



ORDINARY COUNCIL

PUBLIC MINUTES

TUESDAY 22 APRIL 2014 AT 9.02AM

Council Members >>

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

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Goals and Strategies of Townsville City Council >>

Corporate Plan >>

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

The outcomes we want to achieve:

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

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

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

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

Infrastructure that meets community needs.

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

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

The outcomes we want to achieve:

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

- 2.1 Provide strategic and integrated planning and policy development to sustain our environment.
 - 2.2 Effective management, protection and conservation of our natural environment.
 - 2.3 Preserve and protect places of natural and heritage significance.
- ##### **Demonstrated environmental leadership.**
- 2.4 Develop and implement an Integrated Water Management Strategy.
 - 2.5 Develop and implement innovative waste management and recycling strategies.
 - 2.6 Minimise greenhouse gas emissions from council's infrastructure, operations and services through sustainable energy practices.
 - 2.7 Partner with the community and industry stakeholders to develop and promote environmental protection and sustainability initiatives.
 - 2.8 Develop and implement environmental compliance programs and promote community awareness.

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

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

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

The outcomes we want to achieve:

A safe and healthy community.

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

A cohesive and self reliant community.

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

A community with access to services and facilities.

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

A creative community.

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

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

The outcomes we want to achieve:

Transparent and accountable local government.

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

A competent, productive and contributing workforce.

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

Excellence in customer service delivery and organisational management.

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

MINUTES

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General Business

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REPORT	COUNCIL MEETING
DATE	Tuesday 22 April 2014 at 9.02am
ITEMS	1 TO 43
PRESENT	The Mayor, Councillor J Hill Councillor V Veitch Councillor S Blom Councillor C Doyle Councillor G Eddiehausen APM Councillor P Ernst Councillor R Gartrell Councillor J Lane Councillor A Parsons Councillor T Roberts Councillor L Walker

Opening of Meeting

The Chair, Mayor Councillor J Hill, opened the meeting at 9.02am.

Prayer

Reverend Norton Challenor from the Anglican Church delivered the opening prayer.

Apologies and Leave of Absence

There were no apologies or leave of absences noted.

Confirmation of Minutes of Previous Meetings:

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

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

- (i) Ordinary Council meeting 25 March 2014; and
- (ii) Special Council meeting 14 April 2014."

CARRIED

Disclosure of Interests

- (i) Governance and Finance Committee - Perceived conflict of interest - Item 35 - The Mayor, Councillor J Hill's brother is one of the Executive Managers of Agilent Australia.
- (ii) Community and Cultural Committee - Conflict of interest - Item 28 - Councillor J Lane is a Patron of the North Queensland Potters Association.
- (iii) Community and Cultural Committee - Conflict of interest - Item 29 - Councillor J Lane is a board member of Dance North.

Correspondence

There was no correspondence.

Deputations

Item 5 - Jennifer Flack and Roger MacCallum

Presentations

There were no presentations.

Mayoral Minute

There was no Mayoral Minute.

Committee Items

Infrastructure Committee

*It was **MOVED** by Councillor T Roberts, **SECONDED** by Councillor L Walker:*

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

CARRIED UNANIMOUSLY

1 Engineering Services - Castle Hill Lighting

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 24 March 2014

Executive Summary

The Federal Government has recently announced that funding is available to council to install street lighting on Castle Hill Road with the view to address road safety concerns and perceived lack of amenity for the various road users along this road.

This report provides council with a summary of the background to the project to date, including the Department of Environmental and Heritage Protection (DEHP) permit conditions/requirements, funding, solar lighting type and subsequent risk assessment outcomes. It also gives considerations to a number of key safety factors and provides conclusions with which the final recommendations were established.

Officer's Recommendation

1. That council not proceed with installation of the 20 solar powered lights on Castle Hill Road due to the increase in risk and challenges presented by intermittent lighting levels and the likely road safety and possible personal safety implications resulting from not being able to install the number of lights required to comply with the Australian Standard for pedestrian lighting.
2. That council advise the Federal Member for Herbert, that, regrettably, council is not able to accept the funding offer of \$650,000 made to council to install public lighting on Castle Hill Road and that the decision is a result of concerns held by council of an increase in risk to pedestrians and motorists due to only being permitted to install 20 new solar lights, and an increase in risk to council posed by not being able to install the number of lights required to comply with the Australian Standard for pedestrian lighting.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7052) where council resolved that the committee recommendation be adopted.

