to soften any visual impact the proposed development may have upon the streetscape. Furthermore, mature vegetation must be provided along the entire northern, western and eastern side boundaries of the allotment, where adjoining a residential precinct. The selected species must achieve a dense mixed height canopy that provides for an additional buffer between the proposed development and the adjoining properties
- b) The landscape plans must be prepared by a suitably Qualified person who:
- \* is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or

\* is an experienced Landscape Designer

- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within City Plan Policy 2 – Development Standards. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

## 17. Noise

The hours of construction and building work on site must be limited to between –

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

## 18. Refuse Facilities

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

- a) The owner/occupier or body corporate of the premises is required to have the following waste containers – 12 wheelie bins (collected twice per week) and 12 of recycling bins (collected bi weekly) per dwelling. All residential waste is required to be collected by Council.
- b) The approved waste management plan prepared by Peter Bullard dated 27 October 2008 must be implemented on site once the development has been completed and prior to the commencement of the use.
- c) The resident of each unit is responsible for the storage of their mobile garbage (wheelie) bins including recycling bins. The developer must provide storage areas which are to be suitably paved, with a hose cock fitted in close proximity.
- d) An adequate hardstand area is to be made available along 24-26 Potts (flat accessible) Street and Robinson Street for the collection of the waste containers. Mobile garbage bins must be placed adjacent to the kerb and not less than 500mm distant from adjacent bins or structures. When the development is operational, please contact Environmental Health Services on 4727 9003 to arrange for delivery of the required waste containers and commence refuse service
- e) The dedicated refuse wash down bays are to be incorporated into the car wash bays. A trade waste approval is required before discharging waste water to sewer from this area. For further information you can contact a Trade Waste Officer on 4727 8758.
- f) The minimum overhead clearance required for wheelie bin collection is 4200mm. Access for the collection of the recycling bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.

- g) Unobstructed access and exit areas must be made available for the refuse vehicle to enable the adequate collection of refuse.

**19. Rain Water Tanks/ Other water devices**

The water tanks or any other water storage devices must be constructed in accordance with Chapter 2, Part 1 and Part 8 of the Public Health Act 2005 (i.e. constructed in a way that prevents the harbourage of mosquitoes).

**20. Relocation and Provision of Utilities**

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

**21. Soil Erosion Sediment Control Plan**

Due to the potential for significant erosion and sediment discharge from this project soil erosion and sediment control must be provided, so as to achieve Specific Outcome *SO3* of the *Works Code*. A detailed Soil Erosion and Sediment Control Plan in accordance with *City Plan Policy 1 - Supporting Information, Section 12 - Soil Erosion and Sediment Control* must be provided as part of a Compliance Assessment application for this development. The Soil Erosion Sediment Control Plan must include but not be limited to:

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

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

**22. Stormwater Drainage**

- a) All stormwater drainage design must be certified by a Registered Professional Engineer Queensland (RPEQ).
- b) The development site must be graded so that it is free-draining. All irrigation water and runoff from storms naturally falling onto this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge or as agreed upon by Council. The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto this development site is diverted onto other neighbouring allotments.

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- c) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance or damage to a downstream or adjoining property.
  - d) The developer must ensure that the post development discharge of stormwater from the subject site does not exceed pre-development peak flows or inundation levels, which must be demonstrated by a hydraulic study.
  - e) Where the discharge of stormwater from the site is to be carried across land owned by others, the developer must satisfy the Council that such work can be and will be carried out within the subject land so as to ensure that there will be no concentration of or increase in stormwater levels or velocities for storms of all average recurrence intervals and duration where the stormwater crosses land owned by others downstream of the applicant's land.
  - f) The developer must provide an adequate underground drainage system for the development designed to accommodate runoff from an ARI 5 year storm event.
  - g) Road long section grades and cross sections must result in all ARI 50 year storm event flows being contained within the road reserve.
  - h) An assessment of the effect of 50% blockage of the inlets must be included in the drainage calculations.
  - i) All allotments, must be graded at a minimum of 1:200 to the street alignment, unless site topography precludes this.
  - j) Roof water and allotment drainage must be provided for allotments which cannot drain to kerb and channel.
  - k) Provide a pedestrian handrail along the northern boundary of the site
  - l) The developer shall ensure that vehicle movement can occur on the site for storm events of all average recurrence intervals and durations.

### **23. Stormwater Quality Management**

A stormwater quality management plan (SQMP) must be submitted to and be endorsed by Council prior to the issue of a Development Permit for Operational Works.

The SQMP must be prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) to address the quality of stormwater runoff from the site during and post construction. In particular, the SQMP must adopt the water quality strategy of the Queensland Urban Drainage Manual (QUDM) by:

- a) Defining the environmental values of the receiving waters.
- b) Defining the water quality guidelines (levels, characteristics, etc) for those environmental values.

- c) Identifying the sources of water quality contamination and construction/use activities likely to impact on the water quality guidelines.
- d) Defining the water quality monitoring strategy required to measure the water quality characteristics for compliance with the adopted guidelines.
- e) Defining the corrective actions and measures required to mitigate the effects of adverse contamination, use and/or activities in order to maintain the water quality guidelines.

SQMP measures must be carried out in accordance with the recommendations of the approved report.

#### **24. Roadworks**

The developer must construct roads and crossovers, along all road frontages to each property as shown on Drawing Number BUL1141/SK1A dated 18.04.2008.

Road Name/Number	Designated Street Type
Potts St & Robinson St	Minor Collector (18.0m road reserve)

These roads are to be constructed in accordance with Council standards, particularly Council Standard Drawing 46061.

The minimum radius of a cul-de-sac bowl is 7.5 metres or as otherwise approved by Council.

#### **25. Flood Immunity**

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

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

#### **26. Rock Breaking, Drilling and Piling**

- a) Rock breaking, drilling and piling is permitted on the site for three hours a day between 2 p.m. and 5 p.m. on Monday, Tuesday, Thursday and Friday, excluding Public Holidays, until the required rock breaking, drilling or piling is completed.

Council and all residents within a 200m radius of the site must be advised in writing of the expected duration and the restricted times that rock breaking, drilling or piling will occur; or

- b) A noise management programme must be prepared for the rock breaking/drilling/piling activity, scheduling the expected equipment, duration (dates) and times (days and hours) of rock breaking, drilling or piling and the noise mitigation measures proposed.

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The programme must be petitioned by all residents within 200m of the site of activity then submitted to and be endorsed by Council prior to commencement of works. All rock breaking, drilling or piling works must be carried out in accordance with the approved management programme, with the provision that no activity is permitted on Sundays or Public Holidays.

**27. Water Network Analysis**

A water network analysis, prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ), must be submitted to Council for approval as part of the Development Permit for Compliance Assessment. The water network analysis must demonstrate that each dwelling within the development has a minimum pressure of 22m upon completion of the stage and detailing stages at which trunk components of the network should be implemented.

**28. Sewerage**

The following alterations to the existing sewerage infrastructure should be implemented. Pump from the two proposed pump stations to a new manhole within the property at the southern end of the site and then gravitate from this new manhole to the existing sewer manhole 6/8A3A2 in the Potts Street footpath.

**29. Further Approvals**

**Compliance Assessment**

In accordance with section 3.5.31A (conditions requiring compliance) of the Integrated Planning Act 1997 prior to any works commencing on site all engineering and landscaping works associated with this development are to be submitted to and approved by Council for a compliance assessment against the relevant codes as identified below:

- \* Works Code
- \* Parking and Access Code, and
- \* Landscaping Code.

The works must comply with the provisions of these codes, detailed in Part 6, Division 4 of the City Plan and (where applicable) are to include:

- \* Earthworks
- \* Crossover
- \* Carparking layout
- \* Traffic management plan
- \* Landscaping including street plantings and irrigation within the road reserve
- \* Stormwater management
- \* Soil and sediment control plan
- \* Modification to services such as:
  - \*\* Sewerage
  - \*\* Water
  - \*\* Stormwater

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

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**PLEASE NOTE:** THE COLLECTIVE SUBMISSION OF THE DOCUMENTATION SPECIFIED ABOVE WILL RESULT IN AN EXPEDITED AND INTEGRATED RESPONSE THAT WILL BE BENEFICIAL IN PRODUCING AN OVERALL DEVELOPMENT OUTCOME.

<b>Advice</b>
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**1. Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

**2. Environmental Considerations**

E.P.A. Requirements

Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

**3. Trade Waste Permit**

The proposed wash down bay must be in compliance with the Townsville City Council Trade Waste Policy. A trade waste approval may be required before discharging waste water to sewer from this area and should confirm this with Council's Trade Waste Inspector.

**4. Registrations**

a) Upon completion of works, if the units are not to be strata titled, they will require registration under the Townsville City Council By Laws Chapter 8. Please contact Environmental Health Services for an application form.

b) Upon completion of works, application must be made to Council's Environmental Health Services for the registration of the swimming pool. Please contact Environmental Health Services for an application form.

**5. Open Space Contribution in Lieu of Land**

Should it be the intention that the dwelling units are to be held under separate title (strata titled), the developer must pay an open space contribution in accordance with *City Plan Policy 3 – Contributions, Section 3 – Public Open Space*. Payment of such a contribution must be made prior to signing of the survey plan. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**6. Waste Generation**

All waste generated as a result of the demolition of existing buildings or structures, and construction of the premises is to be effectively controlled on site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

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**PRELIMINARY APPROVAL**

**BUILDING WORK**

**SCHEDULE OF CONDITIONS**

1. The proposed development has been assessed against the relevant provisions of the City Plan 2005. However, assessment against the Building Act 1975, the Standard Building Regulation 2006 and the Building Code of Australia is still required.
2. An application for a Development Permit - Building Work is required for the proposed development. This application needs to be approved prior to any works commencing on the site.
3. All building work is to comply with the Building Act 1975, the Standard Building Regulation 2006 and the Building Code of Australia.

**DEVELOPMENT PERMIT**

**RECONFIGURING A LOT  
ONE (1) INTO TWO (2) RESIDENTIAL ALLOTMENTS**

**SCHEDULE OF CONDITIONS**

**ASSESSMENT MANAGER'S CONDITIONS**

**1. Site Layout**

- a) The proposed development must generally comply with plans prepared by LCJ Engineers as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

Drawing Title	Dwg No.	Dated
Proposed Subdivision	BUL1141/SK1 A	18 March 2008

- b) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.
- c) One full set of the most up to date approved plans must be held on site, and available for inspection, for the duration of the construction phase.
- d) Prior to Council signing the survey plan all works associated with Development Permit for Material Change of Use - Multiple Dwelling (MI08/0030) must be completed.

**2. Water Supply and Sewerage Headworks Contributions**

The developer must pay a water supply and sewerage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 2 – Headworks*. Payment of such a contribution must be made prior to signing of the plan of survey. The amount of the contribution must be calculated in accordance with

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the provisions of the Policy and at the rate applicable at the time payment is made.

**3. Open Space Contribution in Lieu of Land**

The developer must pay a open space contribution in accordance with *City Plan Policy 3 – Contributions, Section 3 – Public Open Space*. Payment of such a contribution must be made prior to signing of the plan of survey. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**4. Road Network Headworks Contribution**

The developer must pay a road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 5 – Road Network Headworks*. Payment of such a contribution must be made prior to signing of the plan of survey. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**5. Stormwater Drainage Headworks Contribution**

The developer must pay a stormwater drainage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 6 – Stormwater Drainage Headworks*. Payment of such a contribution must be made prior to signing of the plan of survey. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**6. Breakwater Road Network Headworks Contribution**

The developer must pay a breakwater road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 7 – Breakwater Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**7. Confirmation of Existing Services**

- a) The location of existing services for each allotment must be managed so as to achieve the Specific Outcome (SO6) of the Reconfiguring Lots Code. In particular,
- b) The developer must provide to Council prior to the release of the survey plan written confirmation that existing services for each lot are contained within the individual allotments or;
- c) Where the existing services are not contained within the individual lot then such services must be relocated or easement obtained. Such easements must be registered in accordance with the Land Title Act 1994, in conjunction with registration of the Plan of Reconfiguration

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**8. Street Lighting**

Street lighting must be provided for the development so as to achieve the Specific Outcome SO6 of the *Reconfiguring Lots Code*. In particular,

- a) Street lighting must be provided to the following streets in accordance with the categories shown as per Australian Standards, AS/NZS 1158 - Road Lighting.

Road	Lighting Category
Potts Street	P3

**9. Water Supply**

The development must be serviced by the public water supply so as to achieve Specific Outcome SO6 of the *Reconfiguring Lots Code*.

**10. Sewerage Reticulation**

The development must be serviced by the public sewerage network so as to achieve Specific Outcome SO6 of the *Reconfiguring Lots Code*. In particular:

Each allotment must be provided with a single property service, to be connected directly and separately to Council's sewer prior to signing the survey plan.

All new property connections to be made directly to manholes where possible.

**11. Relocation and Provision of Utilities**

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

**12. Stormwater Drainage**

Certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be submitted to and endorsed by Council.

- a) The development site must be graded so that it is free-draining. All runoff from storms naturally falling onto this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge as approved by Council. The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto this development site is diverted onto other neighbouring allotments.
- b) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

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**13. Soil Erosion Sediment Control Plan**

Due to the potential for significant erosion and sediment discharge from this project soil erosion and sediment control must be provided, so as to achieve Specific Outcome *SO3* of the *Works Code*. A detailed Soil Erosion and Sediment Control Plan in accordance with *City Plan Policy 1 - Supporting Information, Section 12 - Soil Erosion and Sediment Control* must be provided as part of Compliance Assessment for the development. The Soil Erosion Sediment Control Plan must include but not be limited to:

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

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

**14. Electricity and Telecommunications**

Electricity and telecommunications must be provided so as to achieve the Specific Outcome *SO6* of the *Reconfiguring Lots Code*. In particular,

- a) Underground electricity services must be provided to the frontage of each allotment, to the standards of the electricity authority. Written confirmation from the service provider must be submitted to Council prior to signing the survey plan.
- b) Underground telecommunications must be provided to the frontage of each allotment, to the standards of the telecommunications authority. Written confirmation from the service provider must be submitted to Council prior to signing the survey plan.

**15. Drainage Easements**

Drainage easement(s) must be provided in accordance with *City Plan Policy 2 – Development Standards, Section 6 – Easements* in favour of Council over the stormwater drainage system.

The easement documents must be submitted to and be endorsed by the Chief Executive Officer and registered in accordance with the Land Title Act, 1994.

**16. Further Approvals**

The developer must obtain a Development Permit to carry out Operational Works prior to the commencement of works. All engineering designs associated with

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such an application must be certified by a Registered Professional Engineer of Queensland (RPEQ).

<b>Advice</b>
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**1. Confirmation of Existing Services**

The location of existing services for each allotment must be managed so as to achieve the Specific Outcome SO6 of the Reconfiguring Lots Code. In particular,

The developer must provide to Council prior to the signing the survey plan written confirmation that existing services for each lot are contained within the individual allotments or;

Where the existing services are not contained within the individual lot then such services must be relocated or easement obtained. Such easements shall be registered in accordance with the Land Title Act 1994, in conjunction with registration of the survey plan.

**2. Portable Long Service Leave Notification**

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

**3. Satisfaction of Approval Conditions**

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

**4. Limitation of Approval**

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

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

**5. Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the site which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must

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obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

**6. Further Approval Required**

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

**7. Specifications and Drawings**

Details of Council's specifications and standard drawings can be viewed on Council's website <http://previous.townsville.qld.gov.au/infradevt/devtspecs.asp>."

**Committee Recommendation >>**

That the item be held over.

**2 PAU- Reconfiguring a Lot - Four (4) Park Residential Allotments (Code Assessment) Application No: R389/08 Assessment No: 12106005 18 Jensen Road, Jensen**

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**Agenda Item >> 2**

Authorised by >> Director Planning and Economic Development  
Date >> 18 February 2009

**Executive Summary >>**

A Development Application for Reconfiguring a Lot (Code Assessment) - Four (4) Park Residential Allotments on Lot 2 on SP 202752 situated at 18 Jensen Road, Jensen has been received from Applicant: Albala Pty Ltd, C/- Wolter Rowlands Town Planning Group - R389/08 12106005 and has been recommended for refusal.

The Committee also considered the verbal comments of George Milford provided at the Committee meeting.

**Officer's Recommendation >>**

That Council refuse the application for a Development Permit for Reconfiguring a Lot - Four (4) Park Residential Allotments on Lot 2 on SP 202752 situated at 18 Jensen Road, Jensen for the following reasons:

1. The proposed development does not comply with Performance Criteria 7 of the Residential Planning Area Code. The proposed layout does not respond to the character of the locality or contribute to a residential environment that offers high levels of amenity to residents or facilitates the efficient provision of infrastructure.
2. The proposed development does not comply with Performance Criteria 8 (e) Lot Frontages addressing the street. The additional lots do not address the street and do not comply with P8(e) of the Residential Planning Area code.

3. The proposed development is inconsistent with Section 3.5.1 Character Statement (c) (ii) of the Residential Planning Area. The proposed development restricts any opportunities for future road connectivity in the current four lot configuration and instead promotes cul-de-sac style development within the surrounding locality. In addition to this it is considered that the proposed development represents poor urban form and if approved would significantly change the character of the Park Residential Designation.
4. The proposed development is inconsistent with Section 3.5.1 Character Statement (d) of the Residential Planning Area. In the current four lot configuration the proposed internal driveway is not considered to be functional and integrated with the surrounding vehicular networks and primary streetscape based on the rear allotment which is situated approximately 150m from the front boundary alignment of Lot 1. The proposed development is considered to be inconsistent with this character statement because it does not promote interconnectivity and is considered in isolated in respect to the adjoining lots and surrounding locality
5. The proposed four (4) Park Residential allotments is inconsistent with the General Development Code (s5.5.4) in that proposed development is not serviced with reticulated sewerage.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**Councillor R Gartrell dissented from the above decision.**

In accordance with Section s 246A of the *Local Government Act 1993* the Chair, Councillor D Crisafulli declared a potential conflict of interest on behalf of himself, Councillor A Parsons, Councillor V Veitch, Councillor R Gartrell, Councillor B Hewett, The Mayor Councillor L Tyrell and Councillor J Lane with regards to Agenda Item 3.

- (a) ***the nature of the conflict of interest as described by the Councillor:***  
The planning consultants, Brazier Motti donated to the (Team Tyrell) Election campaign.
- (b) ***how the Councillor dealt with the conflict of interest:***  
Councillor D Crisafulli and all other Councillors remained in the meeting and voted on the Item.
- (c) ***if the Councillor voted on the issue – how the Councillor voted:***  
Councillor D Crisafulli, Councillor A Parsons, Councillor B Hewett, The Mayor Councillor L Tyrell and Councillor J Lane voted as per the Officer's Recommendation.  
Councillor V Veitch and Councillor R Gartrell voted against the Officer's Recommendation.

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**3 PAU - Multiple Dwelling (71 Units) - Material Change of Use (Impact Assessment) - Application No: MI08/0020 Assessment No: 0112493 - Mariner's Peninsula Principal 28 - 64 Drive, Townsville City**

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**Agenda Item >> 3**

Authorised by >> Director Planning and Economic Development  
Date >> 23 March 2009

**Executive Summary >>**

A Development Application for Material Change of Use (Impact Assessment) - Multiple Dwelling (71 units being 50 x 3, 19 x 2 and 2 x 1 bedroom units) on Lot 7 on SP 200978 situated at 28 - 64 Mariners Drive, Townsville City has been received from Applicant: Mirvac, C/- Brazier Motti - MI08/0020 0112493 and has been recommended for approval.

The Committee also considered the verbal comments provided by Phil Dance, Barbara Wilkinson, George Colbran, Steve Motti and Richard Rizzalli at the Committee meeting.

**Officer's Recommendation >>**

That Council approve the application for a Development Permit for Multiple Dwelling (71 units being 50 x 3, 19 x 2 and 2 x 1 bedroom units) on Lot 7 on SP 200978 situated at 28-64 Mariners Drive, Townsville City subject to the following conditions:

**DEVELOPMENT PERMIT**

**MATERIAL CHANGE OF USE  
MULTIPLE DWELLING**

**(71 UNITS BEING 50 X 3, 19 X 2 AND 2 X 1 BEDROOM UNITS)**

**SCHEDULE OF CONDITIONS**

**1. Site Layout**

- a) The proposed development must generally comply with plans prepared by Mirvac Design as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

<b>DRAWING NAME</b>	<b>DRAWING NO.</b>	<b>REVISION NO.</b>	<b>PLAN DATE</b>
View from North	21-DA0020	A	15.11.2007
View from South West	21-DA0021	A	15.11.2007
View from South East	21-DA0022	A	15.11.2007
View from Marina	21-DA0023	A	30.11.2007
Basement Levels 1 & 2	20-DA1001	A	19.08.2008
Basement Level 3	20-DA1002	A	19.08.2008
Level 1	21-DA1011	A	19.08.2008
Level 2 - 10 & 11	21-DA1012	A	14.08.2008
Level 12 & 13	21-DA1013	A	14.08.2008
Levels 14 - 15 & Roof	21-DA1014	A	14.08.2008
Elevation Sheet 1	21-DA1600	A	20.08.2008

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Elevation Sheet 2	21-DA1601	A	20.08.2008
Section Sheet 1	21-DA1610	A	20.08.2008
Section Sheet 2	21-DA1611	A	25.08.2008
Photo Montage - View 1	21-DA0011	A	15.11.2007
Photo Montage - View 2	21-DA0012	A	15.11.2007
Photo Montage - View 3	21-DA0013	A	15.11.2007
Photo Montage - View 4	21-DA0014	A	15.11.2007

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

## 2. Building Height

The proposed building must not exceed 49 metres above ground level inclusive of any plant and equipment structures.

## 3. Building Materials

The external building materials and colours to be used as part of this development must be provided in accordance with the approved plans, in particular the external finishes shown on Drawing No. 21-DA0030/A dated 12 February 2008.

## 4. Screening of Plant and Utilities

- a) Unless otherwise approved by Council The location and screening of the air conditioner condenser units are to be located on the roof level in accordance with Drawing No. 21-DA1014/A, so as not be visible from the street or surrounding residential properties.
- b) Plant and utilities other than air-conditioners must not be visible from the street.

## 5. Mariners Drive Treatment

Prior to the issue of a Development Permit for Building work or as otherwise agreed, the developer must submit to, and be approved in writing by Council details of retaining walls, fences, lighting, materials and including sections of the interface between the proposed development and Mariners Drive. Further, details of the works proposed to Mariner Drive must be submitted to and approved by Council as part of Compliance Assessment.

## 6. Marina Boardwalk

The developer must construct the Marina boardwalk for the entire length of Future Lot 103 and must integrate with the boardwalk to Lot 100. Details of boardwalk must be submitted to and approved by Council prior issue of a Development Permit for Building Works.

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**7. Water Supply and Sewerage Headworks Contributions**

The developer must pay a water supply and sewerage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 2 – Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**8. Road Network Headworks Contribution**

The developer must pay a road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 5 – Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**9. Breakwater Road Network Headworks Contribution**

The developer must pay a breakwater road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 7 – Breakwater Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**10. Stormwater Drainage Headworks Contribution**

The developer must pay a stormwater drainage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 6 – Stormwater Drainage Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**11. Open Space Contribution in Lieu of Land**

Should it be the intention that the dwelling units are to be held under separate title (strata titled), the developer must pay an open space contribution in accordance with *City Plan Policy 3 – Contributions, Section 3 – Public Open Space*. Payment of such a contribution must be made prior to signing of the building format plan. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**12. Lighting**

- a) The developer must ensure all internal and external lighting is fitted with shades and erected in a manner that ensures that adjoining premises and roads are not affected.
- b) Lighting is provided in accordance with the *Australian Standard AS1158: Public Lighting Code*.

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- c) External lighting of a graduated intensity must be provided which starts at a lower level of brightness at the perimeter of the site and rises to a crescendo of light at the entrance to buildings.
  - d) Any proposed site lighting, including car lighting (ie. head lights) and car parking lighting must be installed such that it does not project light spillage onto the adjoining residential sites and roads are not affected.
  - c) Install all on-site external lighting in accordance with the standards specified by the Harbour Master of the Port of Townsville to the satisfaction of Council and undertake other works to protect the existing navigational aid in the Marina, Ross Creek and surrounding area adjacent to the development site.

### **13. Property Numbering**

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

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

### **14. Drying Facilities**

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

### **15. Letterboxes**

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

### **16. Noise**

The hours of construction and building work on site must be limited to between:

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

### **17. Refuse Facilities**

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

- a) The waste management plan prepared by Mirvac Designs is hereby approved. It is the responsibility of the on-site manager to make the bulk bins and recycling bins available at the collection point identified in Mariner's Drive and returned to the refuse storage areas in the basement following collection.