2 Engineering Services - Howitt Street and Rose Street Stormwater System Remedial Works

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 24 March 2014

Executive Summary

As part of council's ongoing condition auditing of its underground stormwater system there have been some recent assessments of the condition that have highlighted some emerging issues associated with ageing infrastructure in the North Ward area.

This report outlines the findings of the assessment of the Howitt Street and Rose Street stormwater system and provides council with a recommendation to address concerns over the ageing infrastructure of the underground stormwater system.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council allocate funding in its 2014/15 capital works program to replace the degraded underground stormwater drain in Howitt Street and Rose Street at an estimated cost of \$7 million.
3. That council allocate an additional \$1 million to the draft 2014/15 Drainage Renewal Program as part of its considerations in the development of the 2014/15 budget.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7052) where council resolved that the committee recommendation be adopted.

3 Engineering Services - TCW00061 Supply and Delivery of One (1) New CCF Class 15 Motor Grader

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 26 March 2014

Executive Summary

Tender TCW00061 – Supply and Delivery of one (1) new CCF Class 15 Motor Grader was called as part of the approved 2013/2014 Heavy Fleet Replacement Program.

Tenders were invited for the supply and delivery of one (1) new CCF Class 15 Motor Grader.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That Tender No TCW00061 - Supply and Delivery of one (1) only New CCF Class 15 Motor Grader be awarded to Hitachi Construction Machinery for one (1) New John Deere 670G Grader at a quoted price of \$325,671.30 (excluding GST).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7052) where council resolved that the committee recommendation be adopted.

4 Maintenance Services - PSA00006 - Preferred Supplier Arrangement for Tree Pruning/Removal, Stump Grinding & Coconut Denutting

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Finance - Procurement Contracts Unit
Date 24 March 2014

Executive Summary

Townsville City Council is seeking to introduce Preferred Supplier Arrangement/s (PSA00006) with suitably qualified contractor/s for three (3) services – namely Tree Pruning/Removal, Stump Grinding and Coconut Denutting. Tenderers can submit a response to any or all of the three (3) services.

Locations for these services will vary within the nominated areas of Sectors 1, 3, 4 & 5 and Magnetic Island. (Sector 2 is currently under contract with Citywide Services Pty Ltd).

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA00006 for 24 months with the option of a further 12 month extension.
3. That council award PSA00006 - Preferred Supplier Arrangement for Tree Pruning/Removal, Stump Grinding and Coconut Denutting to the following tender respondents for 24 months. The total value of the contracts is expected to be in excess of \$400,000.00 ex GST per annum.

Tree Pruning/Removal

Skilled Trees - Sector 1, 3, 4, 5, and
Northern Tree Specialists - Magnetic Island.

Stump Grinding

Lucas Attewell - Sector 1, 3, 4, 5, and
YTS Crane Hire - Magnetic Island.

Coconut Denutting

North Queensland Tree Services - Sector 1, 3, 4, 5 & Magnetic Island

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 1 of the council minutes (page 7052) where council resolved that the committee recommendation be adopted.

Planning and Development Committee

It was *MOVED* by Councillor A Parsons *SECONDED* by Councillor P Ernst:

"that the committee recommendations to items 6 to 10 be adopted and that item 5 be dealt with separately."

CARRIED UNANIMOUSLY

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

"that council agree to residents speaking to item 5."

CARRIED UNANIMOUSLY

Council considered the verbal comments provided by Jennifer Flack and Roger MacCallum at the meeting on item 5.

It was *MOVED* by Councillor R Gartrell, *SECONDED* by Councillor P Ernst:

With regards to item 5:

"that council refuse the application for Material Change of Use (Impact) - Multiple Dwelling at 4-5 Carter Street, North Ward as it is in direct conflict with the current City Plan; specifically:

- desired environmental outcomes;*
- precinct development outcomes in the City View Slopes Residential Precinct;*
- specific outcomes for the City View Slopes Residential Precinct;*
- overall outcomes of the Multiple Dwelling Code; and*
- specific outcomes of the Multiple Dwelling Code."*