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- b) The approved waste storage areas (within the basements) must be of sufficient size to house all bulk bins including recycling bins. The storage area is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.
  - c) The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk bins is not to be impeded by any over head obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
  - d) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
  - e) Access roads (Mariner's Drive) must be designed and constructed to accept vehicle loadings of not less than G.V.M. 28 tonnes.
  - f) The proposed waste refuse chute (as indicated on the submitted plans) must be designed and constructed in accordance with Townsville City Council Policy 105 - REQUIREMENTS FOR THE CONSTRUCTION AND INSTALLATION OF REFUSE CHUTES.

**18. Relocation and Provision of Utilities**

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

**19. Car Parking**

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards detailed in City Plan Policy 2 – Development Standards and must be maintained thereafter to that standard.
- b) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
  - \* exposed aggregate concrete;
  - \* interlocking pavers; or
  - \* other alternative aesthetically pleasing materials to be approved in writing by Council prior to a Development Permit for Building Works being issued.
- c) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- d) The developer must provide a minimum one hundred and fifty-six (156) car spaces (excluding the car wash bay) on site of which a minimum of fifteen (15) spaces are required to be dedicated for visitor parking and must be made available at all times for such.

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

- e) A minimum of one (1) dedicated car washing bay is to be provided on site and is to be provided prior to the occupation of any of the units. Details are to be submitted to and approved by Council prior to the Development permit for Building Works being issued / undertaking works on the site. The bay is to be designed and constructed in accordance with the following:
- \* imperviously paved
  - \* provided with a hose cock
  - \* graded to a central drain incorporating a silt trap
  - \* fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing

## 20. Stormwater Drainage

Certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be submitted to and endorsed by Council prior to a Development Permit for Building Works being issued.

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

## 21. Stormwater Quality Management

A stormwater quality management plan (SQMP) must be submitted to and be endorsed by Council prior to the issue of a Development Permit for Building Work.

The SQMP must be prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) to address the quality of stormwater runoff from the site. In particular, the SQMP must adopt the water quality strategy of the Queensland Urban Drainage Manual (QUDM) by:

- a) defining the environmental values of the receiving waters.

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- b) defining the water quality guidelines (levels, characteristics, etc) for those environmental values.
  - c) identifying the sources of water quality contamination and construction/use activities likely to impact on the water quality guidelines.
  - d) defining the water quality monitoring strategy required to measure the water quality characteristics for compliance with the adopted guidelines.
  - e) defining the corrective actions and measures required to mitigate the effects of adverse contamination, use and/or activities in order to maintain the water quality guidelines.

SQMP measures must be carried out in accordance with the recommendations of the approved report.

## **22. Environmental Considerations**

The developer must ensure that basement car parking areas are graded to a central drain incorporating a silt trap and fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing.

## **23. Acid Sulphate Soils Management**

The developer must comply with all sections of the *Acid Sulphate Soils Management Plan* dated August 2008 and prepared by Golder Associates Pty Ltd and the following:

- \* The basement must be designed to operate as a "fully tanked" system to prevent the ingress of groundwater.
- \* During construction every effort must be made to minimise dewatering.
- \* The developer must conduct weekly inspections and monitoring during the construction phase and excavation by a suitability qualified person to establish if ASS or PASS is present.
- \* Reporting must be forwarded to the Department of Natural Resources and Water as well as Council.
- \* All excavated materials between the current ground surface and +0.5 metres AHD must be treated with a minimum of 5kg/tonne fine agricultural lime.
- \* All excavated materials between the current ground surface and +0.5 metres AHD should be treated in strict accordance with Section 8 of the Queensland Acid Sulfate Soil Technical Manual - Soil Management Guidelines.

## **24. Soil Erosion Sediment Control Plan**

Due to the potential for significant erosion and sediment discharge from this project soil erosion and sediment control must be provided, so as to achieve Specific Outcome SO3 of the *Works* code. A detailed Soil Erosion Sediment Control Plan in accordance with *City Plan Policy 1 - Section 12 - Soil Erosion and Sediment Control* must be provided as part of Compliance Assessment for the development. The Soil Erosion Sediment Control Plan must:

- \* incorporate performance standards, hold points and end points

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

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

## **25. Rock Breaking, Drilling and Piling**

- a) Rock breaking, drilling and piling is permitted on the site for three hours a day between 2 p.m. and 5 p.m. on Monday, Tuesday, Thursday and Friday, excluding Public Holidays, until the required rock breaking, drilling or piling is completed.

Council and all residents within a 200m radius of the site must be advised in writing of the expected duration and the restricted times that rock breaking, drilling or piling will occur; or

- b) A noise management programme must be prepared for the rock breaking/drilling/piling activity, scheduling the expected equipment, duration (dates) and times (days and hours) of rock breaking, drilling or piling and the noise mitigation measures proposed.

The programme must be petitioned by all residents within 200m of the site of activity then submitted to and be endorsed by Council prior to commencement of works. All rock breaking, drilling or piling works must be carried out in accordance with the approved management programme, with the provision that no activity is permitted on Sundays or Public Holidays.

## **26. Groundwater and Dewatering Management**

A groundwater and dewatering management plan must be submitted to and be endorsed by Council prior to the issue of a Development Permit for Building Work.

The groundwater and dewatering management plan must be prepared by an appropriately qualified and experienced expert in the field to address the management of dewatering during the construction phase. In particular, the groundwater and dewatering management plan must consist of but not be limited to:

- a) monitoring frequencies (groundwater quality must be monitored before, during and after the construction of the development).
- b) bore monitoring locations.
- c) quantitative details of the dewatering system, including proposed duration of discharge and the hourly and total quantities of water to be discharged, and

how this water will be treated.

- d) provide information on standards to which the groundwater be treated to prior to offsite discharge and reasons why this standard has been chosen.
- e) provide information on treatment methods including how groundwater will be treated to the specific standards, why the treatment method has been chosen and how effective it will be.
- f) a monitoring plan including parameters, methodology, frequency and how and when monitoring data will be reported to Council. At a minimum the following items should be considered;
  - \* pH of the discharge water should be carefully monitored to provide and indicator or any potential oxidation of PASS affected by groundwater drawdown;
  - \* ferrous iron should be measured prior to discharge using colour-metric test strips. Where ferrous iron is detected, it will need to be held, treated and re-tested prior to discharge;
  - \* groundwater monitoring and sampling commence and continue during and after dewatering. As a minimum, pH, EC, DO, turbidity, water level, acidity as CaCO<sub>3</sub>, Fe and Al should be monitored at appropriate frequencies;
  - \* exact location and frequency of groundwater testing should be prescribed by a groundwater/water quality specialist. Evidence should be provided that any proposed groundwater treatment and monitoring plan will adequately describe the groundwater quality and the level of groundwater treatment prior to stormwater discharge.
- g) a strategy to manage non-conformities.
- h) location of treated water discharge.
- i) details and qualifications of the designated suitably qualified person to oversee the dewatering process, water quality treatment, testing and reporting.
- j) risk for settlement of neighbouring footings and in-ground services. Install permanent survey points for monitoring potential movements on the neighbouring structures on a regular basis, such as prior to commencement of the dewatering and then on a weekly interval.

The dewatering management strategies are re-evaluated following field trials to ensure the proposed management system performs adequately. All groundwater, PASS and other environmental monitoring results must be provided to Council on a regular basis during development.

## 27. Traffic Management

- a) During construction, the developer must provide adequate traffic management measures to ensure that vehicle and pedestrian access is

provided to the marina and surrounding area.

- b) During the construction phase of the development all contractor's vehicles that are not able to be contained on site must only utilise space within the road reserve that directly fronts the subject allotment, unless otherwise approved by Council. Vehicles must not at any time obstruct footpath areas or sight lines within the vicinity of the development.
- c) All materials and machinery to be used during the construction period are to be wholly stored on the site unless otherwise agreed in writing by Council.

## 28. Landscaping

- a) Prior to any works commencing on site a landscaping plan is required to be submitted to and approved by Council for a compliance assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of City Plan Policy 1.

As part of the landscaping plan the following items are to be included:

- \* The common property along Mariners Drive to be turfed and provided with automated irrigation.
  - \* Mature street trees of a species selected for this section of the common property.
  - \* Details of footpath treatment to the public access areas including the boardwalk including shade trees.
  - \* Details of landscaping to all façades to include planting of mixed height species to reduce the amount of exposed concrete/walls.
  - \* Details of lighting and balustrades on the boardwalk, and within all landscaped areas.
  - \* Details showing proposed examples of public art and street furniture including seating areas, bike racks and litter bins.
- b) The landscape plans must be prepared by a suitably Qualified person who:
    - \* is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
    - \* is an experienced Landscape Designer
  - c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within City Plan Policy 2 – Development Standards. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

## 29. Further Approvals

### Compliance Assessment

In accordance with section 3.5.31A (conditions requiring compliance) of the Integrated Planning Act 1997 prior to any works commencing on site all

engineering and landscaping works associated with this development are to be submitted to and approved by Council for a compliance assessment against the relevant codes as identified below:

- \* Works Code
- \* Parking and Access Code, and
- \* Landscaping Code.

The works must comply with the provisions of these codes, detailed in Part 6, Division 4 of the City Plan and (where applicable) are to include:

- \* Earthworks
- \* Crossovers
- \* Kerb and channel work
- \* Carparking layout
- \* Landscaping including street plantings and irrigation within the road reserve
- \* Internal stormwater management
- \* Soil and sediment control measures
- \* Modification to services such as:
  - \*\* Sewerage
  - \*\* Water
  - \*\* Stormwater

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

**PLEASE NOTE:** THE COLLECTIVE SUBMISSION OF THE DOCUMENTATION SPECIFIED ABOVE WILL RESULT IN AN EXPEDITED AND INTEGRATED RESPONSE THAT WILL BE BENEFICIAL IN PRODUCING AN OVERALL DEVELOPMENT OUTCOME.

## **ADVICE**

### **1. Strata Titling**

Upon completion of works, if the units are not to be strata titled, they will require registration under the Townsville City Council By Laws Chapter 8. Please contact Environmental Health Services for an application form.

### **2. Water Supply**

- a) The developer must make payment to Council to connect new water reticulation main(s) to Council's existing system. Requests for estimates for such connections are to be made to Infrastructure Planning - Water and Wastewater Business Unit and paid for prior to the works being undertaken.
- b) The developer will be advised of the minimum size water connection permitted upon application and in consultation with Council.

### **3. Sewerage**

The developer must make payment to Council to connect new sewerage main(s) to Council's existing system. Requests for estimates for such connections are to

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be made to Infrastructure Planning - Water and Wastewater Business Unit and paid for prior to the works being undertaken.

**4. Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

**5. Trade Waste Permit**

The developer is advised that a Trade Waste Permit may be required and should confirm this with Council's Trade Waste Inspector.

**6. Environmental Considerations**

E.P.A. Requirements

Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

**7. Water Tanks**

The proposed water tanks must be constructed in accordance with Chapter 2, Part 1 and Part 8 of the *Public Health Act 2005* (i.e. constructed in a way that prevents the harbourage of mosquitoes).

**8. Tall Structures**

Where a development includes a component (be it structure or building) that exceeds the prescribed height limits identified in the CASA advisory publication, (structures that exceed 30 metres above ground level, that are within 30 kilometres of an aerodrome) the developer must report the structure to the RAAF.

**Concurrence Agency Conditions - Environmental Protection Agency - Contaminated Land Unit**

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Environmental Protection Agency advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached.

**Concurrence Agency Conditions - Environmental Protection Agency - Coastal Management**

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Environmental Protection Agency advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use subject to the conditions, as attached.

**Advice Agency Response - Department of Natural Resources and Water**

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Department of Natural Resources and Water advises that it has no objection to Townsville City

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Council issuing a Development Permit for Material Change of Use.

**Advice Agency Response - Ergon Energy**

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, Ergon Energy have not provided an Advice Agency response and it is therefore considered that they have no objection to Townsville City Council issuing a Development Permit for Material Change of Use.

**Advice Agency Response - Environmental Protection Agency - Cultural Heritage**

Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Environmental Protection Agency advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use.

**PRELIMINARY APPROVAL**

**BUILDING WORK**

**SCHEDULE OF CONDITIONS**

1. The proposed development has been assessed against the relevant provisions of the City Plan 2005. However, assessment against the Building Act 1975, the Building Regulation 2006 and the Building Code of Australia is still required.
2. An application for a Development Permit - Building Work is required for the proposed development. This application needs to be approved prior to any works commencing on the site.
3. All building work is to comply with the Building Act 1975, the Building Regulation 2006 and the Building Code of Australia.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**Councillor V Veitch and Councillor R Gartrell dissented from the above decision.**

**4 PAU: (Medical Centre - Material Change of Use (Impact) Assessment)  
- 60 North Beck Drive, Condon M11/08:12317**

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**Agenda Item >> 9**

Authorised by >> Director Planning and Economic Development  
Date >> 2 April 2009

**Executive Summary >>**

A Development Application for Material Change of Use of Premises (Impact Assessment) - Medical Centre on Lot 4 SP 191764, situated at 60 North Beck Drive,

Condon has been received from Applicant >> Jon Kuskopf & Associates Pty Ltd - Owner >> Carlyle Villages Pty Ltd - M11/08:12317 has been recommended for approval.

The Committee also considered the verbal comments provided by Richard Jiang at the Committee meeting.

**Officer's Recommendation >>**

That Council approve the application for a Development Permit for Medical Centre on Lot 4 SP 191764, situated at 60 North Beck Drive, Condon be approved subject to the following conditions >>

**SCHEDULE OF MATERIAL CHANGE OF USE CONDITIONS**

**Site Layout**

- 1.1 The proposed development must generally comply with plans prepared by Jon Koskopf & Associates as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

<b>DRAWING NAME</b>	<b>DRAWING No.</b>	<b>DATE</b>
Layout Plan	41-19864-C001	Undated
Vehicle Turnpaths	41-19864-C002	Undated
Civil Notes & Stormwater Management	41-19864-C003	Undated
Proposed Layout	1036-SK-01	04/06/08
Elevations	1036-SK-03	04/06/08
Elevations	1036-SK-02	04/06/08
Landscape Works Specifications & Planting Details	MCCP 005	23/06/08
Surfaces Finishes Plan	MCCP001	23/06/08
High Canopy Planting Plan	MCCP003	23/06/08
Low & Mid Canopy Planting Plan	MCCP003	23/06/08
Planting Palette	MCCP004	23/06/08

- 1.2 The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.
- 1.3 One full set of the most up to date approved plans must be held on site, and available for inspection, for the duration of the construction phase.
- 1.4 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.5 The approved use is limited to a maximum of four (4) medical practitioners and a maximum of six (6) ancillary staff associated with the approved use.

**ACCESS**

- 2.1 All vehicles leaving the subject land shall be provided with adequate space to manoeuvre on-site and exit in a forward gear.
- 2.2 Internal access ways must be designed so as to provide adequate access for the intended classes of vehicles servicing the site.

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- 2.3 Access to the premises, carparking and manoeuvring areas must be constructed in low glare paving, exposed aggregate concrete or similar material.

### **CARPARKING REQUIREMENTS**

- 3.1 Twenty one (21) car parking bays must be provided for the development in accordance with the provisions of the Planning Scheme.
- 3.2 The car parking bays and traffic-ways must comply with the following -
- (i) Each parking space must have minimum dimensions as prescribed in section 5.5.3 of Council's Planning Scheme, namely 14.85 square metres in area and a minimum width of 2.7 metres;
  - (ii) The parking area must be designed in accordance with AS2890.1 1993 - Parking Facilities - Off Street Parking and section 5.5.3 of Council's Planning Scheme; and
  - (iii) A plan complying with this condition and the Planning Scheme must be submitted to Council with an application for compliance assessment and the works must be completed in accordance with the approved plan prior to commencement of the use.

### **STORMWATER DRAINAGE**

- 4.1 Adequate provision must be made to accommodate stormwater drainage from the approved development and use to the lawful point of discharge.
- 4.2 The approved development and use must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.
- 4.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.
- 4.4 Stormwater drainage from paved and roofed areas must be discharged to kerb and channeling within the adjoining road reserves or as otherwise required or agreed to in writing by Council.
- 4.5 All stormwater concentrated by the development or approved use(s) must be collected and piped to Council's stormwater drainage system to the satisfaction of Council, in accordance with a design:-
- (a) complying with the "Australian Rainfall and Runoff" published by the Institute of Engineers, Australia and Aus-Spec;
  - (b) demonstrating the discharge of stormwater to the lawful point of discharge, namely Ross River via the existing underground drainage system; and
  - (c) the disposal of stormwater resulting from a storm with an average recurrence interval of five (5) years must be designed in accordance with "Australian Rainfall and Runoff" published by the Institute of Engineers, Australia, and Aus-Spec.

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## LANDSCAPING AND SCREENING REQUIREMENTS

- 5.1 Landscaping shall be carried generally in accordance with the landscape plans listed in Condition 1.1 above.
- 5.2 The developer must carry out the works in accordance with the approved landscaping plans prior to the commencement of the use.
- 5.3 All landscaped areas shown on the landscape plan must be maintained in accordance with the approved plans.

## SIGNS

- 6.1 The business sign not exceeding 0.3m<sup>2</sup> in display area is permitted without the requirement of further application to Council.
- 6.2 A sign with a display area greater than 0.3m<sup>2</sup> will require the formal submission of an application for a development permit.

## SEWERAGE AND WATER SUPPLY

- 7.1 The developer must contribute in accordance with Planning Scheme Policy – Water Supply and Sewerage Headworks towards the provision of water supply and sewerage headworks. The contribution must be paid at the rate applicable at the time of payment.
- 7.2 The estimated total headworks contributions for the approved use will be calculated when detailed building plans are submitted to Council showing all fixtures to service the proposed development. This plan must be lodged with Council prior to the approval of any building works and the payment is also required to be paid prior to the issue of any development permits for building works as part of the approved development.

*Advisory Note:* Further headworks charges will apply in the event the pedestal rate increases as part of the lodgement of the final building plans for approval.

## STORMWATER AND TRANSPORT INFRASTRUCTURE CONTRIBUTIONS

- 8.1 The developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Contributions – Stormwater and Transport Infrastructure.
- 8.2 The contribution must be paid at the rate current at the time of payment. The current amount of estimated total contributions is **\$51,103.20** (\$18,530.88 Sectoral TTIRTP Sector 8 & \$32,572.32 Regional TTIRTP Sector 8) for Transport Infrastructure and **\$4,177.43** for Stormwater. The contribution is payable prior to the commencement of the use.

## EXTERNAL WORKS

- 9.1 The developer must at its own cost undertake the following external works in accordance with Council's standard specifications:-
  - (a) along the full length of the road frontage to the premises –

- (i) all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works;
- (ii) such drainage works as are rendered necessary by the carrying out of any required external works;
- (iii) reinforced industrial crossings from the kerb and channeling to the property alignment; and

### **OPERATION OF THE USE**

10. The approved use is permitted to operate during the following hours :-

- (a) 7.00am to 7.00pm seven days a week.

### **COMPLIANCE ASSESSMENT**

11. In accordance with section 3.5.31A (conditions requiring compliance) of the Integrated Planning Act 1997 prior to any works commencing on site all engineering works associated with this development are to be submitted to and approved by Council for a compliance assessment against the relevant codes as identified below:

- \* City Wide codes

The works must comply with the provisions of this code, detailed in Section 5.5, General Development Code and (where applicable) are to include:

- \* Landscaping including street plantings and irrigation within the road reserve
- \* Filling and Excavation
- \* Transport
- \* Infrastructure

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

**PLEASE NOTE:** THE COLLECTIVE SUBMISSION OF THE DOCUMENTATION SPECIFIED ABOVE WILL RESULT IN AN EXPEDITED AND INTEGRATED RESPONSE THAT WILL BE BENEFICIAL IN PRODUCING AN OVERALL DEVELOPMENT OUTCOME.

## **PRELIMINARY APPROVAL**

### **BUILDING WORK**

#### **SCHEDULE OF CONDITIONS**

1. The proposed development has been assessed against the relevant provisions of the City of Thuringowa Planning Scheme. However, assessment against the Building Act 1975, the Building Regulation 2006 and the Building Code of Australia is still required.
2. An application for a Development Permit - Building Work is required for the proposed development. This application needs to be approved prior to any works

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commencing on the site.

3. All building work is to comply with the Building Act 1975, the Building Regulation 2006 and the Building Code of Australia.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

In accordance with Section s 246A of the *Local Government Act 1993* the Chair, Councillor D Crisafulli declared a potential conflict of interest on behalf of himself, Councillor A Parsons, Councillor V Veitch, Councillor R Gartrell, Councillor B Hewett, The Mayor Councillor L Tyrell and Councillor J Lane with regards to Agenda Item 1.

- (a) *the nature of the conflict of interest as described by the Councillor:*  
The planning consultants, Brazier Motti donated to the (Team Tyrell) Election campaign.
- (b) *how the Councillor dealt with the conflict of interest:*  
Councillor D Crisafulli and all other Councillors remained in the meeting and voted on the Item.
- (c) *if the Councillor voted on the issue – how the Councillor voted:*  
Councillor D Crisafulli, Councillor B Hewett and The Mayor Councillor L Tyrell voted as per the Officer's Recommendation.  
Councillor V Veitch, Councillor J Lane, Councillor R Gartrell and Councillor A Parsons voted against the Officer's Recommendation.

- 5 PAU - Multiple Dwelling (3 x 3 Bedroom Home Units) - Material Change of Use (Impact Assessment) - Application No: MI08/0078 Assessment No: 2126007 - 9 Bartlett Avenue, Mundingburra**

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**Agenda Item >> 1**

Authorised by >> Director Planning and Economic Development  
Date >> 24 March 2009

**Executive Summary >>**

A Development Application for Material Change of Use (Impact Assessment) - Multiple Dwelling (3 x 3 Bedroom Home Units) on Lot 79 on RP 706424 situated at 9 Bartlett Avenue, Mundingburra has been received from Applicant: Castleview Tenders Pty Ltd, C/- Brazier Motti MI08/0078 2126007 and has been recommended for approval.

The Committee also considered the verbal comments provided by Alex Baxter and Steve Motti at the Committee meeting.

**Officer's Recommendation >>**

That Council approve the application for a Development Permit for Multiple Dwelling (3 x 3 Bedroom Home Units) on Lot 79 on RP 706424 situated at 9 Bartlett Avenue, Mundingburra subject to the following conditions:

**DEVELOPMENT PERMIT  
MATERIAL CHANGE OF USE  
MULTIPLE DWELLING (3 X 3 BEDROOM HOME UNITS)**

**SCHEDULE OF CONDITIONS**

**1. Site Layout**

- a) The proposed development must generally comply with plans as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

<b>DRAWING NAME</b>	<b>ISSUED DATE</b>	<b>STAMP DATE</b>
Floor & Site Plan	16 February 2009	16 February 2009
Elevations	16 February 2009	16 February 2009
Elevations	25 March 2009	27 March 2009

- b) The proposed development must comply with all Planning Scheme requirements as applying at the date of this application, except as otherwise specified by any condition of this approval.
- c) One full set of the most up to date approved plans must be held on site, and available for inspection, for the duration of the construction phase.
- d) Prior to the issue of a Development Permit for Building Works, the developer must provide amended plans relocating the front entrance (ie. door) for Unit 1 to address Bartlett Avenue.

**2. Defined Use**

The use hereby permitted must be conducted at all times in conformity with the associated definition in City Plan 2005.

**3. Water Supply and Sewerage Headworks Contributions**

The developer must pay a water supply and sewerage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 2 – Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**4. Road Network Headworks Contribution**

The developer must pay a road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 5 – Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the

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Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**5. Breakwater Road Network Headworks Contribution**

The developer must pay a breakwater road network headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 7 – Breakwater Road Network Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**6. Stormwater Drainage Headworks Contribution**

The developer must pay a stormwater drainage headworks contribution in accordance with *City Plan Policy 3 – Contributions, Section 6 – Stormwater Drainage Headworks*. Payment of such a contribution must be made prior to the issuing of the Development Permit – Building Work for the development. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

**7. Building Materials**

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

**8. Storage Areas**

The developer is to provide a modular shelving system within the storage areas associated with this development.

**9. Street Fencing**

Prior to the issue of a Development Permit for Building Work, the developer must submit to, and be approved in writing by Council details of the proposed fences/walls located along the Bartlett Avenue street boundary.

**10. Lighting**

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

**11. Property Numbering**

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

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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.

**12. Drying Facilities**

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

**13. Letterboxes**

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

**14. Screen Fencing**

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

Notwithstanding the above, with the written consent of the proprietor of any adjoining land, the screen on the boundary shared with that neighbour may consist of other materials or lesser height. For such a variation the developer must submit to and be approved by Council details of the alternative screen together with the written consent of the applicable adjoining owner prior to a Development Permit for Building Work being issued.

Unless written consent is obtained from the affected adjacent property owner, the developer must not construct a fence adjacent to the property boundary where it impedes the maintenance and serviceability of an existing boundary fence. Furthermore consultation with adjoining property owners is essential so an amicable result is achieved in respect to the removal or retention of any existing adjoining fence.

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

**15. Screening of Plant and Utilities**

- a) The location of the air conditioner condenser units are to be provided at ground level and must be in accordance with that shown on the Floor and Site Plan, received and date stamped 16 February 2008.
- b) Plant and utilities other than air-conditioners must not be visible from the street. Furthermore they must be provided with aesthetic screens prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

**16. Noise**

The hours of construction and building work on site must be limited to between –

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

#### **17. Refuse Facilities**

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

- a) The resident of each unit is responsible for the storage of their mobile garbage (wheelie) bins including recycling bins. The storage areas are to be suitably paved, with a hose cock fitted in close proximity to the enclosure.
- b) An adequate area is to be made available along Bartlett Avenue street frontage for the collection of three (3) mobile garbage (wheelie) bins and three (3) recycling bins (collected bi weekly). When development is operational, please contact Environmental Health Services on 4727 9003 to commence refuse service.
- c) A minimum overhead clearance of 4200mm must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- d) The proposed waste refuse chute (as indicated on the submitted plans) must be designed and constructed in accordance with Townsville City Council Policy 105 - REQUIREMENTS FOR THE CONSTRUCTION AND INSTALLATION OF REFUSE CHUTES.

#### **18. Relocation and Provision of Utilities**

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

#### **19. Car Parking**

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards detailed in City Plan Policy 2 – Development Standards and must be maintained thereafter to that standard.
- b) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
  - \* exposed aggregate concrete;
  - \* interlocking pavers; or
  - \* other alternative aesthetically pleasing materials to be approved in writing by Council prior to a Development Permit for Building Works being issued.

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- c) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
  - d) The developer must provide a minimum five (5) car spaces (including the car wash bay) on site of which a minimum of two (2) spaces are required to be dedicated for visitor parking and must be made available at all times for such.

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

- e) In this instance one (1) car washing bay within a visitor car park is to be provided on site and is to be provided prior to the occupation of any of the units. Details are to be submitted to and approved by Council prior to the Development permit for Building Works being issued / undertaking works on the site. The bay is to be designed and constructed in accordance with the following:
  - \* imperviously paved
  - \* provided with a hose cock
  - \* graded to a central drain incorporating a silt trap
  - \* fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing
  - \* no roof structure is to be provided

## 20. Stormwater Drainage

- a) The development site must be graded so that it is free-draining. All runoff from storms naturally falling onto this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge. The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto this development site is diverted onto other neighbouring allotments.
- b) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

## 21. Soil Erosion Minimisation, Sediment Control and Dust Control

- a) During the construction phase of this development the developer must be responsible for the installation and maintenance of adequate erosion and sediment control management, so as to achieve Specific Outcome *SO3* of the *Works* code. The contingent design, implementation and maintenance of measures must be provided in accordance with *City Plan Policy 1 Section 12 – Soil Erosion and Sediment Control*.
- b) During the construction phase of this development the developer must be responsible for adequate mitigation measures being put in place for the suppression of dust so as not to cause a nuisance to neighbouring property.

- c) The developer must ensure that no sediment or litter be discharged from the site into stormwater. Stormwater inlet pits on and adjacent to the development in Bartlett Avenue must be protected to prevent the entry of sediment and litter.

## 22. Roadworks and Traffic

- a) The developer must construct the new concrete inverts and crossovers across the footpath at the developer's expense in accordance with Council's standard drawing for *Driveway Accesses Urban Properties SD-030B*.
- b) The developer must repair/replace the kerb and channelling as necessary to repair any irregularities or breaks for the full frontage of the site in accordance with Council's standard drawing for *Kerb and Kerb & Channel Details*, to the satisfaction of Council.

## 23. Traffic Management

- a) The developer is responsible for all traffic management of the site. The contingent design, implementation and maintenance of traffic management measures during construction must be provided in accordance with *City Plan Policy 2 – Development Standards, Section 6 – TCC Variations to Aus-Spec (C201 - Control of Traffic)*.
- b) During the construction phase of the development all contractor's vehicles that are not able to be contained on site must only utilise space within the road reserve that directly fronts the subject allotment, unless otherwise approved by Council. Vehicles must not at any time obstruct footpath areas or sight lines within the vicinity of the development.
- c) All materials and machinery to be used during the construction period are to be wholly stored on the site unless otherwise agreed in writing by Council.

## 24. Flood Immunity

The developer must ensure that all habitable floor levels are a minimum height of 450mm above ground level or a minimum of 300mm above the flood inundation level from an Average Recurrence Interval (ARI) 50 year storm/tide event.

If the second option is chosen, a flood study is required prepared by an engineer (who must be an RPEQ) certifying that all habitable rooms obtain the above flood immunity.

## 25. Landscaping

- a) Prior to any works commencing on site a landscaping plan is required to be submitted to and approved by Council for a compliance assessment against the applicable Landscaping Code and/or relevant approval.

The Landscape and Irrigation Design Plans must be prepared in accordance with the relevant sections of City Plan Policy 1.

As part of the landscaping plan the following items are to be included:

- 
- \* The footpath/road reserve along Bartlett Avenue is to be turfed and provided with automated irrigation.
  - \* Mature street trees of a species selected for this section of road.
  - \* Details showing the area of the site located between the front fence/wall and the covered sit-out area for Unit 2 being extensively landscaped and including a mixed height canopy using mature dense plantings to Council's satisfaction.
- b) The landscape plans must be prepared by a suitably Qualified person who:
- \* is a Qualified Landscape Architect with current membership to the Australian Institute of Landscape Architects; and/or
  - \* is an experienced Landscape Designer
- c) All works must be completed in accordance with the approved landscaping plan and constructed to a standard detailed within City Plan Policy 2 – Development Standards. Following the approval of the plan, with or without amendments, the developer must implement the plan prior to the commencement of the use. Furthermore, all landscaped areas must be maintained thereafter to the satisfaction of Council.

## 26. Further Approvals

### Compliance Assessment

In accordance with section 3.5.31A (conditions requiring compliance) of the Integrated Planning Act 1997 prior to any works commencing on site all engineering and landscaping works associated with this development are to be submitted to and approved by Council for a compliance assessment against the relevant codes as identified below:

- \* Works Code
- \* Parking and Access Code, and
- \* Landscaping Code.

The works must comply with the provisions of these codes, detailed in Part 6, Division 4 of the City Plan and (where applicable) are to include:

- \* Earthworks
- \* Crossovers
- \* Kerb and channel work
- \* Carparking layout
- \* Landscaping including street plantings and irrigation within the road reserve
- \* Internal stormwater management
- \* Soil and sediment control measures
- \* Modification to services such as:
  - \*\* Sewerage
  - \*\* Water
  - \*\* Stormwater

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

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**PLEASE NOTE:** THE COLLECTIVE SUBMISSION OF THE DOCUMENTATION SPECIFIED ABOVE WILL RESULT IN AN EXPEDITED AND INTEGRATED RESPONSE THAT WILL BE BENEFICIAL IN PRODUCING AN OVERALL DEVELOPMENT OUTCOME.

## **ADVICE**

### **1. Strata Titling**

Upon completion of works, if the units are not to be strata titled, they will require registration under the Townsville City Council By Laws Chapter 8. Please contact Environmental Health Services for an application form.

### **2. Open Space Contribution in Lieu of Land**

Should it be the intention that the dwelling units are to be held under separate title (strata titled), the developer must pay an open space contribution in accordance with *City Plan Policy 3 – Contributions, Section 3 – Public Open Space*. Payment of such a contribution must be made prior to signing of the building format plan. The amount of the contribution must be calculated in accordance with the provisions of the Policy and at the rate applicable at the time payment is made.

### **3. Water Supply**

- a) The developer must make payment to Council to connect new water reticulation main(s) to Council's existing system. Requests for estimates for such connections are to be made to Infrastructure Planning - Water and Wastewater Business Unit and paid for prior to the works being undertaken.
- b) The developer will be advised of the minimum size water connection permitted upon application and in consultation with Council.

### **4. Sewerage**

The developer must make payment to Council to connect new sewerage main(s) to Council's existing system. Requests for estimates for such connections are to be made to Infrastructure Planning - Water and Wastewater Business Unit and paid for prior to the works being undertaken.

### **5. Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

### **6. Trade Waste Permit**

The developer is advised that a Trade Waste Permit may be required and should confirm this with Council's Trade Waste Inspector.

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**7. Construction/Demolition Waste**

All waste generated as a result of the demolition of existing buildings or structures, and construction of the premises is to be effectively controlled on site before disposal. All waste is to be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

**8. Units**

Upon completion of works, if the units are not to be strata titled, they will require registration under the Townsville City Council By Laws Chapter 8. Please contact Environmental Health Services for an application form.

**9. Swimming Pool**

Upon completion of works, application shall be made to Council's Environmental Health Services for the registration of the swimming pool. Please contact Environmental Health Services for an application form.

**10. Environmental Considerations**

E.P.A. Requirements

Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

**11. Pool Pumps**

Pool pumps are to be operated in accordance with the *Environmental Protection Regulation 1998*.

**12. Specifications and Drawings**

Details of Council's specifications and standard drawings can be viewed on Council's website <http://previous.townsville.qld.gov.au/infradevt/devtspecs.asp>.

**PRELIMINARY APPROVAL**

**BUILDING WORK**

**SCHEDULE OF CONDITIONS**

1. The proposed development has been assessed against the relevant provisions of the City Plan 2005. However, assessment against the Building Act 1975, the Building Regulation 2006 and the Building Code of Australia is still required.
2. An application for a Development Permit - Building Work is required for the proposed development. This application needs to be approved prior to any works commencing on the site.
3. All building work is to comply with the Building Act 1975, the Building Regulation 2006 and the Building Code of Australia.

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**Committee Recommendation >>**

That Council refuse the application for a Development Permit for Multiple Dwelling (3 x 3 Bedroom Home Units) on Lot 79 on RP 706424 situated at 9 Bartlett Avenue, Mundingburra.

**Statement of Reasons (Section 461A- Local Government Act 1993);**

**MATERIAL CONSIDERED:**

The Committee recommended refusal of the application for a Development Permit for Multiple Dwelling (3 x 3 Bedroom Home Units) on Lot 79 on RP 706424 situated at 9 Bartlett Avenue, Mundingburra contrary to the Council Officer's Recommendation.

The material on which the Committee based its decision:

1. Verbal comments provided at the meeting by Alex Baxter (Submitters' representative) and Steve Motti (Planning Consultant for the Applicant);
2. Written report of Theresa Kenna, Development Assessment Officer, Townsville City Council dated 24 March 2009 (Agenda Item 1).

**FINDINGS ON QUESTIONS OF FACT AND THE SPECIFIC EVIDENCE ON WHICH THOSE FINDINGS ARE BASED.**

The Committee considered the factual circumstances detailed in the written report of Theresa Kenna, Development Assessment Officer dated 24 March 2009.

**THE COMMITTEE DECIDED:**

That the proposed development did not meet the requirements of 4.33 District Code 4 - Townsville West ((1)(b) In the Neighbourhood Residential Precinct) of the Planning Scheme.

- 6 PAU - Place of Public Worship - Material Change of Use (Impact Assessment) Application No: M34/08:12817 Assessment No: 12450110 - 12 Burnda Street, Kirwan**

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**Agenda Item >> 8**

Authorised by >> Director Planning and Economic Development  
Date >> 13 February 2009

**Executive Summary >>**

A Development Application for Material Change of Use (Impact Assessment) - Public Place of Worship on Lot 5 on RP 733810 situated at 12 Burnda Street, Kirwan has been received from Applicant: The Townsville City Church, C/- Everson Town Planning - M34/08:12817 12450110 and has been recommended for approval.

The Committee also considered the verbal comments provided by Bronwyn Walker and Alicin Everson at the Committee meeting.

**Officer's Recommendation >>**

That Council approve the application for a Development Permit for Public Place of Worship on Lot 5 on RP 733810 situated at 12 Burnda Street, Kirwan subject to the following conditions:

**DEVELOPMENT PERMIT**

**MATERIAL CHANGE OF USE  
PLACE OF PUBLIC WORSHIP**

**SCHEDULE OF CONDITIONS**

**1. Site Layout**

- a) The proposed development must generally comply with plans prepared by Everson Town Planning as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

<i>Drawing Name</i>	<i>Drawing No.</i>	<i>Stamp Date</i>
Site Plan	8021/AE -1	20 June 2008
Floor Plan	8021/AE -2	20 June 2008

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

**2. Defined Use**

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

**3. Parking Contribution**

Developer contributions are required, in accordance with the *Thuringowa Policy – Contributions towards the Cost of the Provision of Off-Street Car Parking Spaces*, in lieu of five off-street parking that cannot be provided as part of this development. Unless otherwise approved by Council the contribution must be paid to Council within six months of the decision date.

The contribution must be paid at the rates applicable at the time of payment.

**4. Car Parking**

- a) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.

- b) The developer must provide a minimum of eight (8) car spaces on site.
- c) Car parking spaces must be kept available for the parking of vehicles at all times.

**5. Relocation and Provision of Utilities**

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

**6. Hours of Operation**

Unless otherwise approved by Council, the activities associated with the use must only be conducted between:

- 9 a.m. to 4 p.m. Monday to Saturday for administration purposes,
- 6pm to 9pm Monday to Saturday for Church activities and,
- 8.30am to 12.30pm and 5.30pm and 8pm Sunday for Church Service.

**7. Noise**

The noise associated with amplified music and other musical equipment associated with the approved use (Place of Worship) must not cause unreasonable noise at sensitive receptors. Unreasonable noise may be regarded as noise that exceeds the noise limits specified below.

Noise Limits at the property boundary  
Measured as the adjusted Maximum Sound Pressure Level L(A<sub>Max adj</sub>,T)

7am to 6 pm	Background noise level plus 5 dB(A)
6pm to 10pm	Background noise level plus 5 dB(A)
10pm to 7am	Background noise level plus 3 dB(A)

**8. Building Materials**

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

**9. Storage**

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

**10. Site Appearance**

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

**11. Lighting**

- a) Lighting is provided in accordance with the *Australian Standard AS1158*:

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*Public Lighting Code.*

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

**12. Property Numbering**

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

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

**13. Screening of Plant and Utilities**

The applicant is required to submit a plan identifying the location of all service structures and mechanical plant and details of aesthetic screens. This must be submitted to and approved by Council in writing prior to a Development Permit for Building Works being issued.

**14. Refuse Facilities**

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

- a) The approved waste storage area is to be of sufficient size to house all mobile garbage (wheelie) bins including recycling bins. The storage area is to be suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection.
- b) An adequate area is to be made available along Burnda Street frontage for the collection of mobile garbage (wheelie) bins and recycling bins (collected bi weekly). When development is operational, please contact Environmental Health Services on 4727 9003 to commence refuse service.
- c) A minimum overhead clearance of 4200mm must be provided for refuse collection. Access for the collection of the mobile garbage (wheelie) bins is not to be impeded by any overhead obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- d) All waste generated as a result of the demolition of existing building or structures, and construction of the premises is to be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the Environmental Protection (Waste Management) Regulation 2000.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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The meeting adjourned for lunch at 12.15pm and resumed at 12.50pm.

**7 PAU - Minor Change to MI07/0044 Multiple Dwelling (Additional 4 Self Contained Apartments) - Application No: AN08/0370 Assessment No: 0219999 - "Aquarius on the Strand", 133/75-77 The Strand, North Ward**

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**Agenda Item >> 4**

Authorised by >> Director Planning and Economic Development  
Date >> 24 March 2009

**Committee Recommendation >>**

That the item be held over.

**Councillor A Parsons vacated the Chamber.**

**8 PAU - Minor Change - Preliminary Approval, Precinct 1 Plan North Shore (Impact Assessment) - 10915003 AN08/0733 (R320:1844) at Garland Road, Burdell**

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**Agenda Item >> 5**

Authorised by >> Director Planning and Economic Development  
Date >> 23 March 2009

**Executive Summary >>**

A development application for minor change (relocation of a small park area to facilitate the reconfiguration of 6 additional residential allotments) to the existing Preliminary Approval for Precinct 1 (R320/18444) on land described as Lot 94 on SP143119 at Garland Road, subject to the conditions attached to the agenda item.

**Officer's Recommendation >>**

That Council approve the application for a minor change to the existing Preliminary Approval for Precinct 1 (R320/18444) on land described as Lot 94 on SP143119 at Garland Road, Burdell subject to the following conditions of approval:

**PROPOSAL PLAN**

- 1 The precinct 1 plan must be carried out generally in accordance with:-
  - (a) (i) the approved Proposal Plan (Precinct 1 - Stages 1 - 4) numbered 25544/61M dated November 2008; and

- 
- (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;  
  
except where modified by the conditions of approval and any approval issued there under; and
  - (b) any approval issued under this approval; and
  - (c) and development permit for operational works relating to the subsequent reconfiguration applications for stages 1-4.

#### **INFRASTRUCTURE AGREEMENT**

- 2.1 The developer must in respect to subsequent reconfiguration approvals for stages 1-4 of Precinct 1 comply with the "Development Infrastructure Agreement for Waterway Gardens" dated 28 March, 2007.
- 2.2 The developer must in respect to subsequent reconfiguration approvals for stages 1-4 of Precinct 1 comply with the "Public Passenger Transport and Rail Transport Infrastructure Agreement" dated 14 August, 2006.

#### **PRECINCT 1 PLAN - LEVEL OF ASSESSMENT AND RELEVANT CODES**

- 3.1 The precinct 1 plan approved as part of this preliminary approval varies the level of assessment and land-use outcomes where specified in the approved Plan of Development No. 1 as issued as part of the consent order on the 29 March, 2007.
- 3.2 The subsequent reconfiguration and material change of use applications for precinct 1 as identified on precinct 1 plan 25544/61M will be assessed in accordance with the relevant codes identified in the plan of development No. 1 issued as part of the consent order on the 29 March, 2007.

#### **WATER SUPPLY & SEWERAGE**

- 4.1 The development must be serviced by reticulated water supply and sewerage systems in accordance with Council's adopted standards.

#### **INTERNAL ROAD NETWORK**

- 5.1 The internal road network must be subject to a detailed design assessment in terms of the primary function of each type of road that influences driver behaviour, speeds, access, acoustic environment and traffic volumes that are appropriated to that function as part of subsequent reconfigurations stages for precinct 1.

#### **STORMWATER DRAINAGE**

- 6.1 All external catchments discharging to the subject site must be accepted and accommodated within the development's stormwater drainage system. The development must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

- 6.2 The developer must provide a water sensitive urban design report detailing mitigation measures proposed to reduce pollutant loads in the stormwater discharge as part of subsequent operational works applications for precinct 1.

#### **50 YEAR ARI FLOOD LEVELS**

- 7.1 The minimum floor levels for habitable rooms must be 450mm above the level of a 50 year ARI flood.
- 7.2 All lots created by the reconfiguration (excluding lots required for drainage and environmental purposes) must be constructed to be above the 50 year ARI flood level in accordance with Council's Standards.

#### **ELECTRICITY SUPPLY AND STREET LIGHTING**

- 8.1 The development must be provided with an underground reticulated electricity supply and overhead street lighting in accordance with Council's adopted standards.

#### **DEPARTMENT OF MAIN ROADS (CONCURRENCE AGENCY)**

- 9.1 Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Department of Main Roads advises that it has no objection to Townsville City Council issuing a Development Permit for Reconfiguring a Lot (Preliminary Approval) subject to the conditions, as attached.

#### **DEPARTMENT OF QUEENSLAND TRANSPORT (CONCURRENCE AGENCY)**

- 10.1 Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, Queensland Transport advises that it has no objection to Townsville City Council issuing a Development Permit for Reconfiguring a Lot (Preliminary Approval) subject to the conditions, as attached.

#### **DEPARTMENT OF NATURAL RESOURCES AND WATER (CONCURRENCE AGENCY)**

- 11.1 Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Department of Natural Resources and Water advises that it has no objection to Townsville City Council issuing a Development Permit for Reconfiguring a Lot (Preliminary Approval) subject to the conditions, as attached.

#### **ENVIRONMENTAL PROTECTION AGENCY (CONCURRENCE AGENCY)**

- 12.1 Pursuant to Section 3.3.16(1) of the *Integrated Planning Act 1997*, the Environmental Protection Agency advises that it has no objection to Townsville City Council issuing a Development Permit for Reconfiguring a Lot (Preliminary Approval) subject to the conditions, as attached.

#### **Advisory Note:**

*Prior to carrying out any works in relation to stage 3A reconfiguration (subject to future reconfiguration approvals) the applicant must ensure that all necessary approvals have been obtained from the Commonwealth under the EPBC Act.*

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**DEFINITIONS**

In these conditions the following meanings apply:-

ADG84	Australian Geodetic Datum 1984
AHD	Australian Height Datum
AMG	Australian Map Grid
ARI	Annual Recurrence Interval
AS	Australian Standard
COT	Council of the City of Thuringowa (Now Council of the City of Townsville)
Council	Council of the City of Townsville (Formally Council of the City of Thuringowa)
DXF	Drawing Interchange Format for computer systems
ERGON	Ergon Energy
Planning Scheme	Thuringowa City Council Planning Scheme

**NOTE:** Copies of Council's policies may be purchased from Council or viewed free of charge at its office.

**Recommendation >>**

That the Officer's Recommendation be adopted.

**Councillor A Parsons resumed his seat in the Chamber.**

**9 PAU - Two (2) Traditional Residential Allotments - Reconfiguring a Lot (Code Assessment) - Application No: RC08/0153 Assessment No: 4406014 - 17 Weaver Street, Heatley**

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**Agenda Item >> 6**

Authorised by >> Director Planning and Economic Development  
Date >> 16 March 2009

**Executive Summary >>**

A Development Application for Reconfiguring a Lot (Code Assessment) - Two (2) Traditional Residential Allotments on Lot 120 on RP 723271 situated at 17 Weaver Street, Heatley has been received from Applicant: Conics - RC08/0153 and has been recommended for refusal.

**Officer's Recommendation >>**

That the Council refuse the application for a Development Permit for Reconfiguring a Lot (one (1) Lot into two (2) Lots) on Lot 120 RP 723271 situated at 17 Weaver Street, Heatley on the following grounds:

- 
- (a) The proposed reconfiguration is inconsistent with the required allotment size of 800m<sup>2</sup> for the proposed rear Lot within the Traditional Residential Precinct as required under Table 1 of s6.25 Reconfiguring a Lot, City Plan 2005.
  - (b) The proposed reconfiguration is inconsistent with the required minimum frontage of 20m for a front lot within the Traditional Residential Precinct as required under Table 1 of s6.25 Reconfiguring a Lot, City Plan 2005.
  - (c) The proposed reconfiguration does not achieve the required building envelope as prescribed in PS1.4 for each proposed Traditional Residential Lot as required within s6.25 Reconfiguring a Lot Code, City Plan 2005, where it states:

*“Where a rear lot is proposed in a residential precinct (other than the Rural Residential precinct or the mixed use precinct):*

- (i) *a square building envelope with sides of 25m is capable of being contained entirely within the lot except where the lot backs on to an open space area;”*

- (d) The proposed reconfiguration does not achieve the required access strip as prescribed in PS1.4 for each proposed Traditional Residential allotment as required within s6.25 Reconfiguring a Lot Code, City Plan 2005, where it states:

*“Where a rear lot is proposed in a residential precinct (other than the Rural Residential precinct or the mixed use precinct):*

- (ii) *the access strip is not less than 5m and not more than 8m in width at any part of its length;*

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**In accordance with Section s 246A of the *Local Government Act 1993* the Chair, Councillor D Crisafulli declared a potential conflict of interest on behalf of himself, Councillor A Parsons, Councillor V Veitch, Councillor R Gartrell, Councillor B Hewett, The Mayor Councillor L Tyrell and Councillor J Lane with regards to Agenda Item 7.**

- (a) ***the nature of the conflict of interest as described by the Councillor:***  
The planning consultants, Brazier Motti donated to the (Team Tyrell) Election campaign.
- (b) ***how the Councillor dealt with the conflict of interest:***  
Councillor D Crisafulli and all other Councillors remained in the meeting and voted on the Item.
- (c) ***if the Councillor voted on the issue – how the Councillor voted:***  
Councillor D Crisafulli and all other Councillors voted as per the recommendation.