CARRIED UNANIMOUSLY

5 MI13/0033 - MCU (Impact) Multiple Dwelling (16x3 and 14x2 Bedroom Units) 4-5 Carter Street, North Ward

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Development Assessment
Date	6 March 2014
Address	Lot 1 RP 732343, 4-5 Carter Street North Ward
Applicant/Owner	MacCallum Planning & Architecture, Reginald Poonan, Durad Toma and Debra A Scarfe
Description	Material Change of Use (Impact) - Multiple Dwelling (16x3 and 14x2 Bedroom Units) at 4-5 Carter Street, North Ward

Executive Summary

A Development Application for Material Change of Use (Impact) – Multiple Dwelling (16 x 3 and 14 x 2 Bedroom Home Units) on Lot 1 RP 732343 situated at 4-5 Carter Street, North Ward has been received by Applicant: MacCallum Planning & Architecture – MI13/0033 0202008 and has been recommended for approval.

The committee also considered the verbal comments of Roger MacCallum and Steve Motti provided at the meeting.

Officer's Recommendation

That Development Application MI13/0033 for a Development Permit for Multiple Dwelling (16x3 and 14x2 Bedroom Units) under section 243 of the *Sustainable Planning Act 2009* on land described as Lot 1 RP 732343, more particularly 4-5 Carter Street North Ward be approved subject to the following conditions -

1. Site Layout

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

DRAWING NAME	DRAWING No.	ISSUE No.	REVISION DATE
Precinct Plan	SK-100-A	A	12 December 2012
Site Plan	SK-101-A	A	12 December 2012
Carpark Level 1	SK-102-A	A	12 December 2012
Carpark Level 2	SK-103-A	A	12 December 2012
Carpark Level 3	SK-104-A	A	12 December 2012
Unit Level 1	SK-105-A	A	12 December 2012
Unit Levels 3, 5 and 7	SK-106-A	A	12 December 2012
Unit Levels 2, 4 and 8	SK-107-A	A	12 December 2012
Unit Level 6 – Pool Access	SK-108-A	A	12 December 2012
Landscape Concept Plan	SK-109-A	A	12 December 2012
West Elevation	SK-201-A	A	12 December 2012
North Elevation	SK-202-A	A	12 December 2012
East Elevation	SK-203-A	A	12 December 2012
South Elevation	SK-204-A	A	12 December 2012
East Elevation Diagram	SK-205-A	A	12 December 2012
Section AA	SK-301-A	A	12 December 2012
Section BB	SK-302-A	A	12 December 2012
Section CC	SK-303-A	A	12 December 2012
Section DD and EE	SK-304-A	A	12 December 2012

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

2. Building Materials

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

3. Visual Screen

Prior to the issue of a Development Permit for Building Works, the developer must prevent overlooking into habitable room windows of dwellings and any balconies located on adjoining properties from windows and/or balconies above ground level. Details must be submitted to Council for approval showing of the provision of any of the following:

- * Fixed obscure glazing in any part of the window below 1.5 metres above floor level; OR
- * Fixed external screens; OR
- * Sill heights of 1.5 metres above floor level, or alternative measure for Council's consideration; OR
- * Alternative measures for Council's consideration.

4. Storage of Materials and Machinery

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

5. Site Appearance

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

6. 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) 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.

7. Property Numbering

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

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

8. Drying Facilities

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

9. Letterboxes

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

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

10. Screening of Plant and Utilities

- a) Plant and utilities including air-conditioners must not be visible from the street and must not be located on balconies or patio areas. The developer must submit a plan identifying the location of all plant and utilities and details of aesthetic screens. Details must be submitted to and approved by Council prior to the issue of a Development Permit for Building Works.
- b) The aesthetic screens must be installed prior to the commencement of the use and must be maintained thereafter to the satisfaction of Council.

11. Refuse Facilities

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

- a) Bulk refuse facilities are applicable to this development due to the number of units associated with the development and lack of on-street access for collection of mobile garbage (wheelie) bins. The bulk refuse facility must be:
 - * a suitable enclosure with concrete slab floor, with dimensions which exceed the size of the nominated bin size by at least 300mm at the rear and both sides and 600mm at the front;
 - * within the curtilage of the premises in an accessible location to receive the service;
 - * graded and drained through an approved sediment/silt trap to a legal sewer connection;
 - * provided with a hose cock and hose in close proximity to the enclosure;
 - * enclosure must be screened and not visible from any street frontage.
- b) The minimum overhead clearance required for refuse collection is 6500mm. Access for the collection of bulk bins is not to be impeded by any over head obstructions such as trees, wires or other structures. This minimum height clearance is to be maintained at all times.
- c) Access roads and driveways must be designed and constructed to accept vehicle loadings of not less than G.V.M. 33 tonnes.
- d) All dedicated refuse collection areas are to be kept clear at all times. Adequate signage must be erected to reflect this.