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**10 Planning Assessment Unit - Development Application (Overriding the Planning Scheme Section 3.1.6) - Material Change of Use (Impact Assessment) for a master planned residential community - Off Dalrymple and Shaw Road, Bohle Plains M82/06 13901025**

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**Agenda Item >> 7**

Authorised by >> Director Planning and Economic Development  
Date >> 17 March 2009

**Executive Summary >>**

A Development Application for the Material Change of Use - (Impact Assessment), (Section 3.1.6) - Overriding the Planning Scheme for a master planned residential community on Lots 6, 7, 9 and 15 on SP 107219, situated Off Dalrymple and Shaw Road, Bohle Plains has been received from Applicant >> Brazier Motti Pty Ltd c/ Parkside Developments Pty Ltd - Owner >> Kingsun Pty Ltd – M82/06 and is recommended for approval.

The application seeks a Preliminary Approval overriding the IPA Planning Scheme for the material change of use of land from the Rural 40 planning area to use rights in accordance with a Plan of Development (for residential and open space purposes) to allow the development of a master planned residential community. This application seeks to establish use rights consistent with the Plan of Development and Council's Planning Scheme only and further reconfiguration applications must be lodged to assess the detailed design of the residential community in terms of the road connections, lot layout, infrastructure requirements and open space and recreational facilities.

This approval will facilitate the expansion of the Bohle Plains urban area to provide approximately 2200 additional residential lots as part of a staged development with a maximum density of 15 lots per hectare which complies with Council's IPA Planning Scheme. In accordance with the predicted growth rates for the region it is considered that this is an appropriate form of urban consolidation and urban sequencing for Townsville City.

The development conforms with the objective of Council's Planning Scheme in terms of promoting an urban land efficiency that minimises transport demands and encourages the cost effective provision of both physical and social infrastructure for the master planned community. The site is located within the urban growth boundaries for the City as prescribed in Council's Planning Scheme and is considered to be sequential development in terms of its location on the fringe of an existing urban area.

The development can be adequately serviced by all relevant infrastructure in an orderly, cost effective and efficient manner. In terms of preliminary design considerations, the reports and studies submitted demonstrate that, with appropriate planning and further detailed design, all necessary infrastructure and services can be delivered in an efficient and sustainable manner within the Bohle Plains urban area.

The proposal complies with Council's IPA Planning Scheme, specifically the Desired Environmental Outcomes and Urban Growth Boundaries Code and the master planned

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community constitutes an important urban consolidation project for the City and should be supported on these planning grounds.

The Committee also considered the verbal comments provided by Brad Mackney at the Committee meeting.

**Officer's Recommendation >>**

That Council approve the application for a Preliminary Approval for the Material Change of Use - (Impact Assessment), (Section 3.1.6) - Overriding the Planning Scheme on Lots 6, 7, 9 and 15 on SP 107219, situated Off Dalrymple and Shaw Road, Bohle Plains subject to the following conditions and the Plan of Development – “Greater Ascot Development Code” (as amended by Council) attached to the agenda item as schedule A to the approval >>

**SCHEDULE OF CONDITIONS**

**GENERAL**

- 1.1 The material change of use (preliminary approval overriding the planning scheme) relates to the change in the planning designation from the Rural 40 designation to use rights in accordance with the approved Plan of Development and the Residential Planning Area (Traditional Residential sub area) and Open Space Planning area (Local sub area) of the IPA Planning Scheme. Any subsequent development applications will be assessed against the Plan of Development titled “Greater Ascot Development Code” and the applicable provisions of the IPA Planning Scheme for the Residential Planning Area (Traditional Residential sub area) and Open Space Planning Area (Local sub area) on the subject land as shown on Structure Plan No. 26700/29A dated 4 June, 2008 attached as Schedule A to this approval except where varied by the conditions of this approval.
- 1.2 The “Greater Ascot Development Code” (attached as schedule A to this approval – as amended by Council) is approved where:-
  - (i) the Plan of Development for the residential planning area and open space planning area outlines the exempt development, self assessable development and assessable development where they override the provisions of the IPA Planning Scheme except where amended by any conditions of this approval.

**CONCEPT MASTER PLAN**

- 2.1 Map 2 “Concept Master Plan” as identified in the Plan of Development is conceptual only in terms of the road layout and lot design and its purpose is to conceptually identify the individual planning transect areas only being the urban zone, sub-urban zone, country living zone and nature zone only. Further detailed planning will be required to determine and approve the final layout of the master planned development as part of subsequent precinct and reconfiguration applications in terms of any additional studies that will be required as part of the conditions of this approval and the subsequent approval process under the Plan of Development.

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*Advise Note: Map 2 defines the spatial areas of the planning area transect which triggers the development tables controlling lots sizes, setbacks, building heights and road types specific to that transect area. The approved precinct plan will authorise the final meets and bounds of the transect areas.*

### **PRECINCT MASTER STAGING PLAN**

- 3.1 Map 3 "Precinct Plan" PAR051/SK2 is approved in terms of the staged precinct areas as identified in the Plan of Development. The road layout and lot design shown on Map 3 is conceptual only and further detailed planning will be required to determine and approve the final layout of the master planned development as part of subsequent precinct and reconfiguration applications in terms of any additional studies that will be required as part of the conditions of this approval and the subsequent approval process under the Plan of Development.
- 3.2 A Precinct Plan must be submitted and approved prior to or as part of the development approval for reconfiguring of a lot in a specific precinct area in accordance with the approved Plan of Development.

### **DEVELOPMENT CONTRIBUTIONS**

- 4.1 An Infrastructure Agreement between the developer and Council must be approved by Council and signed by all relevant parties before the approval of any subsequent development applications over the subject land. The infrastructure agreement shall include, but not be limited to, all cost impacts on existing and future infrastructure plans that this development causes.
- 4.2 In accordance with an Infrastructure Agreement between the developer and Townsville City Council, and any subsequent Infrastructure Plans and Infrastructure Charges Schedule adopted by Council, the Developer shall contribute (but not limited to) towards the provision of the following infrastructure:
- \* Water Supply Infrastructure;
  - \* Sewerage Infrastructure;
  - \* Stormwater Drainage Network (Stormwater Infrastructure);
  - \* Road Network (Transport Infrastructure);
  - \* Public Garden & Recreation Space; and
  - \* Bikeways.

### **WATER SUPPLY & SEWERAGE**

- 5.1 The development must be serviced by reticulated water supply and sewerage systems at the cost of the developer in accordance with Council's adopted standards.
- 5.2 The developer must carry out water supply and sewerage works external to the development to connect the development to Council's existing networks.

### **INTERNAL ROAD NETWORK**

- 6.1 The internal road network will be subject to detailed design assessment in terms of the primary function of each type of road that influences driver behaviour, speeds, access, acoustic environment, residential amenity and traffic volumes that are appropriated to that function as part of subsequent precinct and reconfigurations applications over the subject land.

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- 6.2 The internal road network must provide carriageways that can satisfactorily permit the movement of all Public Transport vehicles and comply with a minimum of 90% of all lots being located within 400m walking distance of Public Transport.
- 6.3 Notwithstanding the road types identified in the Plan of Development, the developer must demonstrate compliance with condition 6.1 and 6.2 prior to the issuing of the relevant precinct and reconfiguration stage.

### **STORMWATER DRAINAGE**

- 7.1 Designs for stormwater drainage associated with the approved development must be in accordance with Council's adopted standards.
- 7.2 All external catchments discharging to the subject land must be accepted and accommodated within the development's stormwater drainage system.
- 7.3 The development must complete an overall master drainage study for the subject land which must also include an assessment of inflows from catchments other than the subject land. The study must be approved by Council prior to the approval of any subsequent development applications over the subject land.
- 7.4 The development and use/s must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads owned by others.
- 7.5 The developer must construct such work as is necessary to ensure that there is no concentration of, or increase in levels or increase in velocities of stormwater upstream of, adjacent to and downstream of the subject land.
- 7.6 The developer must construct all of the development's stormwater drainage system traversing the subject land such that all catchments, including external upstream catchments, are analysed as if they were in a fully developed state.
- 7.7 The developer must prepare a flood study to determine the levels of floods having a 50 year ARI to enable Council to determine the minimum fill levels and the minimum floor levels for habitable rooms in dwellings erected on the land as part of any subsequent development applications. This flood study must be submitted to and be approved by Council, before the approval of any subsequent development application over the subject land.

### **PEDESTRIAN & BICYCLE NETWORK**

- 8.1 A pedestrian and bicycle network must be designed and constructed for the entire development for convenient and safe access for pedestrians and cyclists which provides for an efficient network of footpaths and connectivity within the overall residential development. The overall pedestrian and bicycle network plan must be approved by Council prior to approval of any subsequent development applications over the subject land.

### **EXTERNAL ROAD CONNECTIONS**

- 9.1 The developer must make allowance for external road connection/s for the subject land. The roads will be of a size required to accommodate the traffic in accordance with the Council standards or such other standard that may be agreed between the Council and the developer.

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## **STORMWATER DISCHARGE**

- 10.1 The developer must provide an urban stormwater quality (USQ) assessment report that details the treatment system and devices proposed within the total development prior to the approval of any subsequent reconfiguration applications for this approval. The quality of stormwater flows discharging from the site must meet the criteria of Council's requirements at the time of each application.

## **NOISE MITIGATION**

- 11.1 For each subsequent precinct and reconfiguration application the developer is required to submit a detailed noise report to ensure the acoustic impacts associated with road traffic and surrounding approved land uses (both existing and proposed) are at acceptable noise levels for all noise sensitive places within the approved development.
- 11.2 Notwithstanding the Plan of Development, Structure Plan and transect zones identified in Map 2, the developer must demonstrate that acceptable noise levels can be achieved for all noise sensitive places prior to the issuing of the relevant precinct and reconfiguration approval.
- 11.3 The noise report detailed in condition 11.1 must assess the adjacent noise emitting activities including (but not limited to) the lawful operations of the outdoor entertainment facility on Lot 1 on RP 895513 and approved industrial uses that have the potential to impact on the noise amenity of the master planned community. The noise report must demonstrate that acceptable noise levels can be achieved for the noise sensitive places located within the master planned community.
- 11.4 Where required, the developer must submit a noise report for subsequent material change of use applications to ensure the acoustic impacts associated with road traffic and surrounding land uses (both existing and proposed) are at acceptable levels for the proposed development.

*Advice Note: The ultimate acoustic solutions to ameliorate noise impacts may include a combination of acoustic barriers, earth mounds, responsive urban design and acoustically treated buildings to ensure an appropriate level of noise amenity is maintained as indicated in the preliminary noise report titled "Greater Ascot Residential Development Road Traffic and Industrial Noise Impact Assessment" dated 30 May, 2008. The acoustic solutions will be assessed by Council as part of each stage of development to ensure an appropriate urban form outcome is achieved for the master planned community while maintaining an acceptable level of acoustic amenity.*

## **PUBLIC TRANSPORT**

- 12.1 Within the approved development, carriageways must be provided that can satisfactorily permit the movement of all Public Transport vehicles. Adequate bus set down areas must be provided along the public transport route.

## **50 YEAR ARI FLOOD LEVELS**

- 13.1 All lots created by this development must be constructed to be above the highest 50 year ARI flood level in accordance with Council's standards.

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*Advice Note: The minimum floor levels for habitable rooms must be 450mm above the level of a 50 year ARI flood.*

#### **OPEN SPACE & PARKLAND REQUIREMENTS**

14.1 A detailed open space and parkland concept plan for the overall residential development must be submitted and approved by Council prior to approval of any subsequent precinct, reconfiguration and operational works applications over the subject land and include the following –

- (i) the proposed parkland size, standard, function and embellishments in accordance with Council's open space and recreation planning scheme policy; and
- (ii) proposed open space pedestrian linkages as part of the passive and active open space designated areas.

#### **VEGETATION MANAGEMENT PLAN**

15.1 The developer must submit a vegetation management plan (VMP) for each stage of reconfiguration for Council's approval prior to the issuing of any reconfiguration or operational works approvals associated with that stage and including the following –

- (i) detail the existing vegetation that can be retained within existing creek lines, proposed open space areas and within the residential designated land; and
- (ii) detail the areas that are proposed to be cleared as part of the residential development.

#### **BOHLE RIVER MANAGEMENT AND PROTECTION**

16.1 A rehabilitation management plan must be submitted and approval by Council for the protection and management of the environmental corridor (Bohle River) passing through the subject land prior to any works commencing within the open space designated land as shown on Plan No. 26700/29A dated 4 June, 2008 attached as Schedule A to this approval. The rehabilitation management plan must include weed control measures, a works and maintenance schedule and supplementary planting to improve the existing riparian vegetation and habitat linkages of the Bohle River.

16.2 A minimum 50 metre buffer from the defined bank of the Bohle River must be provided a part of the approved development to protect the existing riparian vegetation and habitat linkages.

#### **VISUAL AMENITY BUFFER**

17.1 A visual amenity buffer must be provided along the entire length of Lot 6 and 9 on SP 107219 (excluding any road connections) for the purposes of providing a vegetation screen from the higher order road(s), the existing outdoor entertainment facility and existing and future industrial development to the west of the subject land. The visual amenity buffer must also improve the streetscape of Shaw Road and be provided at the location generally shown on Plan No.

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26700/29A dated 4 June, 2008 attached as Schedule A to this approval being the eastern side of the subject lots.

- 17.2 The width of the visual amenity buffer area must be approved by Council prior to approval of any precinct, reconfiguration and operational work approvals over the areas identified as Precinct 6, 7, 9 and 10 as shown on Plan PAR051/SK22 Rev 1. The developer must lodge conceptual plans which detail the intended embellishments to the buffer area and its function and relationship with the adjacent lot layout which supports the proposed width of the buffer area and achieves the requirements of condition 17.1. The conceptual plans can be incorporated into the open space master plan for Council's approval.

*Advice Note: The purpose of the buffer is to provide a visual screen from the adjoining higher order roadway and industrial land given the industrial / residential interface associated with the proposed development and to improve the streetscape of Shaw Road. The buffer also provides the opportunity for articulation to the fence design and possible pathway linkages to the overall open space network including the Bohle River open space corridor. As part of the assessment of reconfiguration applications adjacent to this corridor, consideration will be given to providing a level of community interaction within the open space buffer through urban design outcomes, pathway linkages and crime prevention through urban design principles.*

#### **CULTURAL HERITAGE**

- 18.1 The road layout and design must incorporate the heritage value of the Drag Strip Site previously known as the "Bohle Airfield" by way of the provision of a north / south road generally aligned to the cultural heritage site and include interpretive signage at the entry point and an accurate description of the significance of the premises at an appropriate location as required in condition 18.2.
- 18.2 The developer is required to lodge a cultural heritage report for the "Bohle Airfield" site which must be approved by Council prior to the removal of the original airstrip and associated structures and prior to the issuing of any precinct, reconfiguration or operational works approvals within the area identified as precinct 6 and 7 as shown on Plan PAR051/SK22 Rev 1. The cultural heritage report must detail –
- (i) The proposed alignment of the road layout to protect the heritage value of the airstrip;
  - (ii) the location of the interpretive signage and the detailed display information explaining its significance; and
  - (iii) historical research of the site in terms of its significance as part of world war II and where this information can be incorporated into the interpretive signage and display information providing an accurate description of its cultural heritage significance to the community.

#### **CONCURRENCE AGENCY CONDITIONS (DEPARTMENT OF MAIN ROADS)**

- 19.1 The developer must comply with the conditions issued by the Department of Main Roads (concurrence agency) in accordance with their amended response dated 24 March, 2009 and attached as schedule B to this approval.

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*Advice: The Natural Resources and Mines Department and the Queensland Transport Department (concurrency agencies) had no conditions to include in the preliminary approval and a copy of their responses are attached.*

## DEFINITIONS

In these conditions the following meanings apply:-

- \* A reference to an Act includes all statutory instruments and subordinate legislation made under that Act; and
- \* Terms used have the meaning contained in the Planning Scheme, the *Integrated Planning Act 1997* or the relevant legislation referred to in those conditions, as the case may be.
- \* GDA94                      Geocentric Datum of Australia 1994
- \* AHD                         Australian Height Datum
- \* AMG                         Australian Map Grid
- \* ARI                         Average Recurrence Interval
- \* AS                          Australian Standard
- \* TCC                         Townsville City Council
- \* Council                     Council of the City of Townsville
- \* DMR                         Department of Main Roads
- \* DXF                         Autodesk ® Drawing Interchange Format for computer systems
- \* Ergon                        Ergon Energy
- \* Planning Scheme         Former Thuringowa Council Planning Scheme
- \* PIP                         Priority Infrastructure Plan
- \* POD                         Plan of Development (Greater Ascot Development Code)
- \* Subject Land             Lots 6, 7, 9 and 15 on SP107219

## Committee Recommendation >>

That the Officer's Recommendation be adopted.

## CITY PLANNING

### 11 City Plan Unit - Future Amendment No. 342 - Removal of 30 Howitt Street from Schedule 5

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#### Agenda Item >> 10

Authorised by >> Director Planning and Economic Development  
Date >> 15 December 2008

#### Executive Summary >>

30 Howitt Street, North Ward was erroneously listed on the Local heritage Database as a result of its inappropriate inclusion in the Urban Conservation Study in 1993 and consequently on the City Plan 2005 – Schedule 5. The Special Projects Unit has

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documentary evidence that the property was not to form part of the Local Heritage Database (LHD) and have confirmed that the property has no intrinsic cultural or heritage value. As a result, the Special Projects Unit have requested the property's immediate removal from the LHD. As the intent of Schedule 5 is to reflect the LHD in a statutory document, this amendment seeks the removal of 30 Howitt Street, North Ward from Schedule 5 – Cultural Heritage Facilities.

**Officer's Recommendation >>**

That Council resolve to:

- 1) Pursuant to section 2.1.5 and section 2(1) of Schedule 1 of the *Integrated Planning Act 1997 (IPA)*, prepare an amendment to remove 30 Howitt Street from Schedule 5 of the City Plan 2005 in accordance with the attachments to this report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**12 City Plan Unit - Future Amendment 345 - Barbecue Specifications - Recommendation to Adopt**

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**Agenda Item >> 11**

Authorised by >> Director Planning and Economic Development  
Date >> 28 October 2008

**Executive Summary >>**

An amendment to City Plan Policy 2 – Development Standards, Section 10 – Landscape Works Specification was proposed for the inclusion of a barbecue specification, and to correct some spelling and grammatical inconsistencies. It is intended that this will be listed underneath 4.8 – *Infrastructure Items* as 4.8.1 – *Barbecues*.

The proposed amendment underwent the public consultation phase from 8 September 2008 to 17 October 2008. During this time no submissions were received, and the proposed amendment is now ready for adoption.

**Officer's Recommendation >>**

That Council resolve to:

1. Pursuant to section 5(a) of schedule 3 of the *Integrated Planning Act 1997 (IPA)*, proceed with the proposed amendment without modification, in accordance with the attachment to this report; and
2. Pursuant to section 2.1.19 and schedule 3 of the *Integrated Planning Act 1997*, resolve to adopt an amendment to City Plan Policy 2 - Development Standards,

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Section 10 – Landscape Works, to include barbecue specifications as outlined in the attachments to this report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**13 City Plan Unit - Future Amendment No. 356 - Removal of 126 Eyre Street, North Ward and 126 Mitchell Street, North Ward from Schedule 5**

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**Agenda Item >> 12**

Authorised by >> Director Planning and Economic Development  
Date >> 15 December 2008

**Executive Summary >>**

This amendment outlines the need to remove 126 Eyre Street, North Ward and 126 Mitchell Street, North Ward from Schedule 5 of the Council's City Plan 2005. Investigations have revealed that 126 Mitchell Street was incorrectly added to the Local Heritage Database (LHD) as the building on the site was mistaken for Orana Flats located at 126 Eyre Street. A heritage significance assessment also revealed that 126 Eyre Street should not have been originally included in Schedule 5 of the Council's City Plan as it fails to sufficiently meet the requirements of any of the nine criteria necessary for local heritage inclusion. As summarised in this report, it becomes apparent that neither building sufficiently meets these criteria and should therefore be removed from Schedule 5 – Cultural Heritage Facilities.

**Officer's Recommendation >>**

That Council resolve to:

- 1) Pursuant to section 2.1.5 and section 2(1) of Schedule 1 of the *Integrated Planning Act 1997 (IPA)*, prepare an amendment to remove 126 Eyre Street, North Ward and 126 Mitchell Street, North Ward from Schedule 5 – Cultural Heritage Features of City Plan 2005 in accordance with the attachments to this report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**14 City Plan Unit - Future Amendment 357 - Webb Park Industrial Park,  
695-711 Ingham Road, Mt St John**

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**Agenda Item >> 13**

Authorised by >> Director Planning and Economic Development  
Date >> 24 February 2009

**Executive Summary >>**

Separate decision notices have been previously awarded by Council for Development Permits associated with land parcels located at 695-711 Ingham Road, Mount St John.

19 December 2003, Council issued a Development Permit for Reconfiguring a Lot (Subdivision – 44 Lots and Road) and making a Material Change of Use of Premises (Uses Generally in accordance with the General Industry Zone over Part of Lot 11 on SP150075 (Council Reference MI03/0041 & RC03/0031).

This development application was assessed and approved under the previous City of Townsville Planning Scheme.

In 2005, two separate minor change applications were received and subsequently approved by Council enabling a further seven (7) and four (4) additional lots be developed within Stage 3.

A second Development Application for Development Permit (Council Reference MI07/0093 & RC03/0150) for Reconfiguring a Lot (18 Core Industry Allotments) and Material Change of Use – Uses generally in accordance with the Core Industry Precinct was assessed and approved with conditions on 25 November 2008.

Both applications were identified as subsequent stages of the Webb Industrial Park (Stage 3 and Stage 4).

An amendment to the planning scheme is proposed to reflect the aforementioned development approvals. The proposed amendment is to change the lots subject to both the abovementioned applications from the Green Space Precinct to the Core Industry Precinct.

**Officer's Recommendation >>**

That Council resolve to:

- 1) Pursuant to section 2.1.5 of the *Integrated Planning Act 1997* (IPA) and section 2(1) of Schedule 1 of the IPA, prepare an amendment to Map 4.3(b): District 3 – Townsville North of the City Plan 2005, to reflect changes to Part of Lot 11 on SP150075 at Webb Drive, Mt St John (Reconfiguring Lot and Material Change of Use) from Green Space Precinct to Core Industry Precinct, as per attachments to the abovementioned agenda item.
- 2) Pursuant to section 10 of Schedule 1 of IPA, seek from the Deputy Premier and Minister for Infrastructure and Planning a shortened amendment process.

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**Committee's Recommendation >>**

That the Officer's Recommendation be adopted.

**15 City Plan Unit: Future Amendment No.362 – Removal of 96 and 98 Mitchell Street, North Ward and addition of 8a and 8b Cahill Street, Aitkenvale to Schedule 5 – Cultural Heritage Features**

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**Agenda Item >> 14**

Authorised by >> Director Planning and Economic Development  
Date >> 26 March 2009

**Executive Summary >>**

This amendment seeks to remove 96 and 98 Mitchell Street, North Ward and add 8a and 8b Cahill Street, Aitkenvale to Schedule 5 – Cultural Heritage Features of City Plan 2005 as a result of the relocation of both buildings.

**Officer's Recommendation >>**

That Council resolve to:

Pursuant to section 2.1.5 and section 2(1) of schedule 1 of the *Integrated Planning Act 1997*, prepare an amendment to Schedule 5 - Local Heritage Features of City Plan 2005 to remove 96 and 98 Mitchell Street, North Ward and to add 8a and 8b Cahill Street, Aitkenvale to reflect the relocation of the buildings in accordance with the attachments of this report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**16 City Plan Unit – Future Amendment No. 364 (Part a) - Proposal to change the sewer headworks policy for City Plan 2005.**

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**Agenda Item >> 15**

Authorised by >> Director Planning and Economic Development  
Date >> 6 April 2009

**Executive Summary >>**

Amendments are proposed to the former Townsville City Council developer contribution policy for sewerage infrastructure to reflect updated valuations, new service standards and allocation method not evident in the current planning scheme

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policy. For a typical detached house the amendment will change the sewer headworks charges from \$2,131 to \$5,936 (Mainland) and \$13,818 to \$9,464 (Magnetic Island).

This policy will be eventually replaced by the priority infrastructure plan, which is expected to be delayed by 12 months due to revised statutory requirements. A prescribed deadline of 30 June 2009 applies to the making or amending of planning scheme policies for infrastructure, hence this proposal may be the last opportunity for Council to update this policy and enable the appropriate charging of developer contributions until the priority infrastructure plans commence. Given the extent of development expected in this timeframe, and the need to fund trunk infrastructure to service that development, it is appropriate to update the policy.