12. Relocation of Utilities

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

Advisory Note: during the construction of the access to this property, improvement works proposed for the cul-de-sac bowl and basement parking area, the development must ensure that the design will provide sufficient cover to the existing DN100 water mains and sewerage boundary connection located within the property and along Carter Street fronting this development.

13. Geotechnical Report

The proposed development must comply with all recommendations contained within the Geotechnical Investigation referenced GT10-083-002R Rev 2, dated September 2013 prepared by ETS Geotechnical and "Landslide Risk Management", Australian Geomechanics Journal, Vol. 42, No. 1 (March 2007).

14. Additional Geotechnical Requirements

The developer must submit certification from an appropriately qualified and experienced geotechnical consultant addressing the risk level associated with landslide at 4-5 Carter Street and adjacent areas during construction and after construction of the Multiple Dwelling prior to the issue of a Development Permit for Building Works. The developer must confirm the risk level in relation to landslide as "low" in accordance with "Landslide Risk Management", Australian Geomechanics Journal, Vol. 42, No. 1 (March 2007) at each stage of development (i.e. pre-construction, during construction and post construction) for the subject site and neighboring areas.

15. Car Parking

- a) All car parking facilities, associated ramps and driveways must be constructed in accordance with Council Standards and as detailed in the latest amendment of the Australian/New Zealand Standard AS/NZ 2890 and must be maintained thereafter to the standard.
- b) The minimum car parking classifications for off-street carparking applicable to this development are as per Table 1.1 in AS/NZS 2890.
- c) The driveway, manoeuvring areas, car parking areas and paths must all be constructed of:
 - * exposed aggregate concrete; or
 - * interlocking pavers; or
 - * other alternative aesthetically pleasing materials to be approved by Council prior to the issue of a Development Permit for Building Works.
- d) The layout of the on-site car parking spaces must be designed to ensure that all vehicles entering and leaving the site may do so in a forward direction.
- e) The developer must provide a minimum of sixty-seven (67) car spaces (including the car wash bay) on site of which a minimum of six (6) spaces are required to be dedicated for visitor parking and must be made available at all times for such.

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

- f) In this instance, one (1) dedicated car washing bay within a visitor car park is to be provided on site prior to the commencement of the use. Details must be submitted to and approved by Council prior to the issue of a Development Permit for Building Works. The bay is to be designed and constructed in accordance with the following:
 - * imperviously paved
 - * provided with a hose cock
 - * graded to a central drain incorporating a silt trap
 - * fitted with a diversion valve which allows contaminated run-off to pass to a sewer or as approved by Council in writing.
- g) The developer must erect signage indicating the location of the entry and exits to the car parks, specific use bays (eg. visitor, disabled, bus, taxi, bicycle, loading, etc.), as well as regulatory signs controlling movement within the car park.
- h) All exposed services provided within the car parking area must be suitably screened so as to conceal any unsightly elements. Details of such screening must be submitted to and approved in writing by Council prior to the issue of a Development Permit for Building Work.
- i) All signage and line marking for off-street car parking must comply with the requirements of AS/NZS2890 and AS1742 and associated standards.
- j) All signage and line marking for on-street car parking and traffic control must comply with the requirements of the Department of Transport and Main Roads (DTMR) Manual of Uniform Traffic Control Devices (MUTCD) and associated standards.

- k) The developer must provide appropriate traffic safety measures to address existing access visibility matters identified in the Report for Access – Geometry and Safety Assessment prepared by UDP-Horman Traffic. Specifically, accesses to the properties located along the northern side of the cul-de-sac.