**Officer's Recommendation >>**

That Council, pursuant to section 6.1.20 and Schedule 3 of the Integrated Planning Act 1997, resolve to amend the former Townsville City Council *City Plan policy 3 - developer contributions, section 2 - headworks* in accordance with the report attached to the agenda item.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**17 City Plan Unit – Future Amendment No. 364 (Part b) - Proposal to change the water supply headworks policy for the former Thuringowa City planning scheme.**

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**Agenda Item >> 16**

Authorised by >> Director Planning and Economic Development  
Date >> 8 April 2009

**Executive Summary >>**

Amendments are proposed to the former Thuringowa City Council developer contribution policy for water supply to reflect updated valuations and re-engagement of the former NQ Water infrastructure which now forms part of the local government water supply network. For a typical detached house, the amendment will change the current range of water supply headworks charges from \$3,804 to \$8,472.

This policy will be eventually replaced by the priority infrastructure plan, which is expected to be delayed by 12 months due to revised statutory requirements. A prescribed deadline of 30 June 2009 applies to the making or amending of planning scheme policies for infrastructure, hence this proposal may be the last opportunity for Council to update this policy and enable the appropriate charging of developer contributions until the priority infrastructure plans commence. Given the extent of development expected in this timeframe, and the need to fund trunk infrastructure to service that development, it is appropriate to update the policy.

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**Officer's Recommendation >>**

That Council, pursuant to section 6.1.20 and Schedule 3 of the Integrated Planning Act 1997, resolve to amend the former Thuringowa City Council planning scheme policy *Developer contributions towards the cost of water supply headworks* in accordance with the report attached to the agenda item.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**18 City Plan Unit - Future Amendment 367 - Removal of Lot 22 on EP173 (Nobby Head Magnetic Island) from Schedule 5 of City Plan 2005**

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**Agenda Item >> 17**

Authorised by >> Director Planning and Economic Development  
Date >> 19 March 2009

**Executive Summary >>**

Lot 22 on EP173 (Nobby Head Magnetic Island) is a property currently listed on the Local Heritage Database (LHD). Following development approval for reconfiguration of the Lot on 18 March 2003, the significant heritage fabric of the site has been removed. As such, the property can no longer be considered as meeting the criteria for inclusion on the Local Heritage Database and the City Plan 2005 - Schedule 5.

**Officer's Recommendation >>**

That Council resolve to:

- 1) Pursuant to section 2.1.5 and section 2(1) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), prepare an amendment to remove Lot 22 EP173 from Schedule 5 – Cultural Heritage Features of City Plan 2005 in accordance with the attachments to this report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**19 City Plan Unit - Future Amendment 378 - Removal of 63 Hugh Street, West End from Schedule 5**

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**Agenda Item >> 18**

Authorised by >> Director Planning and Economic Development  
Date >> 09 February 2009

**Executive Summary >>**

Council's planning scheme, City Plan 2005, commenced on 1 January 2005. The City Plan Unit (CPU) has been advancing amendments to the planning scheme as they are identified. Future Amendment Number 378 applies to the proposed removal of 63 Hugh Street, West End, from City Plan 2005 – Schedule 5 Cultural Heritage Features. This is as per the report prepared by the Special Projects Unit and endorsed at the Council meeting held on 27 January 2009.

**Officer's Recommendation >>**

- 1) Pursuant to section 2.1.5 and sections 2(1) and 2(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), prepare an amendment to Schedule 5 of City Plan 2005 to remove 63 Hugh Street, West End, in accordance with the attachment to this report.
- 2) Pursuant to section 20 and 21 of Schedule 1 of IPA, adopt the minor amendment to Council's City Plan 2005.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**20 City Plan Unit - Future Amendment 379 - Removal of 20 - 24 Fulham Road Pimlico from Schedule 5**

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**Agenda Item >> 19**

Authorised by >> Director Planning and Economic Development  
Date >> 09 February 2009

**Executive Summary >>**

Council's planning scheme, City Plan 2005, commenced on 1 January 2005. The City Plan Unit (CPU) has been advancing amendments to the planning scheme as they are identified. Future Amendment Number 379 applies to the proposed removal of 20 – 24 Fulham Road, Pimlico, from City Plan 2005 – Schedule 5 Cultural Heritage Features. This is as per the report prepared by the Special Projects Unit, and endorsed at the Council meeting held on 27 January 2009.

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**Officer's Recommendation >>**

- 1) Pursuant to section s2.1.5 and sections 2(1) and 2(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), prepare an amendment to Schedule 5 of City Plan 2005 to remove 20 - 24 Fulham Road, Pimlico, in accordance with the attachments to this report.
- 2) Pursuant to section 20 and 21 of Schedule 1 of IPA, adopt the minor amendment to Council's City Plan 2005.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**21 City Plan Unit - Future Amendment 382 - Removal of 17 Melton Terrace from Schedule 5**

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**Agenda Item >> 20**

Authorised by >> Director Planning and Economic Development  
Date >> 19 March 2009

**Executive Summary >>**

17 Melton Terrace is currently listed on the Local Heritage Database (LHD) because of its age and extensive local history. However, the Special Projects Unit have undertaken an assessment of the site and determined that the building no longer meets any of the 9 criteria, used to determine heritage significance. It has been determined that extensive renovations have resulted in a significant reduction of the intrinsic character and heritage value of the building. As such, the property can no longer be considered as meeting the criteria for inclusion on the Local Heritage Database and Schedule 5 – Cultural Heritage Features.

**Officer's Recommendation >>**

That Council resolve to:

- 1) Pursuant to section 2.1.5 and section 2(1) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), prepare an amendment to remove 17 Melton Terrace from Schedule 5 – Cultural Heritage Features of City Plan 2005 in accordance with the attachments to this report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**22 City Plan Unit - Future Amendment 383 - Removal of 2 Archer Street, South Townsville, from Schedule 5**

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**Agenda Item >> 21**

Authorised by >> Director Planning and Economic Development  
Date >> 26 March 2009

**Executive Summary >>**

Council's planning scheme, City Plan 2005, commenced on 1 January 2005. The City Plan Unit (CPU) has been advancing amendments to the planning scheme as they are identified. Future Amendment Number 383 applies to the proposed removal of 2 Archer Street, South Townsville, from City Plan 2005 – Schedule 5 Cultural Heritage Features. This is as per the report prepared by the Special Projects Unit and endorsed at the Council meeting held on 24 March 2009.

**Officer's Recommendation >>**

- 1) Pursuant to section 2.1.5 and sections 2(1) and 2(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), prepare an amendment to Schedule 5 of City Plan 2005 to remove 2 Archer Street, South Townsville, in accordance with the attachment to this report.
- 2) Pursuant to section 20 and 21 of Schedule 1 of IPA, adopt the minor amendment to Council's City Plan 2005.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**23 City Plan Unit - Future Amendment 384 - Removal of 8 Archer Street, South Townsville, from Schedule 5**

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**Agenda Item >> 22**

Authorised by >> Director Planning & Economic Development  
Date >> 27 March 2009

**Executive Summary >>**

Council's planning scheme, City Plan 2005, commenced on 1 January 2005. The City Plan Unit (CPU) has been advancing amendments to the planning scheme as they are identified. Future Amendment Number 384 applies to the proposed removal of 8 Archer Street, South Townsville, from City Plan 2005 – Schedule 5 Cultural Heritage Features. This is as per the report prepared by the Special Projects Unit and endorsed at the Council meeting held on 24 March 2009.

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**Officer's Recommendation >>**

- 1) Pursuant to section 2.1.5 and sections 2(1) and 2(2) of Schedule 1 of the *Integrated Planning Act 1997* (IPA), prepare an amendment to Schedule 5 of City Plan 2005 to remove 2 Archer Street, South Townsville, in accordance with the attachment to this report.
- 2) Pursuant to section 20 and 21 of Schedule 1 of IPA, adopt the minor amendment to Council's City Plan 2005.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**ECONOMIC DEVELOPMENT**

**24 Economic Development - Townsville Cluster Connections Project Report**

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**Agenda Item >> 23**

Authorised by >> Director Planning and Economic Development  
Date >> 15 April 2009

**Executive Summary >>**

The Townsville *Cluster Connections* project aims to provide practical steps and strategies for companies to forge collaborations and joint ventures to bid for new business, expand and diversify, and export. In doing so companies can improve business sustainability and resilience, build wealth through new investment, and raise the profile of the Townsville as a region with expertise.

Eleven of the fifteen companies participating in the *Cluster Connections* pilot project have committed to undertaking individual projects aimed at developing new partnerships or joint ventures. A number of significant announcements are planned in the next two to twelve months, and it is recommended that Townsville City Council continue to provide in-kind support to companies during this time.

**Officer's Recommendation >>**

*That Council:*

1. notes the information contained within the *Cluster Connections* report
2. endorses the report as a public document of Council, and
3. endorses the continued in-kind support of companies involved in the project for planned outcomes as a direct result of the project

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**25 Economic Development - Submission by Townsville City Council for Commonwealth Inquiry into the Impact of the Global Financial Crisis on Regional Australia**

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**Agenda Item >> 24**

Authorised by >> Director Planning & Economic Development  
Date >> 2 April 2009

**Executive Summary >>**

The House of Representatives Standing Committee on Infrastructure, Transport, Regional Development and Local Government is conducting a public inquiry into the *impact of the global financial crisis on regional Australia*.

The Committee has been tasked to investigate the role of the Commonwealth Government in ensuring that regional Australia is equipped to respond to the financial crisis, with particular focus on:

- the encouragement of economic development and employment; and
- the development of sustainable essential services and social infrastructure designed to enhance the liveability of regional Australia.

A submission for Townsville City Council has been prepared for this Inquiry. In accord, with the Inquiry's deadlines it was forwarded to the Standing Committee on 3 April 2009.

Council's submission makes several recommendations on how the Commonwealth Government can best assist the future development of regional centres like Townsville, given the challenges of the global financial crisis. These recommendations include support for major infrastructure projects and revised assistance for the community services.

Specifically it recommends:

1. that the Commonwealth Government continues to provide increased support for developing major community and economic infrastructure projects in regional Australia;
2. that a reform agenda to improve infrastructure and service delivery in regional Australia be developed as a matter of priority and that this agenda consider new funding arrangements for local governments;
3. that the Commonwealth Government investigates the development of a new urban development funding scheme similar to the successful objectives and model of the Building Better Cities program;
4. that the Commonwealth Government continues to provide support for affordable housing initiatives across regional Australia through schemes such as the Housing Affordability Fund; and

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5. that the Commonwealth Government maintains its investment in training, skills and apprenticeships to ensure that regional communities will have greater access to the skilled labour necessary for sustaining economic growth.

**Officer's Recommendation >>**

That Council endorse the enclosed submission for the Inquiry into the *impact of the global financial crisis on regional Australia*, which is currently being conducted by the House of Representatives Standing Committee on Infrastructure, Transport, Regional Development and Local Government.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**SPECIAL PROJECTS UNIT**

**26 Special Projects Unit: Heritage Advisory Committee minutes of meeting held on 18 February 2009**

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**Agenda Item >> 25**

Authorised by >> Director Planning and Economic Development  
Date >> 24 March 2009

**Executive Summary >>**

A Heritage Advisory Committee meeting was held on 18 February 2009. The minutes of that meeting are an attachment to this report.

**Officer's Recommendation >>**

That the Committee receive this report

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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## 27 Special Projects Unit - Lakes Policy

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### Agenda Item >> 26

Authorised by >> Director Planning and Economic Development  
Date >> 24 March 2009

### Executive Summary >>

There is a trend in Townsville to construct lakes in new subdivisions. However, recent experience has identified numerous problems with constructed lakes. Problems such as poor water inflows, long residence times (water circulation) and inadequate mixing (water quality layering) create a number of problems such as algal blooms, fish die-offs and weed infestation.

The upkeep and cost of maintaining these lakes becomes a Council responsibility. This becomes an ongoing expense for Council and as a consequence the need to regulate the construction of lakes within Townsville City has been recognised.

A Lakes Policy Working Group has been created consisting of individuals from several areas of Council, namely Special Projects Unit, City Plan Unit, Planning Assessment Unit, Parks Services, Infrastructure Technical Services and Integrated Sustainability Services: with the Special Projects Unit acting as the project manager. The working group has outlined concerns and identified problems arising from the construction of lakes in the Townsville region.

It has been identified that the creation of a Lakes Policy, to form part of the planning scheme, is required by Council. A Lakes Policy would provide a basis for determining whether a proposed lake should be approved by Council as well as address the issues associated with the construction of lakes and result in minimising future upkeep and maintenance costs. It is recommended that Council engage a suitably qualified consultant to draft a new Lakes Policy.

### Officer's Recommendation >>

That a project brief be written, quotes obtained and a suitably qualified consultant commissioned to create a Townsville-Specific Constructed Lakes policy document to form part of the Planning Scheme.

### Committee Recommendation >>

That the Officer's Recommendation be adopted.

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## 28 Special Projects Unit - Horseshoe Bay Drainage Management Plan Phase 2

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### Agenda Item >> 27

Authorised by >> Director Planning and Economic Development  
Date >> 25 March 2009

### Executive Summary >>

Flanagan Consulting Group was commissioned by the Townsville City Council to prepare a Drainage Management Plan for the Horseshoe Bay catchment. The Drainage Management Plan was completed in two parts; Phase 1 (completed and presented to Council in December 2007) and Phase 2.

Phase 1 identified a unique ecosystem in Horseshoe Bay, the existence of which is directly dependant on the subsurface and surface movement of water (drainage).

Phase 2 of the study is now complete. This phase provides recommendations for:

- A Development Code - This will set guidelines for development that will:
  - a) protect the environmental values of the catchment; and
  - b) ensure the catchment is managed for the future.
- Trunk infrastructure - Planned and suitable provision of trunk stormwater infrastructure together with appropriate development of the catchment will substantially contribute to the management outcomes for the catchment.

### Officer's Recommendation >>

1. That Phase 2 of the Horseshoe Bay Drainage Management Plan be accepted as a final draft.
2. That Special Projects Unit prepare a Horseshoe Bay Drainage Development Code to include as an amendment into City Plan 2005 and the consequent future planning scheme.
3. That the Priority Infrastructure Recommendations in Phase 2 be adopted into Townsville's Priority Infrastructure Plan.

### Committee Recommendation >>

That the Officer's Recommendation be adopted.

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**29 Special Projects Unit: Decision to enter Range Hotel, Burial Ground and Camping Reserve as an Archaeological Place in the Queensland Heritage Register**

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**Agenda Item >> 28**

Authorised by >> Director Planning and Economic Development  
Date >> 23 March 2009

**Executive Summary >>**

Townsville City Council has been previously informed of the referral for consideration of the Range Hotel, Burial Ground and Camping Reserve as an Archaeological Place on the Queensland Heritage Register. The manager of Cultural Heritage at the Environmental Protection Agency has informed Townsville City Council that the Strategic Register Committee of the Queensland Heritage Council has decided to enter the place in the Queensland heritage register as an Archaeological place.

Property	Address	Council Owned ?
Hervey's Range Camping Reserve	Page's Road, Hervey's Range	Yes

**Officer's Recommendation >>**

That Council receives this report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**30 Special Projects Unit: Notice of Decision to vary an entry in the Queensland heritage register RE: St Brigid's Church**

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**Agenda Item >> 29**

Authorised by >> Director Planning and Economic Development  
Date >> 19 March 2009

**Executive Summary >>**

Townsville City Council had been previously informed of the application to vary the listing in the Queensland heritage register of St Brigids Catholic Church, Stuart. The manager of strategic and register projects, cultural heritage (EPA) has informed Townsville City Council that the Strategic Register Committee has made a decision to vary the entry in the Queensland heritage register by removing part of the property from the Queensland heritage register listing.

Property	Address	Council Owned ?
St Brigids Catholic Church	523 Stuart Drive, Stuart	No

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**Officer's Recommendation >>**

That council receives this report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**31 Special Projects Unit - Payment to National Trust for Public Access  
for Townsville Heritage Day**

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**Agenda Item >> 30**

Authorised by >> Director Planning and Economic Development  
Date >> 11 March 2009

**Executive Summary >>**

As part of the 2009 Townsville Heritage Day, the Townsville Branch of the National Trust of Queensland has agreed to open the Castling Street Heritage Houses to allow free access to the public.

Council donated \$600.00 including GST to the Townsville Branch of the National Trust of Queensland for this purpose for Townsville Heritage Day 2008. It is proposed to donate the same amount in 2009.

Special Projects Unit has funds in the current budget to cover this expenditure.

**Officer's Recommendation >>**

That Council approves the payment of \$600.00 including GST to the National Trust of Queensland for providing free access to the public to the National Trust Heritage Centre during Townsville Heritage Day on Sunday 17 May 2009.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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## 32 Special Projects Unit - Townsville CBD Map

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### Agenda Item >> 31

Authorised by >> Director Planning and Economic Development  
Date >> 25 February 2009

### Executive Summary >>

Townsville City Council is currently updating its range of tourism collateral, maps and publications following amalgamation. As part of this process, a detailed street directory of Townsville is being produced to replace the former *Discover Thuringowa Self Drive Map*.

It is recommended that a small A4 tear-off style map of Townsville's Central Business District should also be produced to compliment the larger and more detailed map of the wider Townsville. This smaller CBD map will meet the needs of short term visitors who will only utilise the facilities and attractions within Townsville's CBD precinct. This small tear-off style map will be a more efficient and cost effective alternative for travellers who only require basic information on Townsville's key attractions and city highlights.

### Officer's Recommendation >>

*That Council endorses the:*

1. *The transfer of \$5,000 from Special Projects Stationary & Printing budgets to allow for the design and printing of 50,000 small A4 Tear-Off Style CBD Maps*

### Committee Recommendation >>

That the Officer's Recommendation be adopted.

#### e) **CONSIDERATION OF BUSINESS NOTIFIED BY A COUNCILLOR**

There was no business notified by a Councillor.

#### f) **CONSIDERATION OF NOTIFIED MOTIONS**

There were no motions notified.

#### g) **QUESTIONS**

There were no questions from Councillors.

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***Councillor D Crisafulli requested that Items 1, 3, 5, 9 and 10 would be dealt with individually and that Item 2 be held over.***

***The Chief Executive Officer advised that part of the recommendations for Items 8 and 9 of the Report of the Planning and Economic Development Committee were omitted from the report and that with the approval of the Committee these recommendations would be included in these minutes.***

***It was moved by Councillor D Crisafulli, seconded by Councillor A Parsons:***

***"that Items, 4, 6 to 8 and 11 to 32 the report of the Planning and Economic Development Committee meeting held on 15 April 2009 be received and the recommendations contained therein be adopted and that Item 2 be held over ."***

**CARRIED**

***The Mayor invited Mr Pat Driscoll a representative of Decamag to address the meeting in respect to Item 10.***

***It was moved by Councillor B Hewett, seconded by Councillor J Hill:***

***"that Item 10 of the report of the Planning and Economic Development Committee meeting held on 15 April 2009 - Planning Assessment Unit - Development Application (Overriding the Planning Scheme Section 3.1.6) - Material Change of Use (Impact Assessment) for a master planned residential community - Off Dalrymple and Shaw Road, Bohle Plains, M82/06 13901025, be received and the recommendations contained therein be adopted."***

**CARRIED**

***Councillor D Crisafulli and Councillor J Hill expressed their thanks for the Member for Thuringowa, Mr Craig Wallace, for all his support in respect to this matter.***

***The Mayor invited Ms Ramona Ballard representing the planning consultant for the applicant and Ms Laurel Smith representing local residents to address the meeting re Item 1.***

***It was moved by Councillor A Parsons, seconded by Councillor D Crisafulli:***

***"that Item 1 of the report of the Planning and Economic Development Committee meeting held on 15 April 2009 - PAU Combined Material Change of Use for Multiple Dwelling (3 x 2, 7 x 3 and 2 x 4 Bedroom Home Units) and Reconfiguration One (1) into two (2) Lots 24-26 Potts Street, Belgian Gardens M108/030 0431034, be received and the officer's recommendation be adopted with the addition of the following condition re geotechnical report:***

***That the applicant provide a geotechnical report from a suitably qualified consultant in relation to any land slippage that may affect the subject site.***

**CARRIED**

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***The Hon Andrew Cripps, Member for Hinchinbrook, and the Hon Rosemary Menkens, Member for Burdekin addressed the meeting.***

***The meeting adjourned for morning tea at 10.25am after the address by the Members for Hinchinbrook and Burdekin and resumed at 10.55 am.***

***It was moved by Councillor D Crisafulli, seconded by Councillor B Hewett:***

***"that Item 3 of the report of the Planning and Economic Development Committee meeting held on 15 April 2009 - PAU - Multiple Dwelling (71 Units) - Material Change of Use (Impact Assessment) - Application No: MI08/0020 Assessment No: 0112493 - Mariner's Peninsula Principal 28 - 64 Mariners Drive, Townsville City be received and the recommendation contained therein be adopted."***

**CARRIED**

***Councillors Hill, Gartrell and Bell requested their names be recorded as voting against the motion.***

***It was moved by Councillor R Gartrell, seconded by Councillor D Bell:***

***"that Council approve the Committee Recommendation for Item 5 of the report of the Planning and Economic Development Committee meeting held on 15 April 2009 to refuse the application for a Development Permit for Multiple Dwelling (3 x 3 Bedroom Home Units) on Lot 79 on RP 706424 situated at Bartlett Avenue, - PAU - Multiple Dwelling (3 x 3 Bedroom Home Units) - Material Change of Use (Impact Assessment) - Application No: MI08/0078 Assessment No: 2126007 - 9 Bartlett Avenue, Mundingburra.***

**CARRIED**

***It was moved by Councillor D Crisafulli, seconded by Councillor A Parsons:***

***"that Item 9 of the report of the Planning and Economic Development Committee meeting held on 15 April 2009 - PAU - Two (2) Traditional Residential Allotments - Reconfiguring a Lot (Code Assessment) - Application No: RC08/0153 Assessment No: 4406014 - 17 Weaver Street, Heatley be received and the recommendation contained therein be adopted."***

**CARRIED**

**Agenda Item 1**

**REPORT INFRASTRUCTURE COMMITTEE MEETING**

**Tuesday 14 April 2009 at 9.00 am**

**ITEMS 1 TO 9**

**PRESENT:** Councillor B Hewett, Chair  
The Mayor, Councillor L Tyrell  
Councillor D Bell  
Councillor J Hill  
Councillor T Roberts  
Councillor D Crisafulli  
Councillor D Last

**OBSERVERS:** Councillor A Parsons  
Councillor J Lane  
Councillor V Veitch  
Councillor R Gartrell

**A OPENING OF MEETING**

The Chair, Councillor B Hewett declared the meeting open at 9.00 am.

**B APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies or leave of absences declared.

**C DECLARATIONS OF MATERIAL PERSONAL INTEREST AND CONFLICTS OF INTEREST**

There were no declarations of Material Personal Interest and Conflicts of Interest.

**D DEPUTATIONS**

There were no Deputations.

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**INFRASTRUCTURE SERVICES EXECUTIVE**

**1 Infrastructure Services - Approval to Rename Bohle River Bridge on Herveys Range Road to Vickers Bridge**

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Prepared by >> Director Infrastructure Services  
Date >> 6 April 2009

**Executive Summary >>**

On behalf of the Minister and the Director-General of Main Roads, the Department of Main Roads have sought Council's endorsement to rename the Bohle River Bridge on Herveys Range Road north of Townsville to Vickers Bridge as part of the Q150 bridge-naming Project.

**Officer's Recommendation >>**

That Council endorse the renaming of the Bohle River Bridge on Herveys Range Road north of Townsville to Vickers Bridge.

**Committee Recommendation >>**

1. That Council offer no objection to the proposal by the Department of Main Roads but suggest they call for public submissions for a name.
2. That Council request the Department of Main Roads to advise of bridges in the city that they want named.
3. That the Heritage Officer provide the Committee with a list of names that could be used.

**TECHNICAL SERVICES**

**2 Technical Services - Community Messaging for Disaster Events**

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Authorised by >> Director Infrastructure Services  
Date >> 3 April 2009

**Executive Summary >>**

Local Government Authorities have specific responsibilities for ensuring warnings are passed on to their community with additional local advice and instructions in emergency situations. Townsville City Council requires a messaging service for providing disaster information to the Townsville regional via the most effective distribution channels. This report considers the implementation of a system that can deliver warning messages at short notice.