16. Stormwater Drainage

Prior to the issue of a Development Permit for Building Works, certification by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ) of the following requirements must be provided so as to achieve. In particular:

- a) The development site must be graded so that it is free draining. All runoff from storms naturally falling into this development site (including roof runoff) must be collected within the property boundaries and discharged to the lawful point of discharge being Carter Street or as agreed upon by Council.
- b) The developer must ensure that no ponding of stormwater occurs on adjacent allotments and that no stormwater formerly flowing onto their development site is diverted onto other neighbouring allotments.
- c) The developer must ensure that the post development discharge of stormwater from the subject land does not exceed pre-development peak flows.
- d) The underground stormwater drainage infrastructure proposed to be connected to existing council stormwater drainage network will require further assessment. The developer must submit related designs to council for review and assessment (e.g. alignment within the verge, size, type and class of pipe, hydraulics calculations etc.) prior to the commencement of construction.
- e) Overland flow paths and underground drainage must be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.
- f) Following the completion of any works for the purposes of stormwater drainage, a stormwater drainage certificate from a Registered Professional Engineer of Queensland (RPEQ) must be submitted to and endorsed by Council. The stormwater drainage certificate must verify that the completed stormwater works associated with the proposed use has been constructed in accordance with the approved design.

Advisory Note: the design of internal stormwater drainage must take into consideration any existing stormwater infrastructure within the existing drainage easement within the property.

17. Sewerage Reticulation

The developer must connect to the existing sewer manhole (MH 1/7B1A7) along the northern corner of the development site in accordance with current council requirements. Details of the sewerage reticulation works must be submitted and approved as part of Compliance Assessment for the development.

Advisory Note: the existing property boundary connection (DN100) within the north-eastern property boundary connection to MH1/7B1A7 may require relocation in the event that it is currently being use by the upstream properties.

18. 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 submitted to Council for approval 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
- * include 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".

19. Rock Breaking, Drilling and Piling

- a) Rock breaking, drilling and piling is permitted on the site for three hours a day between 2 pm and 5 pm 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.

20. Vegetation Disposal

All felled trees and waste vegetation on the site must be removed from site, unless an alternative method of disposal, such as wood chipping, is approved by Council. This material must be transported to the nearest approved waste disposal facility. Burning or burying of waste vegetation on site is not permitted.

21. Landscaping

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

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

- * A minimum of 40% of the site provided with adequate landscaping.
- * The road reserve along Carter Street to be turfed and provided with automated irrigation.
- * The locations of any existing or proposed street trees. The prescribed species for Carter Street is *Tabebuia pallida*.
- * Details showing a significant number of trees planted around the site to break up the built form of the development.

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

22. Roadworks and Traffic

- a) The developer must construct the new access driveway, crossover (including kerb and channel to the property boundary) at the developer's expense generally in accordance with council's relevant Standard Drawings for Driveway Access and Driveway Crossovers and Driveway Crossovers and Concrete Kerbing.
- b) The developer must gravel pave and bitumen surface the road shoulder from lip of channel to edge of existing bitumen surfaced pavement for the full frontage of the development site in accordance with Council's Standard Drawing for *Concrete Kerbing*.
- c) The developer must construct a 1.5 metre wide concrete footpath to the full frontage of the site along Carter Street in accordance with Council's Standard Drawings.

Advisory Note: the required 1.5 metre wide concrete footpath must be connected to the existing bitumen path at the end of the cul-de-sac head.

- d) The proposed improvement of the cul-de-sac bowl is required to be designed and constructed in accordance with Aus-Spec Development Design Specifications.
- e) The minimum radius required for the improvement of a section of the cul-de-sac bowl is 9.0 metres or as otherwise approved by council. The improvement must provide proper pedestrian linkage to the existing and proposed pathways.
- f) During the construction phase, any damages to the road reserve (i.e. footpath/kerb and channel) must be replaced by the developer in accordance with Council's standards.

ADVICE

1. Infrastructure Charges

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

2. Further Approvals Required

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

- Condition 2 – Building Materials
- Condition 3 – Visual Screen
- Condition 10 – Screening of Plant and Utilities
- Condition 15 – Car Parking
- Condition 16 – Stormwater Drainage
- Condition 17 – Sewerage Reticulation
- Condition 21 – Landscaping

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

b) **Plumbing and Drainage Works**

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

c) **Building Works**

The developer must obtain a Development Permit for Building Works to carry out building works prior to works commencing on site.

3. Connection to Council Water Supply

A copy of this permit and the approved water reticulation design must be submitted to Council with the appropriate application form for connection to Council's water supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

4. Connection to Council Sewer

A copy of this permit and the approved sewer reticulation design must be submitted to Council with the appropriate application form for connection to Council's sewer supply. Council will respond to the application with a quotation for the work and upon payment will schedule the works for connection.

5. Haulage of Materials

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

6. Noise

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

* 6.30 a.m. to 6.30 p.m. Monday to Saturday; with

* No work on Sundays or Public Holidays.

7. Environmental Considerations

DEHP Requirements

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

8. Dilapidation Report

- a) It is advisable that the developer undertake a dilapidation report, prior to the commencement of any works on the site to mitigate against any possible future civil action. The report is designed to document evidence of the existing condition of adjoining properties internally and externally prior to any rock breaking or construction work commencing. Hence the report should document and provide photographs that clearly depict any existing damage to neighbouring properties.

- b) The developer should provide a dilapidation report with photos of the footpath, kerb and channel in the vicinity of the access(es) to the site to Council prior to commencement of the works, and any damage identified by Council inspectors rectified on completion of works. The developer will be responsible for the restoration of all damage identified by the inspectors if this report is not lodged prior to work commencing.

9. Plumbing and Drainage Approval

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

10. Roadworks Approval

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

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

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

Committee Recommendation

That the officer's recommendation be adopted subject to the Dilapidation Report being included as a condition, rather than advice, to a radius of 100 metres around the property boundary of 4-5 Carter Street North Ward.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7056) where council resolved the following:

that council refuse the application for Material Change of Use (Impact) - Multiple Dwelling at 4-5 Carter Street, North Ward as it is in direct conflict with the current City Plan; specifically:

- **desired environmental outcomes;**
- **precinct development outcomes in the City View Slopes Residential Precinct;**
- **specific outcomes for the City View Slopes Residential Precinct;**
- **overall outcomes of the Multiple Dwelling Code; and**
- **specific outcomes of the Multiple Dwelling Code.**

CARRIED UNANIMOUSLY

6 MI12/0040 - MCU (Impact) Major Telecommunications Facility, situated at Walter Nisbet Park, The Esplanade, Pallarenda

REPORT TO COUNCIL - PLANNING APPLICATION

Authorised by	Director Planning and Development
Department	Planning and Development, Development Assessment
Date	12 March 2014
Address	Part Lot 109 SP 152449 and Lot 129 EP 2324, Walter Nisbet Park The Esplanade, Pallarenda
Applicant/Owner Description	Optus Mobile Pty Ltd, Council of The City of Townsville and As Trustee For Material Change of Use (Impact) - MI12/0040 Major Telecommunications Facility

Executive Summary

A Development Application for Material Change of Use (Impact) - MI12/0040 Major Telecommunications Facility on Part Lot 109 SP 152449 and Lot 129 EP 2324, situated at Walter Nisbet Park The Esplanade, Pallarenda has been received from Applicant: Aurecon Australia Pty Ltd.

The application was publicly notified in accordance with the provisions of the *Sustainable Planning Act 2009* (SPA). 29 submissions were received during the statutory notification period objecting to the development based on alternative locations being available, visual amenity, public health and safety (EME), impacts on property values, opportunity for co-location, impact on natural environment, and design.

An assessment of the proposed development was undertaken which is considered to comply with the provisions of the *City Plan 2005*, therefore, it is recommended that council approve the application subject to reasonable and relevant conditions.

Officer's Recommendation

That council approve application MI12/0040 for a development permit for Major Telecommunications Facility under section 243 of the *Sustainable Planning Act 2009* (SPA) on land described as Part Lot 109 SP 152449 and Lot 129 EP 2324, more particularly Walter Nisbet Park The Esplanade, Pallarenda subject to the following conditions -

1. Site Layout

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

DRAWING NAME	DRAWING No.	REVISION No.	PLAN SUBMITTED & DATE STAMPED
Draft Site Layout	B8993A-P1	02	5 July 2012
Draft Site Elevation	B8993A-P2	01	5 July 2012

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

2. 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 and is an appropriate colour that achieves a high level of visual integration with the surrounding environment.