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**Officer's Recommendation >>**

That Council:

1. Endorse the use of The Australian EWN - Early Warning Network as a tool to relay messages for disaster events to the community; and
2. That an advertising campaign be undertaken by Council to encourage our community to register for this service.

**Committee Recommendation >>**

That the item be held over and referred to the Community Safety and Health Committee.

**3 Technical Services - Extinguish Easement on Property Number 501077**

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Authorised by >> Director Infrastructure Services  
Date >> 3 April 2009

**Executive Summary >>**

The Infrastructure Committee, confirmed by Council at its meeting held 24 February 2009 requested that the Agenda Item considering the request of property owners at Property No. 361146 to extinguish an easement running across the back of their land be held over until the next meeting for further inspection. Further inspection has been undertaken and the findings of this are reported back to Council for its consideration.

**Officer's Recommendation >>**

That the easement be reduced to a 2metre X 2metre area in the rear northern corner of the Lot. Costs for the alterations to the Easement and Title Amendments are to be borne by the owner.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**Councillor J Hill and Councillor D Bell dissented from the above decision.**

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**4 Technical Services - Mysterton Traffic Management - Petition - Road and Traffic Safety - 1303039**

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Authorised by >> Director Infrastructure Services  
Date >> 24 March 2009

**Executive Summary >>**

A petition has been submitted by a number of residents concerning traffic management in Mysterton.

**Officer's Recommendation >>**

1. That no further action be undertaken at this time with regard to the implementation of traffic management in Mysterton.
2. That the petitioners be advised through the primary petitioner.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**5 Technical Services - Temporary Road Closure - Mt Stuart Road - 31 August and 1 September 2009 - Police Driver Training - 1203094**

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Authorised by >> Director Infrastructure Services  
Date >> 23 March 2009

**Executive Summary >>**

A request has been received from a representative of the Queensland Police Service for a temporary road closure of Mt Stuart Road on Monday 31 August and Tuesday 1 September 2009 for driver training associated with the Police Academy.

**Officer's Recommendation >>**

That formal approval is granted to the Queensland Police Service for a temporary road closure of Mt Stuart Road on Monday 31 August and Tuesday 1 September 2009 for driver training associated with the Police Academy subject to the conditions outlined in the report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**6 Technical Services - Temporary Road Closure - Castle Hill Road - 31 May 2009 - King of the Castle - 1203092**

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Authorised by >> Director Infrastructure Services  
Date >> 23 March 2009

**Executive Summary >>**

A request has been received from a representative of the Townsville Road Runners for a temporary road closure of Castle Hill Road on Sunday 31 May 2009 between 7 am and 10.00 am for the annual King of the Castle race and the Townsville Cycle Club Hill Climb.

**Officer's Recommendation >>**

That formal approval is granted for temporary road closure of Castle Hill Road on Sunday 31 May 2009 between 7 am and 10.00 am for the annual King of the Castle race and the Townsville Cycle Club Hill Climb subject to conditions outlined in report.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**INFRASTRUCTURE PLANNING**

**7 Infrastructure Planning - Parkside Development - Garland Road Transport Charge Credit**

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Authorised by >> Director Water and Asset Planning  
Date >> 24 March 2009

**Executive Summary >>**

The purpose of this report is to determine if Council should give credits to Parkside Developments Pty Ltd towards the construction of upgrading a section of Garland Road, Burdell to four lanes for an appropriate distance of 300 metres (refer Attachments Four and Five of the agenda item).

**Officer's Recommendation >>**

That Council approve the payment of \$204,218.90 in the form of Transport Trunk Infrastructure Credits to Parkside Developments towards the construction of upgrading a section of Garland Road to four lanes.

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**Committee Recommendation >>**

**It was moved by Councillor B Hewett, seconded by Councillor D Bell:**

"that Council not approve the payment of Infrastructure Credits to Parkside Developments towards the construction of upgrading a section of Garland Road on the basis that this infrastructure was not agreed to prior to its construction and is not included in Council's infrastructure forward plan ."

**CARRIED UNANIMOUSLY**

**CLOSED BUSINESS ITEMS**

It was moved by Councillor D Last, seconded by Councillor D Bell,  
"that the Committee RESOLVE to close the meeting in accordance with Section 463(1)(e) of the *Local Government Act 1993* which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it. (Item 8)

**CARRIED**

The Committee discussed the agenda item.

It was moved by Councillor D Last, seconded by Councillor D Bell,  
"that the Committee RESOLVE to open the meeting".

**CARRIED**

**8 Technical Services - Tender No T5360 - Captains Creek (Mundy Creek) Bridge Rehabilitation and Barrier Upgrade**

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Authorised by >> Director Infrastructure Services  
Date >> 30 March 2009

**Executive Summary >>**

Tenders for T5360 – Captains Creek (Mundy Creek) Bridge Rehabilitation and Barrier Upgrade Works closed on Friday 20 March 2009. Four offers were received.

**Officer's Recommendation >>**

- 1.. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution and:

- 
2. That Council accept the tender of TCS (Qld) Pty Ltd for T5360 – Captains Creek (Mundy Creek) Bridge Rehabilitation and Barrier Upgrade Works at a price of \$311,984.83 excluding GST.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**INFRASTRUCTURE PLANNING**

**9 Infrastructure Planning - A strategy for improvement of flood prone locations throughout the city**

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Authorised by >> Director Water and Asset Planning  
Date >> 31 March 2009

**Executive Summary >>**

A full meeting of Council on 27 January 2009 approved the scope for Water and Asset Planning to develop a Localised Flood Mitigation Strategy for the city.

This plan will for the first time provide an integrated approach to flood mitigation across the amalgamated cities of Townsville and Thuringowa and targets resources where they will deliver the most benefit for the community.

The report attached to the agenda item outlines the strategy based on available data on one in 50 year rainfall events and prioritises flood mitigation projects on a cost-benefit basis.

The report details the risk assessment process and validation of data, identifies flood prone areas and prioritises flood mitigation projects, sets out public disclosure of flood information, a community awareness program, and a Customer Charter.

It should be noted Townsville is built on a floodplain and to flood proof the entire city is not possible. However, this strategy provides the Council with a comprehensive risk assessment of flood prone areas of the city, and a ranking of remedial projects that will help develop future flood mitigation/drainage programs.

**Officer's Recommendation >>**

1. That the Qualitative risk assessment process be used as a basis for selecting flood mitigation projects in the 2009/2010 budget with projects of ranking 3 and 4 to be considered in the first instance at budget time.
2. That the proposed charter be adopted as an undertaking by the Council to the community.
3. That the Communication Plan attached to the agenda item be implemented and appropriate allocations of funding provided commencing in 2009-10.

4. That the disclosure of flooding information be on the basis of the current practice in each of the former Council areas until such time as the information can be updated and replaced with consistent information relating to:
  - Development and floor level requirements with respect to the planning scheme (s) and building standards which is currently referenced to 50 year average Recurrence Internal Levels.
  - Computed flood levels for the 50 year Average Recurrence Interval.
  - That date the information is recorded to enable the recipients to validate the actual site conditions.
5. That Council undertake flood modelling over the 2009/2010 and 2010/2011 financial years to identify flood constraints mapping for the new combined City Planning Scheme.
6. That Council actively engage with the State and Federal Governments for funding support Flood/Stormwater Mitigation projects and in particular the continuation of the Regional Flood Mitigation Program.

**Committee Recommendation >>**

1. That the Officer's Recommendation be adopted.
2. That Council change wording on page 2 of attachment 5 of the agenda item - Charter - Townsville City Council Customer Charter "Living with Floods" - as follows:
  - in dot point no 1 change the words 'To strive for' to ' To set'
  - in dot point no 4 change the word 'Strive' to 'Set'.

**E CONSIDERATION OF BUSINESS NOTIFIED BY A COUNCILLOR**

There was no business notified by a Councillor.

**F CONSIDERATION OF NOTIFIED MOTIONS**

There were no notified motions.

**G QUESTIONS**

There were no questions or general business.

***It was moved by Councillor B Hewett, seconded by Councillor S Blom:***

***"that the report of the Infrastructure Committee meeting held on 14 April 2009, be received and the recommendations contained therein be adopted."***

**CARRIED**

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**Agenda Item 2**

**REPORT WATER BUSINESS COMMITTEE**

**Tuesday 14 April 2009 at 11.00 AM**

**AGENDA ITEMS 1 TO 10**

**PRESENT:** The Mayor, Councillor L Tyrell, Chair  
Councillor D Last  
Councillor R Gartrell  
Councillor B Hewett  
Councillor A Parson  
Councillor V Veitch  
Councillor N Marr (as indicated)

**OBSERVERS:** Councillor D Crisafulli (as indicated)  
Councillor T Roberts (as indicated)  
Councillor D Bell (as indicated)

**A OPENING of MEETING**

The Chair, The Mayor, Councillor L Tyrell, declared the meeting open at 11.02am.

**B APOLOGIES and LEAVE OF ABSENCE**

There were no apologies or leave of absences declared.

**C DECLARATIONS of MATERIAL PERSONAL INTEREST and CONFLICTS OF INTEREST**

There were no declarations of Material Personal Interest and Conflicts of Interest.

**D DEPUTATIONS**

There were no Deputations.

**Councillors D Crisafulli, N Marr, T Roberts and D Bell took their seats in the chamber during discussion on agenda item 1.**

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**WATER MANAGEMENT**

**1 Water Management - Townsville City Council Public Benefit Assessment Report**

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Prepared by >> Director Water & Asset Planning  
Date >> 25 March 2009

**Executive Summary >>**

In accordance with Council's resolution at its meeting of 23 September 2008, a Public Benefit Assessment was undertaken for Water Management.

The report has been completed with a recommendation that the minimum level of structural reform required, is a commercialised water business using full cost pricing principles.

**Officer's Recommendation >>**

That Council resolve to receive the Public Benefit Assessment Report and to:

- Provide public notice of receipt of the report in accordance with Section 561 of the Act;
- Make a decision on whether or not to implement any of the recommendations contained in the report at the meeting of the full Council to be held on Tuesday 26 May 2009.

**Committee Recommendation >>**

1. That Council resolve to receive the Public Benefit Assessment Report and to:
  - Provide public notice of receipt of the report in accordance with Section 561 of the Act;
  - Make a decision on whether or not to implement any of the recommendations contained in the report at the meeting of the full Council to be held on Tuesday 26 May 2009;
2. The minimum level of structural reform is a commercialised water and wastewater business using full cost pricing principles;
3. The implementation of full cost pricing be transitioned over two to three years, commencing on 1 July 2009 (i.e the 2009/10 financial year); and
4. The commercialised business operation commence no later than 1 July 2009.

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## **2 Water Management - Implementation Plan for Commercialised Water Business Unit**

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Prepared by >> Director Water & Asset Planning  
Date >> 1 April 2009

### **Executive Summary >>**

A recommendation for the adoption of a "commercialised" water business unit model is included elsewhere as an item for the Committee's consideration.

On the assumption that Council will adopt this recommendation, an indicative schedule has been prepared detailing the major activities / decisions that are required to implement this direction. This is attached.

To initiate the process, an initial workshop will be held during the Committee meeting to discuss desired Key Performance Indicators.

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

That the Water Business Committee note and agree on the proposed activities that are required to be undertaken to set the framework for the new commercialised Water Business Unit.

### **Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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## **3 Water Management - Australian Water Industry Institutional Arrangements**

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Prepared by >> Director Water & Asset Planning  
Date >> 1 April 2009

### **Executive Summary >>**

The Local Government Association of Queensland and Queensland Water Directorate have prepared a draft discussion paper on "Australian Water Industry Institutional Arrangements".

As previously discussed, further Water Industry reform is likely in Queensland and this paper provides excellent background information to help understand the issues and drivers.

I would like to particularly draw attention to the statements "Should NSW reform progress down the path proposed by the Independent review Regional Queensland will be the only part of Australia where water and wastewater services are being provided within Local Government" on page 4 and "Discussions with the Queensland Water Commission, the Department of Local Government and Planning and a number of State Ministers indicates that whilst there is no immediate intention to duplicate the

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reforms from South East Queensland to the remainder of the State , reform of regional water provision is inevitable” on page18.

**Officer's Recommendation >>**

That the Water Business Committee note the attached discussion paper "Australian Water Industry Institutional Arrangements".

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**Councillor N Marr vacated the chamber briefly during discussion on agenda item 4.  
Councillor R Gartrell vacated the chamber during discussion on agenda item 4.**

**4 Water Management - Queensland Government - Information Sessions/Call for Comments on Water Regulatory Reform**

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Prepared by >> Director Water & Asset Planning  
Date >> 1 April 2009

**Executive Summary >>**

The Queensland Government has issued draft regulatory guidelines associated with:

- Consistent Residential Water Billing
- Provision of Water Use Information to Non-Owner Residents
- Outdoor Water Use Conservation Plans
- Water Efficiency Management Plants (WEMP)

Legislation to introduce these regulations was introduced during 2007 and 2008. While the initial focus has been for South East Queensland, these guidelines, when finalised, apply to the balance of Queensland.

A summary of the guidelines is attached to the agenda item.

Application of the Regulations will be driven either by the Chief Executive Officer of the State Government Water Portfolio or legislated.

Executive Manager Pedro Mendiola, as a member of the Technical Reference Group of the Queensland Water Directorate was briefed by the State on 27 March 2009, on the WEMP Guidelines. There is a consensus among the regional water businesses that the legislation is centred around cost shifting and inappropriate devolution of responsibility.

Council Officers will attend an information meeting with the State on 22 April 2009 and issue a formal response to the draft guidelines by the end of April 2009.

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**Officer's Recommendation >>**

That the Water Business Committee note the draft Regulatory Guidelines, currently proposed by the State Government, in relation to Water Service Providers.

**Committee Recommendation >>**

That Council's draft response be presented to the next Ordinary Meeting on 28 April 2009.

**Councillor B Hewett vacated the chamber. Councillor R Gartrell resumed his seat in the chamber during discussion on agenda item 5.**

**5 Water Management - Audit for ISO 9001:2008 Quality Management and ISO 14001:2004 Environmental Management**

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Prepared by >> Director Water & Asset Planning  
Date >> 31 March 2009

**Executive Summary >>**

Water Management is currently certified independently for Quality Management, against International Standard 9001:2008, and for Environmental Management against International Standard 14001.

To retain certification for these two standards, Water Management must undergo, independent external, audit at 6 monthly intervals, to measure conformity of process, and a triennial assessment for the continuation of certification.

Water Management engaged the company NCS International to conduct external audit, and assess compliance. From 9 - 12 February, NCS International conducted an external audit of Water Management's Integrated Management System.

Result of the assessment is that, the Integrated Management System complies with the requirements of the nominated standard. Therefore Water Management remains certified for the next 3 years. The Auditors also noted that the unit was in a good position to successfully integrate the exCOT and NQ Water operations under the Certification.

**Officer's Recommendation >>**

That the Water Business Committee note the successful results of the recent Audits on Quality and Environmental Management for the Water Management Unit.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**Councillor B Hewett resumed his seat in the chamber during discussion on agenda item 6.**

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**6 Water Management - Total Management Plan**

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Prepared by >> Director Water & Asset Planning  
Date >> 25 March 2009

**Executive Summary >>**

As a result of the amalgamation of NQ Water, Thuringowa City Council and Townsville City Council (Citiwater) into a single entity, a new Total Management Plan (TMP) for the amalgamated Council is required to meet the Department of Natural Resources and Water (NRW) guidelines.

The newly formed Water Business Committee has not had the opportunity to be intimately involved in the production of these documents so a workshop session will be held during the Committee meeting to highlight the key issues for the Committee. Given the time constraints involved this year the completed documents are merged documents from the three previous organisations but subsequent versions will be completed with Committee oversight.

**Officer's Recommendation >>**

That the Water Business Committee approves the new Total Management Plans that form the 2009/10 Strategic Asset Management Plan (SAMP).

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**7 Water Management - Standardisation of Water Plans and Methodology across east & west districts**

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Prepared by >> Director Water & Asset Planning  
Date >> 25 March 2009

**Executive Summary >>**

Water Management is currently reviewing its water and wastewater pricing arrangements with the aim to introduce best practice pricing by no later than 1 July 2010.

A steering committee has been formed to manage the introduction of best practice pricing. The committee is proposing a two stage implementation process. Stage 1 is the standardisation, to the greatest practicable extent, of water and wastewater pricing plans and methodologies across the east and west districts of the city from 1 July 2009.

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An implementation plan setting out the major tasks and deadlines to be achieved has been developed for Stage 1 Implementation Framework for Best Practice Pricing. A key activity identified in the implementation plan is the need to regularly report progress and outcomes to the Water Business Committee.

**Officer's Recommendation >>**

That the Committee note the proposed implementation program for best practice pricing in the Water Business.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**CLOSED BUSINESS ITEMS**

It was moved by Councillor B Hewett, seconded by Councillor V Veitch, "that the Committee RESOLVE to close the meeting in accordance with Section 463(1)(e) of the *Local Government Act 1993* which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it

**CARRIED**

The Committee discussed the agenda items.

It was moved by Councillor N Marr seconded by Councillor V Veitch, "that the Committee RESOLVE to open the meeting".

**CARRIED**

**8 Water Management - Progress Status Reports - Water Supply Upgrade Project and Wastewater Upgrade Project**

---

Prepared by >> Director Water & Asset Planning  
Date >> 25 March 2009

**Executive Summary >>**

The Water Management Department is currently undertaking over \$300M of large scale capital works in the next two (2) financial years. A formal Governance Structure has been set up for each of these two (2) projects and a "leadership" team monitors the performance in each project, on a monthly basis.

It is proposed that a high level 2 page summary of the project be tabled at each Water Business Committee meeting, to ensure committee members are kept up to date. It should be noted that the summaries will be tabled approximately six (6) weeks after the subject month.

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**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution; and
- 2 That Council note the attached Project Status Reports.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**9 Water Management - T5002 - Supply and Construction of Northshore Sewerage Pump Station PS ML03 and Beachside Pump Station PS NL20 - Tender Assessment**

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Prepared by >> Director Water & Asset Planning  
Date >> 25 March 2009

**Executive Summary >>**

This project involves the supply of materials and construction of two standard sewage pump stations, PS ML03 located in the Northshore development at Burdell and PS ML20 located in the Bushland Grove development to the west of Mt Low Parkway in Mt Low. Both pump stations are needed to service future residential development in these respective areas.

This tender was advertised in the local paper and was open to submissions for all contractors. Tender submissions closed in October 2008, and tender submission assessment was performed on behalf of Council by DPM Water. A total of eight (8) conforming tender applications were received.

Due to delays Council was forced to request extensions to the tender validity period for this tender. As a result of the changed timelines the tenderer who originally had the cheapest submission now no longer has the resources available to complete the works and, as per the conditions of the contract has withdrawn their tender.

It is noted that a portion of DN 150 mm rising main has been removed from the original tender thus the award amount is less than the original tendered amount.

The need for Pump Station PS ML03 was identified in the "Burdell Sewer Master Planning Report" by DPM Water 2008, while the need for Pump Station PS ML20 was identified in the "Mt Low Area Sewer Master Planning Report" by DPM Water 2008.

**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution; and:

- 
2. That Council award Contract T5002 Supply and Construction of Northshore Sewage Pump Station PS ML03 & Beachside Sewage Pump Station PS ML20 to NQ Excavations Pty Ltd for the sum of \$761,690.24 (including GST)

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**10 Water Management - T5229 - Supply and Construction of Shaw Road 200mm Diameter Water Main - Award of Tender**

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Prepared by >> Director Water & Asset Planning  
Date >> 25 March 2009

**Executive Summary >>**

This project involves the supply of materials and construction of approximately 960 m of 200 mm water main in Shaw Road (including connections to existing mains). The main is to be built south from existing mains and will supply water to the industrial land development in lot 123.

This tender was advertised in the local paper and was open to submissions for all contractors. Tender submissions closed in January 2009, and a tender submission assessment was performed on behalf of Council by DPM Water. A total of nine (9) conforming tender applications were received.

The need for this water main was identified in the "Bohle Plains Water and Sewerage Master Planning Report" completed by Maunsell AECOM on behalf of Thuringowa Water in May 2007.

**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution; and
2. That Council award Contract T5229 Supply and Construction of Shaw Road 200 mm Diameter Water Main to CEC Constructions Pty Ltd for the sum of \$181,665.00 (including GST).

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**E CONSIDERATION OF BUSINESS NOTIFIED BY A COUNCILLOR**

There was no business notified by a Councillor.

**F CONSIDERATION OF NOTIFIED MOTIONS**

There were no notified motions.

**G QUESTIONS/GENERAL BUSINESS**

There were no questions or general business.

The Chair declared the meeting closed at 1.08pm

*It was moved by Councillor L Tyrell, seconded by Councillor D Last:*

*"that the report of the Water Business Committee meeting held on 14 April 2009, be received and the recommendations contained therein be adopted."*

**CARRIED**

*The Chief Executive Officer referred to a document, tabled at the meeting, dated 23 April 2009, in response to Item 4 of the Water Business Committee Report - Water Management - Queensland Government - Information Sessions/Call for Comments on Water Regulatory Reform. The document outlines Council's response to the Queensland Government on the draft regulatory water guidelines.*

*It was moved by Councillor B Hewett, seconded by Councillor J Lane:*

*"that Council's response to the Queensland Government on draft regulatory water guidelines be adopted".*

**CARRIED**

**Agenda Item 3**

**REPORT CORPORATE GOVERNANCE COMMITTEE MEETING**

**Tuesday 14 April 2009 at 2.00 PM**

**AGENDA ITEMS 1 TO 14**

**PRESENT:** Councillor N Marr, Chair  
Councillor D Crisafulli  
Councillor R Gartrell  
Councillor J Hill  
Councillor T Roberts  
The Mayor, Councillor L Tyrell  
Councillor D Bell (as indicated)

**OBSERVERS:** Councillor J Lane  
Councillor A Parsons  
Councillor V Veitch  
Councillor D Last  
Councillor B Hewett (as indicated)

**A OPENING of MEETING**

The Chair, Councillor N Marr, declared the meeting open at 2.02 pm.

**B APOLOGIES and LEAVE OF ABSENCE**

There were no apologies or leave of absences declared.

**C DECLARATIONS of MATERIAL PERSONAL INTEREST and CONFLICTS OF INTEREST**

There were no declarations of Material Personal Interest and Conflicts of Interest.

**D DEPUTATIONS**

There were no Deputations.

**Councillors D Bell and B Hewett took their seats in the chamber during discussion on agenda item 1.**

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**FINANCE**

**1 Finance - Department of Natural Resources Land Valuations**

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Prepared by >> Director Corporate Services  
Date >> 16 March 2009

**Executive Summary >>**

A Ministerial statement was made by the Premier on 12/2/2009 that there was to be a freeze on land valuations which were to take effect from 30/6/2009. The last valuation for the two former cities was carried out 1/10/2006 which was effective for rating purposes from 1/7/2007. In 2008/2009 Council adopted a 3 year average of Unimproved Capital Value (UCV) for its differential general rates. The average UCV will increase in spite of the fact that no new valuation will be issued, as this is the 3<sup>rd</sup> year with the same valuation. Properties average UCV will be their actual UCV.

**Officer's Recommendation >>**

1. That Council note the Queensland Government decision not to issue a land valuation for the 2009/2010.
2. That Council note the averaged Unimproved Capital Value of land will increase even though there will be no new land valuation for 2009/2010.
3. That Council note that most properties average Unimproved Capital Value (UCV) for the 2009/2010 financial year will be the actual Unimproved Capital Value (UCV). The averaging factor for properties that do not have 3 years of valuation will be 0.999.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**2 Finance - Progress Report - 2008/09 Financial Statement Preparation**

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Prepared by >> Director Corporate Services  
Date >> 7 April 2009

**Executive Summary >>**

At the Audit Committee held on 3 March 2009 the Committee asked the Executive Manager Finance to provide updates to the Corporate Governance Committee about the progress of the preparation of the 2008/09 Financial Statements. The Executive Manager Finance will provide a progress report to the committee on the preparation of the 2008/09 Financial Statements.

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**Officer's Recommendation >>**

That Council note the 2008/09 Financial Statement preparation Progress Report presented by the Executive Manager Finance.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**3 Finance - Budget Variance Report for the whole of council February and March 2009**

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Prepared by >> Director Corporate Services  
Date >> 3 April 2009

**Executive Summary >>**

Attached is the Budget Variance Report for the whole of Council for February and March 2009.