3. Protection of Operational Airspace

- a) Permanent or temporary physical obstructions must not adversely affect operational airspace. Activities associated with the proposed use or its construction, (including cranes) must not involve transient or permanent intrusions above 15 metres for each stage of the development, unless prior approval has been obtained from the relevant authorities.
- b) Emissions must not significantly affect air turbulence, visibility or engine operation in operational airspace such as gaseous plume at a velocity exceeding 4.3 metres per second or smoke, dust, ash or steam.
- c) Any activity on the subject land must not emit anything that may interfere with current or proposed electronic air navigation or communications systems.
- d) Any proposed site lighting, including street lighting, car parking lighting and advertising or business sign lighting must be installed such that it does not project light spillage above the horizontal plane or beyond the subject site to protect the integrity of the Townsville Airport night lighting system and ensures that adjoining sites and roads are not affected.

4. Storage of Materials and Machinery

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

5. Lighting

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

6. Relocation of Utilities

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

7. Soil Erosion Minimisation, Sediment Control and Dust Control

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

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

8. Rock Breaking, Drilling and Piling

- a) Rock breaking, drilling and piling is permitted on the site for three hours a day between 2 pm and 5 pm 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.

9. Vegetation Disposal

All felled trees and waste vegetation on the site must be removed from site, unless an alternative method of disposal, such as wood chipping, is approved by Council. This material must be transported to the nearest approved waste disposal facility. Burning or burying of waste vegetation on site is not permitted.

Concurrence Agency Conditions – Department of Natural Resources and Mines (DNRM)

Pursuant to section 285 and section 287 of the *Sustainable Planning Act 2009*, the *Department of Natural Resources and Mines* (DNRM) advises that it has no objection to Townsville City Council issuing a Development Permit for Material Change of Use, as detailed in the attached correspondence dated 20 September 2013.

ADVICE

1. Noise

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

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

2. Environmental Considerations

DERM Requirements

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

3. Defence Registration

The D(AC)R restriction over the proposed development is "Structures higher than 15m require approval". This structure height refers to height above natural ground level and so, as evident in the design drawings, the proposed development will be at least 26.4m Above Ground Level (AGL) (plus crane height), the proposed development will exceed the D(AC)R limit of 15m.

An approval under the D(AC)R is required to meet the applicants legal obligations as outlined in the D(AC)R. Until such time as an approval is obtained, the applicant may not construct any structure on the site that exceeds 15m AGL

In order to assist with an application, please refer to Regulation 8 of the D(AC)R which outlines the application process and the information, required by Defence. A copy of the D(AC)R can be obtained from the ComLaw website at <http://www.comlaw.gov.au>. An application made under these Regulations may be addressed to the Minister's Delegate at the address below:

Director General Estate Planning
Department of Defence
Brindabella Business Park BP26-1-B001
PO Box 7925
CANBERRA BC ACT 2610

In addition, please email a copy of the application to
DSGIDEP.ExecutiveSupport@defence.gov.au

Committee Recommendation

That this report be withdrawn pending investigation on property numbers 504196 and 36780 for the proposed Major Telecommunications Facility.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7056) where council resolved that the committee recommendation be adopted.

**7 Strategic Planning - Heritage and Urban Planning Unit - Heritage Advisory Committee
minutes of 22 January 2014**

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 5 March 2014

Executive Summary

A meeting of the Heritage Advisory Committee was held on 22 January 2014. The minutes of that meeting are attached to the Report to Council.

Officer's Recommendation

That council receive the minutes of the Heritage Advisory Committee meeting of 22 January 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7056) where council resolved that the committee recommendation be adopted.

8 Strategic Planning - Heritage and Urban Planning Unit - Urban Renewal - Illich Park Master Plan

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Planning and Development
Committee Planning and Development Committee
Date 26 March 2014

Executive Summary

Illich Park is considered to be a poorly functioning public space and is under-utilised. An extreme storm event in March 2012 damaged some of the facilities in Illich Park. This presented an opportunity to improve the facilities and sporting grounds.

A conceptual master plan to improve the area was commenced and has reached 50% draft completion. It is at a stage where community feedback is necessary to inform the master plan's consequent progress.

Officer's Recommendation

1. That council endorse the community consultation phase of the Illich Park Concept Master Plan project.
2. That council endorse further consideration of the opportunity to fund parkland and flood mitigation upgrades at Illich Park through the development of a small portion of the freehold site.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7056) where council resolved that the committee recommendation be adopted.