When reviewing the Budget Variance Report for February and March the following significant variances were noted:

**Revenue**

Fees & Charges under budget - Compliance Assessments down;

**Expenses**

Employee Costs under budget - due to staff vacancies to be filled;  
Materials & Services under budget - works delayed due to wet weather;  
Bulk Water Expense - payment to NQ Water to be adjusted;  
Depreciation – estimates still used on some asset classes while conversion of asset data continues;  
Finance Costs - interest charged quarterly;

**Capital Income**

Contribution of Assets – processed at end of year;  
Grants & Subsidies - Funding applications not processed due to delayed expenditure on capital works;

**Capital Works**

Under budget, works delayed due to wet weather, work is ramping up to compensate;  
Murray Sports Complex and Civic Theatre \$19.6m;  
Reid Park Precinct \$29.5m not accounted for as capital works due to the nature of the funding agreement.

**Officer's Recommendation >>**

That Council note the Budget Variance Report for February and March 2009.

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**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**HUMAN RESOURCES**

**4 Human Resources - Approval of Townsville City Council Certified Agreement 2009 and payment of rates of pay effective 18 March 2009**

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Prepared by >> Director Corporate Services  
Date >> 7 April 2009

**Executive Summary >>**

The purpose of this report is to advise of the vote by employees to approve the Townsville City Council Certified Agreement 2009 and to seek the approval of Council for certification of the agreement in the Queensland Industrial Relations Commission and to pay to employees the new rates of pay (including overtime and percentage calculated allowances) provided by the agreement effective 18 March 2009.

**Officer's Recommendation >>**

That Council approve:

- the Chief Executive Officer to proceed to take the necessary steps to seek certification of the agreement by the Queensland Industrial Relations Commission;
- the commencement of payment of the new rates of pay (including overtime rates and allowances that are calculated as a percentage of pay) prior to certification of the agreement by the Queensland Industrial Relations Commission, with retrospective payment to 18 March, 2009.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**LEGAL SERVICES**

**5 Legal Services - Assignment of Lease - Lansdown**

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Prepared by >> Director Corporate Services  
Date >> 7 April 2009

**Executive Summary >>**

The council owns the former CSIRO research property known as "Lansdown" at Woodstock/Calcium.

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The property has been leased to E and D Solari under a lease that expires on 31 December 2013, but that contains two further 5-year option periods (meaning that the lease may continue until 31 December 2023).

The Solari's wish to sell their interest in the lease to Wellard Rural Exports Pty Ltd, and to give effect to that have requested the council's approval to an assignment of the lease.

Wellard Rural Exports Pty Ltd has expressed an intention of developing Lansdown as for use in cattle export through the Townsville port.

**Officer's Recommendation >>**

That the council resolve to approve the assignment of the lease of "Lansdown" to Wellard Rural Exports Pty Ltd.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**CORPORATE COMMUNICATIONS**

**6 Corporate Communications - Together Townsville Update**

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Prepared by >> Director Corporate Services  
Date >> 02 April 2009

**Executive Summary >>**

Program summary as at 30 March 2009

Confirmed Amounts	In-kind component	Donations	Total	Invoiced
\$829,220	\$86,800	\$43,845	\$959,865	\$634,970

**Officer's Recommendation >>**

For information of the Corporate Governance Committee

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**EXECUTIVE**

**7 Executive - Redistribution of federal electoral boundaries in Queensland**

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**Agenda Item >> 13**

Prepared by >> Chief Executive Officer  
Date >> 7 April 2009

**Executive Summary >>**

The Australian Electoral Commission (AEC) is undertaking a redistribution of federal electoral boundaries in Queensland and New South Wales. Interested individuals and organisations have been invited to submit suggestions about possible changes to the boundaries and names for 30 federal electoral divisions in Queensland.

Written submissions must be lodged with the Redistribution Committee by 6pm AEST on Friday 24 April 2009.

The Proposed Redistribution Report will be published in July 2009 and interested individuals and organisations will have an opportunity to submit objections to any proposed changes at that time.

**Officer's Recommendation >>**

1. That Council make a submission to the AEC Redistribution Committee, if required, following consideration of the Proposed Redistribution Report in July 2009.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**8 Councillor Representative on the NQ Field Days Committee**

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**Agenda Item >> 14**

Prepared by >> Director Corporate Services  
Date >> 31 March 2009

**Executive Summary >>**

Townsville City Council has a history of involvement with the North Queensland Field Days including a Councillor representative on their committee.

The North Queensland Field Days is a bi-ennial event that has been running for 40 years and has over 500 exhibitors and is attended by over 75,000 people.

The committee meets on the last Thursday of each month.

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**Officer's Recommendation >>**

That Council nominate Councillor Trevor Roberts as its representative on the North Queensland Field Day Committee.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**CLOSED BUSINESS ITEMS**

It was moved by Councillor D Crisafulli, seconded by The Mayor, Councillor L Tyrell, "that the Committee RESOLVE to close the meeting in accordance with Sections 463(1)(d) and (h) of the *Local Government Act 1993* which permits the meeting to be closed to the public for business relating to the following:

- (d) rating concessions (Agenda Items 8 to 12)
- (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 (Agenda Item 7)

**CARRIED**

The Committee discussed the agenda items.

It was moved by Councillor D Bell, seconded by Councillor J Hill, "that the Committee RESOLVE to open the meeting".

**CARRIED**

**9 Legal Services - Hoges on the Mall**

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**Agenda Item >> 7**

Prepared by >> Director Corporate Services  
Date >> 6 April 2009

**Executive Summary >>**

Council wishes to terminate its current arrangements with Kashell Holding Pty Ltd the owner of the Hoges on the Mall building as part of the redevelopment of Flinders Mall. The Council has received an offer about the amount of compensation to be paid to Kashell Holdings for the termination of its Deed of Ownership.

**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless council decides otherwise by resolution and:

- 
2. Council accept the offer of Kshell Holdings Pty Ltd as contained in the correspondence dated 12 March 2009 to terminate the permit to trade in Flinders Mall.
  3. Council delegate authority to the Chief Executive Officer to prepare and execute a Deed of Compromise giving effect to the finalisation of the agreement.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**Councillor R Gartrell vacated the chamber during voting on agenda item 8 and did not return.**

**10 Finance- Request to reduce general rate and waive sewerage and water charges**

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**Agenda Item >> 8**

Prepared by >> Director Corporate Services  
Date >> 3 April 2009

**Executive Summary >>**

A request has been received from the owners of property located in Hyde Park assessment No. 1928011 to reduce rates on their property to 50% of the general rate and to waive sewerage, water charges for past 12 months due to compassionate grounds as the property was destroyed by fire in February 2008.

It is recommended that council agree to reduce the sewerage charge to vacant land and cancel the Waste charge until replacement bins are requested when the dwelling is completed.

**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution.
2. That council support that the sewerage charge on Property Assessment No. 1928011 be reduced to the vacant land charge and that the waste charge be waived until replacement bins are issued on completion of the dwelling on the basis of financial hardship.
3. That the amended charges be backdated to 1 July 2008 being the commencement of 2008/2009 financial year.
4. That the owner be advised of the amended charges.

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**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**11 Finance- Request to exempt properties from Change of Ownership fee**

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**Agenda Item >> 9**

Prepared by >> Director Corporate Services  
Date >> 3 April 2009

**Executive Summary >>**

Requests have been received from ratepayers to be exempt from the change of ownership fee when they purchase vacant land to construct a residence as their first home to live in as their principal place of residence. A form OSR 2.7 has been completed by these ratepayers to exempt them from State transfer duty.

The request asks Council to consider refunding the \$55.00 change of ownership fee already charged to these property owners who have lodged a form OSR2.7 and exempt the change of ownership fee to future purchasers who complete a form OSR 2.7 as part of their land purchase.

**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution and:
2. That the change of ownership fee of \$55.00 be refunded to those ratepayers who have lodged a OSR 2.7 in this current (2008/09) rating year for vacant land which they intend to build a residence on to live in as their principal place of residence and that the fee be exempt to future purchasers who complete form OSR 2.7 as part of their land purchase.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**12 Finance- Request to waive Rates and Charges**

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**Agenda Item >> 10**

Prepared by >> Director Corporate Services  
Date >> 23 March 2009

**Executive Summary >>**

A request has been received from NQ Small Business Development Centre to waive rates and charges for property at 184-188 North Vickers Road as they are a non profit organisation.

North Queensland Small Business Development Centre operates as a not for profit organisation from premises at 184-188 North Vickers Road consequently pursuant to *Local Government Act 1993* Section 957(2) the General rate can be exempted by resolution of Council.

**Officer's Recommendation >>**

- 1 That Assessment number 11352003 for North Queensland Small Business Development Centre be granted exemption from General Rates pursuant to Local Government Act 1993 Section 957 (2) Under Regulation Part 12 Section 41 Schedule 4 (2).
- 2 That North Queensland Small Business Development Centre be advised that the exemption from the General rate will apply from 1/7/2008 and that rates will be adjusted accordingly.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**The Mayor, Councillor L Tyrell vacated the chamber during discussion on agenda item 11.**

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**13 Finance- Notice of objection against categorization**

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**Agenda Item >> 11**

Prepared by >> Director Corporate Services  
Date >> 23 March 2009

**Executive Summary >>**

A notice of objection against categorisation has been received from the owners of Lot 1 Allambie Lane, Rasmussen in terms of Local Government Act 1993 Section 984. Council to confirm that the property has been categorised correctly and that the correct differential general rate for 2008/2009 financial year has been levied.

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**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution and:
- 2 That Council confirms properties categorised by Department of Natural resources and Water land use code 74 Turf Farm are considered Commercial operations.
- 3 That the Council Differential General rate category 5 for assessment number 01301008 is the correct categorisation based upon its designated land use code, 74 Turf Farm.
- 4 That Council note that rating categories may be changed as part of the annual budget process.
- 5 That the owner of assessment 01301008 be informed of Council's decision.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**14 Finance - Request to backdate Owner Occupied Benefits for the Property Assessment Number 32 29 018, Idalia**

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**Agenda Item >> 12**

Prepared by >> Director Corporate Services  
Date >> 23 March 2009

**Executive Summary >>**

A request has received from the owner of property assessment number 32 29 018, Idalia to have Owner Occupier benefits backdated to December 2004 when he moved into the property.

Council procedures for Owner Occupied Benefits only apply after receipt of the claim for Owner Occupied Benefits. The claim for this property was received on in November 2008. Consequently, the benefits should be applied from 1 July 2008.

It is recommended that Council confirm that Owner Occupied benefits should apply from the 1 July 2008 being the start of the 2008/2009 financial year

**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution.

- 
2. That Council not allow for the Owner Occupied Benefits be backdated to December 2004 for Property Assessment No. 3229018 but allow the Owner Occupied Benefits from 1 July 2008.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**E CONSIDERATION OF BUSINESS NOTIFIED BY A COUNCILLOR**

There was no business notified by a Councillor.

**F CONSIDERATION OF NOTIFIED MOTIONS**

There were no notified motions.

**G QUESTIONS**

There were no further questions.

**GENERAL BUSINESS**

**(i) Verbal Comments Councillor J Hill - Finance - Department of Natural Resources Land Valuations**

The Committee considered the verbal comments provided by Councillor J Hill proposing that the Executive Manager Finance write to the Director General on Council's behalf enquiring when the Department of Natural Resources and Water will provide up to date land valuations.

**(ii) Verbal Comments Councillor D Last - Legal Services - Assignment of Lease - Lansdown**

The Committee considered the verbal comments provided by Councillor D Last in relation to receiving a progress report from Executive Manager Legal Services at the Ordinary Meeting on 28 April 2009 on discussions with Wellard Rural Exports Pty Ltd in relation to the continued use of land for disposal of Bio Solids.

**The Chair declared the meeting closed at 3.45 pm.**

***It was moved by Councillor N Marr seconded by Councillor T Roberts:***

***"that the report of the Corporate Governance Committee meeting held on 14 April 2009 be received and the recommendations contained therein be adopted."***

**CARRIED**

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**Agenda Item 5**

**REPORT COMMUNITY SAFETY AND HEALTH COMMITTEE MEETING**

**Wednesday 15 April 2009 at 2.00PM**

**AGENDA ITEMS 1 TO 3**

**PRESENT:** Councillor D Last, Chair  
Councillor B Hewett  
Councillor J Lane  
Councillor V Veitch  
The Mayor, Councillor L Tyrell  
Councillor N Marr (as indicated)

**OBSERVERS:** Councillor R Gartrell

**A OPENING of MEETING**

The Chair, Councillor D Last, declared the meeting open at 2.00 pm.

**B APOLOGIES and LEAVE OF ABSENCE**

MOVED by Councillor J Lane, SECONDED by Councillor B Hewett that the apology received from Councillor S Blom be received and that for the purposes of Section 252(1) (b) of the *Local Government Act 1993*, Councillor S Blom be granted leave of absence from this meeting.

**C DECLARATIONS of MATERIAL PERSONAL INTEREST and CONFLICTS OF INTEREST**

There were no declarations of Material Personal Interest and Conflicts of Interest.

**D DEPUTATIONS**

There were no Deputations.

**Councillor N Marr took a seat in the chamber during discussion on agenda item 1.**

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## ENVIRONMENTAL SERVICES

### 1 Environmental Health Services - Fees and charges 2009/10

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Prepared By >> Director Community and Environmental Services  
Date >> 27 March 2009

#### Executive Summary >>

The merging of the Cities of Townsville and Thuringowa resulted in a disparity between the fees and charges levied by the two former entities. In 2008/2009 these were consolidated relative to a cost analysis.

A further analysis of the actual costs to Council associated with providing the range of services currently undertaken has been completed. Service demand data now available gives a viable indication of annualised projected resourcing levels across the city for each service. These are both reflected in this year's fees and charges.

This report includes the proposed schedule of fees and charges for services provided by Regulatory Services for the financial year 2009 – 2010.

#### Officer's Recommendation >>

That Council approved the following schedule of fees and charges for Regulatory Services for the year 2009 – 2010;

Parking Charges	2009/10	Authority
Off Street Parking (Daily charge 9.00 – 17.00)	\$6.00	LGA Section 36 (2)(c)
Metered Parking Hourly charge	\$0.80	LGA Section 36 (2)(c)
Commercial Vehicle Permits	\$110	LGA Section 36 (2)(c) Transport Operations (Road Use Management) Act 1995 section 103(5)(a) & (c)
Reserved parking space (Daily charge – 9.00 – 17.00)	\$5.60	LGA Section 36 (2)(c)
Temporary Work Permit  Max 13 week permit that allows parking in any bay as long as the bay has a time limit greater than 1 hour.  Introduced so contractors can access worksites.	\$300	LGA Section 36 (2)(c)
Monthly Parking Permit (Off-street car parks only – weekly	\$20	LGA Section 36 (2)(c)

Residential Parking Permits (Approved applicants only)	Free	None
Overstaying time limit in free parking areas (15min, 30min, 1hr, 2hr, 3hr and 4hr)	\$50	LGA Section 36 (2)(c) Transport Operations (Road Use Management) Act 1995
Unlawful parking in a Bus, Taxi or Disability Zone	\$100	LGA Section 36 (2)(c) Transport Operations (Road Use Management) Act 1995
Parking without paying the prescribed charge	\$20	LGA Section 36 (2)(c) Transport Operations (Road Use Management) Act 1995
Loading Zones, No Standing Areas, Footpaths.	\$50	LGA Section 36 (2)(c) Transport Operations (Road Use Management) Act 1995
<b>Animal Management</b>		
Discount Period (July 1- 31 inc)		Local Government Act Section 1071A(1)(a)
Entire dog	\$56.00	
Desexed dog	\$28.00	
Full Fee ( 1 Aug 09 – 30 June 2010 inc)		Local Government Act Section 1071A(1)(a)
Entire dog	\$70.00	
Desexed dog	\$35.00	
Pensioner dog		Local Government Act Section 1071A(1)(a)
Entire	\$25.00	
First (Desexed)	Nil	
Subsequent (Desexed)	\$12.00	
Registration of a dog under 6 months of age	Nil	Local Government Act Section 1071A(1)(a)
Declared Dangerous Dog	\$235.00	Local Government Act Section 1071A(1)(a)
Restricted dog (as defined by Customs Act 1901)	\$235.00	Local Government Act Section 1071A(1)(a)
Menacing Dog	\$235.00	Local Government Act Section 1071A(1)(a)
Guide / Assistance dogs	Nil	Local Government Act Section 1071A(1)(a)

Replacement tag	\$12.00	Local Government Act Section 1071A(1)(a)
New rural dogs	Remove category	Local Government Act Section 1071A(1)(a)
New dangerous dog signs	\$22.50	Local Government Act Section 1071A(1)(a)
Transfer of a current registration from another Council	Nil	Local Government Act Section 1071A(1)(a)
<b>Permit Local Laws</b>		
Dangerous Dog (old CoT only)	Remove category	Local Government Act Section 1071A(1)(a)
Permit for keeping more than the prescribed number of dogs.	\$140.00	Local Government Act Section 1071A(1)(a)
Breeding	\$140.00	Local Government Act Section 1071A(1)(a)
Multiple Dwelling	\$140.00	Local Government Act Section 1071A(1)(a)
Kennel / Cattery	\$268.00	Local Government Act Section 1071A(1)(a)
Peacock / Peahen	\$140.00	Local Government Act Section 1071A(1)(a)
More than 12 head of Poultry or Fowl	\$140.00	Local Government Act Section 1071A(1)(a)
More than 25 head of Caged Birds	\$140.00	Local Government Act Section 1071A(1)(a)
Animal (Exotic)	\$140.00	Local Government Act Section 1071A(1)(a)
Keep any other animal	\$140.00	Local Government Act Section 1071A(1)(a)
<b>Rescue fees dog / cats</b>		
Release of dog/cat from approved Council shelter	\$70.00	Local Government Act Section 1071A(1)(a)
Impounding and return of dog/cat (Private /Officer)	Nil	Local Government Act Section 1071A(1)(a)
<b>Rescue fees stock</b>		
Impounding Notice	\$40.00	Local Government Act Section 1071A(1)(a)

Feed per animal per day	\$20.00	
Vet or other charges	Cost + 5%	
Seizure	\$255.00	
Erecting Portable yards	\$495.00	
Damage to Council land	Cost +5%	
Brand Enquiry	\$45.00	
<b>Others</b>		
Certificate of Fitness (Flats) Int/External inspection & report (on request)  Each Minimum fee Maximum fee	  \$138.00	Local Government Act Section 1071A(1)(a)
Registration of Flats  Each Owner / Occupied Maximum fee  Transfer of registration	  \$39.00 Remove category Remove category \$10.00	Local Government Act Section 1071A(1)(a)
Pools  Licence (each) Certificate of Fitness Transfer of licence Pool pH, Cl & Bacteriological Testing (upon request)	  \$225.00 \$225.00 \$45.00 \$225.00	Local Government Act Section 1071A(1)(a)
Abandoned Vehicles  Holding fee (per day) Owner reclaim fee	  Cost +5% Cost + \$45	Local Government Act Section 1071A(1)(a)
Overgrown Allotments  Administration fee Contractor's fee	  \$215.00 Cost	Local Government Act Section 1071A(1)(a)
General Administration charge	\$45.00	Local Government Act Section

		1071A(1)(a)
<b>Building compliance</b>		
Amended plans (minimum charge)	\$100.00	Integrated Planning Act 1997
Area charge (per M <sup>2</sup> )	\$3.00	
Additional Inspection Charge	\$125.00	Integrated Planning Act 1997
Reopening existing files (minimum charge)	\$125.00	Integrated Planning Act 1997
Subsequent inspection charge	\$90.00	
Application transfer fee	\$150.00	

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**2 Environmental Health - Fee & Charges Report**

Prepared by >> Director Community & Environmental Services  
 Date >> 7 April 2009

**Executive Summary >>**

Each year Council are required to set fees and charges for the services they provide.

Environmentally Relevant Activity fees have been set using the Aggregate Environmental Score set out in the Environmental Protection Regulations with a unit value of \$100.00

Application fees have been set using full user pays principals.

Renewal fees have only been slightly adjusted in line with yearly increases.

**Officer's Recommendation >>**

1. Council adopt the following Environmental Health fees for the 2009 / 2010 year.

ERA description	Aggregate Env Score	Proposed Fee
<b>(4) Poultry farming more than 1,000 birds</b>		
1000 - 200,000 birds	0	\$500
> 200,000 birds	9	900
<b>(6) Asphalt Manufacturing</b>		

< 1000T	0	500
>1000 T	32	3200
<b>(8) Chemical Storage</b>		
10m3 - 500m3 Class3 F/C liquid	0	500
<b>(12) Plastic Product Manufacturing</b>		
(a) manufacturing in a year , a total of 50t or more of plastic product mentioned in paragraph (b)	28	2800
(b) manufacturing in a year a total of 5t or more of carbon fibre, epoxy coatings, foam sandwich or reinforced plastics	54	5400
<b>(17) Abrasive Blasting</b>		
includes spraying a protective coating that has been blasted	16	1600
<b>(18) Boilermaking / Engineering</b>		
manufacturing 200t > 10,000T of metal product	0	500
> 10,000 T	46	4600
<b>(19) Metal forming</b>		
> 10,000 T /Yr	0	500
<b>(20) Metal recovery</b>		
recovering < 100t / day	0	500
recovering 100t < 10,000t:		
not using a fragmentiser	19	1900
using a fragmentiser	51	5100
<b>(21) Motor vehicle Workshop Operation</b>		
Operating a motor vehicle workshop	7	700
<b>(37) Printing</b>		
200t>1000T	0	500
>1000T	22	2200
<b>(38) Surface Coating</b>		
annodising, electroplating enamelling, galvanising (1t>100t)	10	1000
(>100t< 1000t)	19	1900
(1000t<10,000t)	41	4100
(>10,000t)	66	6600
Powder Coating , painting		
(1t<50t)	0	500
(>50t)	7	700
<b>(42) Concrete batching</b>		
> 200t/ yr	30	3000
<b>(48) Wooden Product manufacturing</b>		
fabricating in a year .>100t of reconstituted timber products	0	500
5000t< 10,000t	46	4600
> 10,000t	72	7200
> 100t of wooden product other than reconstituted timber products	68	6800
<b>(49) Boat Maintenance or repairs</b>		
1. carrying out repairs within 500m of highest astronomical tide or waters	18	1800
2.carrying out repairs in another place beside that mentioned in item 1	16	1600
<b>(61) Waste Incineration and thermal treatment</b>		
incinerating or thermally treating waste vegetation clean paper/ cardboard	0	500

Reduced Annual Fees for ERA (Section 127 Environmental Protection Regulations 2008)	
Percentage (%) of Annual Fee	Reduction Criteria
90% of the annual fee	if the holder is an approved partner
80% of the annual fee	if the holder has an approved EMS; or the holder has a lower emission score
70% of the annual fee	the holder is an approved partner and has an approved EMS or the holder has a lower emission score
60% of the annual fee	the holder has an approved EMS; and the holder has a lower emission score
50% of the annual fee	the holder is an approved partner; and the holder has an approved EMS and the holder has a lower emission score

**Notes** (Referenced from Chapter 8 Fees Part 8 Annual Fees)

Annual fee, for an authority, means the annual fee worked out under section 120 for the authority

Approved environmental management system (EMS) means an environmental management system accredited under ASNZ ISO: 14001:2004 Environmental management Systems

Section 123 What is an approved EMS?

The holder of a relevant authority has an approved EMS if each relevant activity carried out under the authority is being carried out in accordance with a prescribed environmental management system.

Section 124 Who is an approved partner?

(1) An approved partner is the holder of a relevant authority who is registered with the business partnership program.

(2) In this section—

Business partnership program means the program of that name established by the department. (Ecobiz)

125 What is a lower emissions score?

(1) The holder of a relevant authority has a lower emissions score—

- a) if the holder is carrying out only 1 relevant activity under the authority—the relevant activity has an emissions score that is at least 25% less than the emissions score stated to apply for the activity under the environmental emission profile; or
- b) if the holder is carrying out 2 or more relevant activities under the authority—the relevant activity that has the highest aggregate environmental score has an emissions score that is at least 25% less than the emissions score stated to apply for the activity under the environmental emission profile.

(2) In this section—

Emissions score, for a relevant activity, means the emissions score component of the aggregate environmental score for the activity.

Item ERA Administration Charges	2009/2010 \$
Application for Certificate of Registration	500.00
Development Application	500.00
Continuing Registration	100.00
Addition of new activity to registration	250.00
Extend currency, change or cancel DA conditions	250.00
Fee for late payment of an annual fee for a registration certificate or environmental authority	100.00

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Miscellaneous Fees

Item	Fee 2009/2010 \$
Footpath Dining Permit	482.00
Footpath Dining Transfer	304.00
General Restoration Fee (late fee)	167.00
General Building Compliance Notice	416.00
General EHO Consultancy (hourly rate)	134.00
General Prelodgement Meeting	71.00
General Change of Details / Licence Transfer	96.00
General Minor Premise Amendment	203.00
General Business/File Search	131.00
General Certificate of Compliance (Business Licence)	304.00
Food Application No Plan Assessment	226.00
Food Application Plan Assessment	517.00
Food Annual Renewal	387.00
Food Accreditation FSP Application	741.00
Food Non Conformance Audits	294.00
Food Justified Complaint	238.00
Food Temporary Stall (event fee)	172.00
Food Temporary Stall (6 Months)	259.00
Food Temporary Stall (Annual)	345.00
Flammable & Combustible Application	517.00
Flammable & Combustible Annual Renewal	256.00
Personal Appearance Application	517.00
Personal Appearance Renewal	256.00
Accommodation Application (includes licence & inspections)	350.00
Accommodation Motels	256.00
Accommodation Boarding/Lodging	256.00
Accommodation Caravan Parks	256.00
Accommodation Certification of Fitness	309.00

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**TECHNICAL SERVICES**

**3 Technical Services - Community Messaging for Disaster Events**

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Prepared by >> Director Infrastructure Services  
Date >> 3 April 2009

**Executive Summary >>**

Local Government Authorities have specific responsibilities for ensuring warnings are passed on to their community with additional local advice and instructions in emergency situations. Townsville City Council requires a messaging service for providing disaster information to the Townsville regional via the most effective distribution channels. The report attached to agenda item considers the implementation of a system that can deliver warning messages at short notice.

**Officer's Recommendation >>**

That Council:

1. Endorse the use of The Australian EWN - Early Warning Network as a tool to relay messages for disaster events to the community; and
2. That an advertising campaign be undertaken by Council to encourage our community to register for this service.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**E CONSIDERATION OF BUSINESS NOTIFIED BY A COUNCILLOR**

There was no business notified by a Councillor.

**F CONSIDERATION OF NOTIFIED MOTIONS**

There were no notified motions.

**G QUESTIONS/GENERAL BUSINESS**

There were no questions or general business.

**The Chair declared the meeting closed at 2.32pm**

***It was moved by Councillor D Last, seconded by Councillor B Hewett:***

***"that the report of the Community Safety and Health Committee meeting of 15 April 2009 be received and the recommendations contained therein be adopted."***

**CARRIED**

**Agenda Item 6**

**REPORT LIFESTYLE AND COMMUNITY DEVELOPMENT COMMITTEE MEETING**

**Thursday 16 April 2009 at 9.00 AM**

**AGENDA ITEMS 1 TO 5**

**PRESENT:** Councillor J Lane, Chair  
Councillor S Blom  
Councillor A Parsons  
Councillor D Bell  
Councillor N Marr  
The Mayor, Councillor L Tyrell

**OBSERVERS:** Councillor R Gartrell

**A OPENING of MEETING**

The Chair, Councillor J Lane, declared the meeting open at 9.00am.

**B APOLOGIES and LEAVE OF ABSENCE**

MOVED by Councillor N Marr, SECONDED by Councillor A Parsons that the apology received from Councillor D Last be received and that for the purposes of Section 252(1) (b) of the *Local Government Act 1993*, Councillor D Last be granted leave of absence from this meeting.

**C DECLARATIONS of MATERIAL PERSONAL INTEREST and CONFLICTS OF INTEREST**

There were no declarations of Material Personal Interest and Conflicts of Interest.

**D DEPUTATIONS**

There were no Deputations.

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**CORPORATE COMMUNICATIONS**

**1 Corporate Communications - V8 Supercar Festival Committee - Meeting Minutes**

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Prepared by >> Director Corporate Services  
Date >> 31 March 2009

**Executive Summary >>**

Council in its meeting held 24 June 2008 adopted the recommendation to form the V8 Supercar Festival Committee. The Committee has been formed and has met monthly since its inaugural meeting held Thursday 25 September 2008. The Minutes of the meeting held on 26 February 2009 are attached to the agenda item for Council's consideration.

**Officer's Recommendation >>**

For the information of the Lifestyle and Community Development Committee.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**COMMUNITY PLANNING AND SERVICES**

**2 Community Development - Partnerships and Sponsorships Requests for Support 2008/2009**

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Prepared by >> Director Community and Environmental Services  
Date >> 9 April 2009

**Executive Summary >>**

Council has received applications for funding through the Community Grants Scheme, Partnership and Sponsorship program. The Partnership and Sponsorship program aims to assist Townsville organisations to provide community, cultural development and sport and recreation services and activities by providing funding for capital costs, events programs and operational expenses. Applications are assessed progressively throughout the financial year. This report provides an assessment of twelve (12) applications received.

**Officer's Recommendation>>**

Council approve the allocation of funding to applicants for this assessment of the Partnership and Sponsorship Grant Program as detailed in the following table:

Applicant	Project/Activity	Recommend (ex GST)	Program
Food Relief NQ Inc	Operational Support for 2009	\$45,000	Community Initiative
Townsville Pastoral Agricultural and Industrial Association	Event sponsorship of the Townsville Show Junior Art Exhibition Section which will be held 26-29 June 2009	\$10,000	Community Initiative
Bereavement Support North Queensland Inc.	Financial assistance to deliver eleven (11) educational workshops – 'How to care what to say' and ' Understanding Grief' in 2009	\$6,280	Community Initiative
Townsville Art Society	Event sponsorship of the 2009, 2010 and 2011 Townsville Arts Awards	2009/2010 - \$6,000 2010/2011 - \$6,000 2011/2012 - \$6,000	Cultural Development
Townsville Roadrunners	Events sponsorship for the 2009 Townsville Running Festival to be held in August 2009	\$20,000	Sport and Recreation
Professional Bull Riders Australia Pty Ltd	Event sponsorship for the 'Troy Dunn International Bull Riding Event' to be held at the Townsville Entertainment Centre on 22 and 23 May 2009	\$10,000	Sport and Recreation
Magnetic Island Jazz Association Inc.	Event sponsorship for the 'Great Tropical Jazz Party' held on Magnetic Island from 11-13 September 2009	\$4,000	Cultural Development

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**3 Community Development - Local Area Multicultural Partnership (LAMP) Funding Submission to Department of Communities**

Prepared by >> Director Community & Environmental Services  
Date >> 19 March 2009

**Executive Summary >>**

Through the State Government office of Multicultural Affairs Queensland all Local Government Councils were asked to apply for funding of \$40,000 per annum for 3 years for the continuation of the Local Area Multicultural Partnership (LAMP). Councils

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will contribute dollar-for-dollar under the new agreement for the LAMP worker. This new funding arrangement results in a decrease in funds being provided by the State.

**Officer's Recommendation >>**

That Council endorse the application to Multicultural Affairs Queensland to continue the work of the Local Area Multicultural Partnership (LAMP) program in the Townsville community in accordance with the conditions of the funding program.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**4 Community Development - Lease and Licence to Occupy requirements for Rollingstone & District Community Association Inc**

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Prepared by >> Director Community & Environmental Services  
Date >> 9 April 2009

**Executive Summary >>**

The Rollingstone & District Community Association operate from the Rollingstone Community Hall in Pace Park, Rollingstone. The association wish to relinquish their Licence to Occupy over Lot 2 on SP160493 effective immediately. The association have also requested an extension to their leased area for the Community Hall. The modification of the lease will allow an extension to be built that will streamline operations of their community Opportunity Shop.

**Officer's Recommendation >>**

1. That Council relinquishes the existing License to Occupy over Lot 2 on SP160493, Pace Park for Rollingstone & District Community Association Inc.
2. That Council surrenders the existing lease over Lot 1 on SP160493, Pace Park for Rollingstone & District Community Association Inc.
3. Council approves the granting of a new lease to the Rollingstone & District Community Association covering the extended area required for the construction of the proposed extension to the building for the Opportunity Shop.
4. The new lease will be for a period of 10 years
5. The Rollingstone & District Community Association Inc will be responsible for all costs associated with the survey of the site and the preparation of the Lease documents.
6. The Rollingstone & District Community Association Inc is required to undertake landscaping and day-to-day maintenance of an area around the building by agreement with the Manager Parks Services.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

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**GALLERY SERVICES**

**5 Gallery Services - Minutes Gallery Acquisition Advisory Committee Meeting 12 March 2009**

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Prepared by >> Director Community & Environmental Services  
Date >> 30 March 2009

**Executive Summary >>**

The Minutes of the Gallery Acquisition Advisory Committee meeting of 12 March 2009 are attached to the agenda item for the consideration of the Committee.

**Officer's Recommendation >>**

That Council receive the Minutes of the Gallery Acquisition Advisory Committee meeting of 12 March 2009 and endorse the acquisitions as recommended.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**E CONSIDERATION OF BUSINESS NOTIFIED BY A COUNCILLOR**

There was no business notified by a Councillor.

**F CONSIDERATION OF NOTIFIED MOTIONS**

There were no notified motions.

**G QUESTIONS**

There were no questions.

**GENERAL BUSINESS**

**(i) Presentation - Strand Ephemera 2009**

The Committee noted the presentation by the Manager Gallery Services in relation to the Strand Ephemera 2009 exhibition which is being held between 4 and 14 September 2009.

**The Chair declared the meeting closed at 9.46am.**

***It was moved by Councillor J Lane, seconded by Councillor N Marr :***

***"that the report of the Lifestyle and Community Development Committee meeting held on 16 April 2009 be received and the recommendations contained therein be adopted."***

**CARRIED**

**Agenda Item 7**

**REPORT ENVIRONMENT AND SUSTAINABILITY COMMITTEE MEETING**

**Thursday 16 April 2009 at 2.00pm**

**ITEMS 1 TO 4**

**PRESENT:** Councillor V Veitch, Chair  
Councillor T Roberts  
Councillor A Parsons  
Councillor S Blom  
Councillor R Gartrell  
Councillor J Hill  
The Mayor, Councillor L Tyrell

**A OPENING of MEETING**

The Chair, Councillor V Veitch declared the meeting open at 2:00pm.

**B APOLOGIES and LEAVE OF ABSENCE**

There were no apologies or leave of absence declared.

**C DECLARATIONS of MATERIAL PERSONAL INTEREST and CONFLICTS OF INTEREST**

There were no declarations of Material Personal Interest or Conflicts of Interest.

**D DEPUTATIONS**

There were no deputations.

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## **WATER AND ASSET PLANNING**

### **1 Water & Asset Planning - Recreational use of Lake Paluma**

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Authorised by >> Director Water and Asset Planning  
Date >> 31 March 2009

#### **Executive Summary >>**

The Environment and Sustainable Development Committee recently requested the Director Water and Asset Planning to provide a report regarding recreational activities on Paluma Dam, including reasons for closure to activities such as motorised sports, recreational fishing etc. The Report was requested following enquiries from Councillor Blom at a Fish Watch Advisory Committee meeting. Attached to the agenda item is a report from the last Water Business Committee meeting (24 March 2009) detailing the reasons and background to the current operating conditions at Paluma Dam.

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

For the information of the Environment & Sustainable Development Committee.

#### **Committee Recommendation >>**

That the Officer's Recommendation be adopted.

## **SUSTAINABILITY**

### **2 Sustainability - Wet Tropics Management Plan - TCC Submission**

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Authorised by >> Director Community and Environmental Services  
Date >> 6 April 2009

#### **Executive Summary >>**

The Wet Tropics World Heritage Protection and Management Act 1993 (the Act) requires the Authority to review the operation of the Plan (the Wet Tropics Management Plan 1998) every 10 years. Recently the Wet Tropics Management Authority (WTMA) offered an opportunity for Community and government to provide comment on the plan review. Several areas of interest (Paluma-Bluewater area) to Townsville and Council Departments were included in the review. Specifically being the Bluewater Road, Keelbottom Creek, Birthday Creek Falls, Benhams Track and the Paluma Dam Pipeline.

A submission was prepared by TCC Integrated Sustainability Services addressing these areas and recommending that existing parts of the plan identifying these areas as opportunities for Infrastructure Development and Ecotourism opportunities (which present the Wet Tropics) be retained. The submission was prepared in liaison with Water and Wastewater Services (Coordinator Dams and Catchments) and Townsville Enterprise Ltd. The submission is attached to the agenda item.

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**Officer's Recommendation >>**

That Council note the content and endorse the submission.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**3 Sustainability - Caring for our Country Application: Auspice on behalf of Black Throated Finch Recovery Team**

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Authorised by >> Director Community and Environmental Services  
Date >> 6 April 2009

**Executive Summary >>**

The Black-throated Finch Recovery Team (BTFRT) approached Council about support for submitting their proposal for funding under the Federal Governments Caring for Our Country program. The BTFRT specifically sought council (Integrated Sustainability Services) to Auspice the project financials on behalf of the group. The main focus of the project is to identify priority conservation areas and working directly with landholders in these areas to achieve sustainable land management practices. A large part of the Black Throated Finch's habitat in Townsville is in the Ross Dam catchment area. The application is for \$183,000 over three years. This includes a \$14,000 in kind component from TCC over the three years, part of which is made up of our current representation on the recovery team, and administration of the project auspice.

**Officer's Recommendation >>**

Council endorse the proposal to auspice the Black-Throated Finch recovery team's application for \$183,000 under Caring for Our Country.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**4 Sustainability - Stuart Creek Nature Refuge**

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Authorised by >> Director Community and Environmental Services  
Date >> 6 April 2009

**Executive Summary >>**

Conservation Volunteers Australia have submitted an application to the Federal Governments Caring for Our Country Program for their project: "Jointly Managing the Townsville urban-rural catchment interface: Stuart Creek, Bohle River and Town Common."

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The Project aims to allow Conservation Volunteers Australia (CVA), the Coastal Dry Tropics Landcare Inc (CDTLI), the Queensland Parks and Wildlife Service (QPWS), the Queensland Department of Natural Resources and Water (DNR&W), Queensland Rail (QR) and the Townsville City Council (TCC) to join forces to improve the environmental value of three prominent water courses skirting Townsville City.

As part of this process, CVA have submitted a draft Deed of Agreement with TCC, to allow them to freely access the Stuart Creek Nature Refuge site for environmental management purposes. This is highly advantageous to council and means that they will be able to access funding and resources (e.g. sponsorship and grants) which might not otherwise be available to Council. Council has agreed to be the trustee of the reserve.

**Officer's Recommendation >>**

That Council agree to be a signatory to the draft Deed of Agreement when it is finalised.

**Committee Recommendation >>**

That the Officer's Recommendation be adopted.

**E CONSIDERATION OF BUSINESS NOTIFIED BY A COUNCILLOR**

There was no business notified by a Councillor.

**F CONSIDERATION OF NOTIFIED MOTIONS**

There were no notified motions.

**G QUESTIONS**

There were no questions.

The Chair declared the meeting closed at 2:22pm.

***It was moved by Councillor R Gartrell, seconded by Councillor D Last:***

***"that the report of the Environment and Sustainable Development Committee meeting held on 16 April 2009, be received and the recommendations contained therein be adopted."***

**CARRIED**

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**OFFICERS REPORTS**

**CORPORATE SERVICES**

**8 Executive - Notice of Motion to Rescind**

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**Agenda Item >>**

Authorised by >> Chief Executive Officer  
Date >> 16 April 2009

**Executive Summary >>**

The Water Committee at its inaugural meeting on 10 March 2009 reviewed the Committee Terms of Reference and put forward the following recommendation to Council:

*"That the Executive Manager Water Management and appropriate staff be included in the 'Membership'."*

The recommendation was formally adopted by Council at its meeting on 24 March 2009.

The Water Business Committee was established as a Standing Committee of Council. In accordance with the *Local Government Act 1993*, Councillors are the only members of Standing Committees.

It is noted that the intent of the recommendation from the Water Business Committee was to refer to the inclusion of these staff as "advisors" to the Committee. The Terms of Reference adopted by Council currently specify that the Director attend as advisor to the Committee. It is within his existing delegations to nominate from time to time other staff necessary to address both regular and specific agenda items, therefore the need to amend the Terms of Reference is not required.

The resolution should be rescinded.

**Officer's Recommendation >>**

That Council rescind the resolution for item one (1) of the Water Business Committee Report on page 1571 of the Ordinary Minutes of Council dated 24 March 2009 which states:

*"That the Executive Manager Water Management and appropriate staff be included in the Membership."*

**It was moved by Councillor R Gartrell, seconded by Councillor N Marr:**

"that the Officer's recommendation be adopted."

**CARRIED**

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**9 Executive - Change of Meeting Day and Times - Corporate Governance, Community Safety & Health and Environment & Sustainability Committees**

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**Agenda Item >>**

Authorised by >> Chief Executive Officer  
Date >> 31 March 2009

**Executive Summary >>**

To assist in the resourcing for Standing Committee meetings it is proposed to spread the workload over a two week period which will assist both Councillors and officers in the formal Committee process. It is proposed that Council hold the Corporate Governance, Community Safety and Health and the Environment and Sustainability Committee meetings in the week preceding the Ordinary Council monthly meeting (4<sup>th</sup> Tuesday of the month) as follows:

- 9.30 am Monday Corporate Governance Committee;
- 11.30 am Monday Community Safety and Health Committee; and
- 9.00 am Tuesday Environment and Sustainability Committee.

All other Committee meetings will remain as they currently are.

**Officer's Recommendation >>**

That Council approve an amendment to the Standing Committee meeting schedule as follows:

1. the Corporate Governance Committee to meet at 9.30 am on Monday (commencing 18 May 2009) of the first (1st) week preceding the week of the Ordinary Meeting -;
2. the Community Safety and Health Committee to meet at 11.30 am on Monday (commencing 18 May 2009) of the first (1st) week preceding the week of the Ordinary Meeting; and
3. the Environment and Sustainability Committee to meeting at 9.00 am on Tuesday (commencing 19 May 2009) of the first (1st) week preceding the week of the Ordinary Meeting.

**It was moved by Councillor D Last, seconded by Councillor R Gartrell:**

"that the Officer's recommendation be adopted: and

that the Water Business Committee meeting to commence at 12 noon."

**CARRIED**

**Councillor B Hewett vacated the Chambers during discussions on the above item.**

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**10. Executive - Councillor V Veitch - Leave of Absence 19-30 April 2009**

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**Agenda Item >>**

Authorised by >> Chief Executive Officer  
Date >> 16 April 2009

**Executive Summary >>**

Councillor V Veitch has applied for leave of absence from Sunday 19 to Thursday 30 April 2009 inclusive. During this time he will be attending the Local Government Infrastructure Symposium 2009 in Brisbane on 21 - 24 April 2009 and he will be absent from the Council meeting of the 28 April 2009.

**Officer's Recommendation >>**

That Council approve leave of absence for Councillor V Veitch from 19 to 30 April 2009 inclusive.

**NOTED**

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**11 Executive - Leave of Absence - Councillor S Blom**

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**Agenda Item >>**

Authorised by >> Chief Executive Officer  
Date >> 7 April 2009

**Executive Summary >>**

Councillor S Blom has requested leave of absence for the period 15 May to 31 May 2009 inclusive. Council Blom will be absent from the Community Safety and Health Committee meeting on the 18 May 2009, the Environment and Sustainability Committee meeting on the 19 May 2009 and the Council meeting on the 26 May 2009.

**Officer's Recommendation >>**

That council approve leave of absence for Councillor S Blom for the period 15 May to 31 May 2009 inclusive.

**It was moved by Councillor R Gartrell, seconded by Councillor A Parsons:**

"that the Officer's recommendation be adopted."

**CARRIED**

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**12 Executive - Urban Local Government Association of Queensland Inc  
(ULGA) Annual Conference - Bundaberg 13-15 May 2009**

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**Agenda Item >>**

Authorised by >> Chief Executive Officer  
Date >> 20 April 2009

**Executive Summary >>**

The Urban Local Government Association of Queensland Inc (ULGA) Annual Conference will be held in Bundaberg from 13 to 15 May 2009.

The focus of this year's conference will be to provide delegates with the knowledge and skills necessary to:

- Handle media in good times and bad
- Deal with families in your community during times of tragedy eg fires, floods, (with Wendy Protheroe - GM Kids Helpline/Boystown)
- Collaborate within your own community
- Deal with difficult social issues within the community (with Ross Homel - Professor of Criminology and Criminal Justice, Griffith University)
- Address Energy, Change, Focus and Effectiveness (with Bruce Sullivan)

A panel discussion on Creating Better Cities will also be facilitated by Jim Varghese (previous Director-General in the Queensland State Government and now Chief Operating Officer, Springfield Land Corporation).

The conference brochure is available at [www.ulga.qld.gov.au/2009conference.php](http://www.ulga.qld.gov.au/2009conference.php)

**Officer's Recommendation >>**

For the consideration of Councillors.

**NOTED**

**CLOSED SESSION**

**It was moved by Councillor D Last, seconded by Councillor A Parsons:**

"that Council RESOLVE to close the meeting in accordance with Sections 463(1) (e) of the *Local Government Act 1993* which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it

**CARRIED**

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**It was moved by Councillor A Parsons, seconded by Councillor D Bell:**

"that Council RESOLVE to open the meeting."

**CARRIED**

**Councillor B Hewett returned to the Chambers during discussions on the following item.**

**13 Corporate Communications - Expressions of Interest - Markets Program**

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**Agenda Item >>**

Authorised by >> Director Corporate Services  
Date >> 22 April 2009

**Executive Summary >>**

Markets in Townsville are provided by a range of council and community providers, and are valuable additions to the city's events calendar. Townsville City Council's markets program includes the weekly Cotters Market and the monthly Strand and Riverway Night Markets.

The proposal is to seek expressions of interest from not-for-profit organisations to administer the markets in conjunction with the council, to achieve the objectives of the market program.

This arrangement will include funding from the council through a resource agreement, to ensure that the markets remain viable and are delivered to a standard that meets our community's expectations.

**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution and:
2. That the Council undertake an Expression of Interest process to investigate the availability of a suitable not-for-profit partner to supply part or all of council's markets.

**It was moved by Councillor D Last, seconded by Councillor B Hewett:**

"that the Officer's recommendation be adopted."

**CARRIED UNANIMOUSLY**

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**14 Major Projects - Civic Theatre Extensions - Contract T5288 (Design & Construction)**

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**Agenda Item >>**

Authorised by >> Director Infrastructure Services  
Date >> 23 April 2009

**Executive Summary >>**

Contract T5288 is for the design and construction of major extensions to the Civic Theatre including a new eastern wing, renovation of the foyer area and other miscellaneous improvements.

Tenders closed on 3 April 2009, with tenders being received from each of the five companies recently shortlisted by Council.

A copy of the Panel's evaluation report, including its unanimous recommendation, is attached.

**Officer's Recommendation >>**

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the document remain confidential unless Council decides otherwise by resolution and:
2. That Council resolves to:
  - (i) Select TCS (QLD) Pty Ltd as the preferred tenderer for Contract T5288 – Civic Theatre Extensions;
  - (ii) Delegate authority to the Chief Executive Officer to award the contract provided that the final negotiated contract position results in the project budget being achieved; and
  - (iii) Adopt the revised project budget and funding arrangements as detailed in the report.

**It was moved by Councillor D Last, seconded by Councillor J Lane:**

"that the Officer's recommendation be adopted."

**CARRIED**

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**LATE ITEMS:**

**15 Executive - 2009 St. George Bank State of the Region Summit  
Townsville - 4 June 2009**

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**Agenda Item >> Tabled at the meeting**

Authorised by >> Chief Executive Officer  
Date >> 24 April 2009

**Executive Summary >>**

The following is the introduction outlined in a brochure promoting the St George State of the Region Summit:

Townsville has long been the powerhouse of North Queensland. In recent times Townsville's importance, status and role in the Queensland economy has grown with the attraction of new industries and activities. Townsville's diverse economic base has sustained it during past economic slow downs but, like the rest of the World, it has seen nothing like the global financial crisis now facing it.

**Officer's Recommendation >>**

That Council approve the attendance of Councillor/s interested in attending the 2009 St George State of the Region Summit in Townsville on 4 June 2009; and

**It was moved by Councillor T Parsons, seconded by Councillor N Marr:**

"that Council approve the attendance of Councillors D Last, L Tyrell and D Bell at the 2009 St George State of the Region Summit in Townsville on 4 June 2009."

**CARRIED**

**16 Panel of Providers - Recruitment**

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**Agenda Item >> Tabled at the meeting**

Authorised by >> Chief Executive Officer  
Date >> 27 April 2009

**Executive Summary >>**

A review has been commissioned of Council's current practices for permanent and temporary recruitment, including 'on-hire labour'. A report on the review will be furnished to Council during the May meeting cycle; however to enable Council to position itself to recruit labour hire services after 1 July 2009, it is recommended that Council advertise for a Panel of Providers for labour hire services.