9 Strategic Planning - Economic Development & Strategic Planning - Sister Cities

REPORT TO COUNCIL

Authorised by Director Planning and Development

Department Planning and Development

Date 03 March 2014

Executive Summary

The terms of reference of the Townsville Sister Cities Community Forum allows for reports on its proceedings and recommendations for new and continuing activities to be provided to the Planning and Economic Development Committee for consideration of Full Council. This report provides: (1) the minutes to the Townsville Sister Cities Community Forum meeting 17 February 2014 as a report on its proceedings and (2) the recommendations for the proposed 2014-2015 Townsville Sister Cities program and budget.

Officer's Recommendation

1. That council receive and note the report on 2013-2014 proceedings for information.
2. That council consider the 2014-2015 Sister Cities program as part of the 2014-2015 budget deliberations.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7056) where council resolved that the committee recommendation be adopted.

10 Strategic Planning - Economic Development & Strategic Projects - CBD Development Incentives Program

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Strategic Planning
Date 07 February 2014

Executive Summary

In April 2011, council implemented the CBD Development Incentives Program to provide an immediate stimulus to build confidence, activity and momentum and to ensure the objective of CBD revitalisation is realised. This report contains a summary of the operational and financial aspects of the implementation of the CBD Incentives Program, and is presented for the information of council.

Additionally, council has received correspondence from the owners of for one of the proposed developments on a portion of Assessment Number 0105538 requesting an extension of the CBD Development Incentives Program beyond the 30 June 2015 completion date. This report considers the merit of this request.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the progress of the implementation of the CBD Development Incentives Program with respect to the current position of both operational and financial outcomes.
3. That council approve an amendment to the CBD Development Incentives Program for one of the proposed developments on a portion of Assessment Number 0105538 to extend the date for completion to 13 August 2015.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 5 of the council minutes (page 7056) where council resolved that the committee recommendation be adopted.

Healthy and Safe City Committee

*It was **MOVED** by Councillor G Eddiehausen, **SECONDED** by Councillor J Lane:*

"that the committee recommendations to items 11 to 12 be adopted."

CARRIED UNANIMOUSLY

11 Eliminate Dengue Townsville Community Reference Group (TCRG)

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Environmental Health Services
Date 20th March 2014

Executive Summary

Following the presentation by the Eliminate Dengue team at the last Healthy & Safe City Committee Meeting, the research team are seeking support in the way of a council member to participate in their Townsville Community Reference Group (TCRG) as part of their community engagement process.

The TCRG will consist of approximately 10 members drawn from the local community and will meet every 6-8 weeks to receive updates on operations, grievances and communication activities and provide advice on relevant matters.

Officer's Recommendation

That council appoints a Councillor to participate in the Townsville Community Reference Group for the Eliminate Dengue research program in Townsville.

Committee Recommendation

That council appoints Councillor G Eddiehausen to participate in the Townsville Community Reference Group for the Eliminate Dengue research program in Townsville.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 7074) where council resolved that the committee recommendation be adopted.

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Property Management
Date 22 April 2014

Executive Summary

Tender PSA00010 for the Provision of Security Services closed on the 26 March 2014 and called for the provision of services to facilitate delivery of the recently adopted Safe Community Security Strategy. The proposed contract(s) will be for an initial term of three (3) years with options of a one (1) year plus one (1) year extensions.

Services have been specified across three bundles with respondents invited to tender one or a number of bundle combinations comprising of scheduled and non- scheduled work. Scheduled works are to be provided on a lump sum basis with non-scheduled work being provided on a unit rate basis.

Twelve (12) tenders were received eleven (11) conforming and one (1) non-conforming. There was one (1) late tender which was considered under Part 1 Clause 9.4.

Evaluations were undertaken by members of the Evaluation Panel who were appointed having regard for accountability, responsibility, subject matter expertise, industry experience, governance and probity and independence. Evaluation of the tenders occurred 27 - 31 March 2014 in accordance with the Evaluation Panel Guide.

The Safe Community Security Strategy which was endorsed by Council on 25 February 2014, in part, endorsed the appointment of between one (1) and three (3) Service Providers, this report recommends the appointment of two (2) Service Providers.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award PSA 00010 Provision of Security Services for a period of three (3) years with a one (1) year plus one (1) year option in accordance with below:
 - (a) Bundle 1 - MSS Security Pty Ltd
 - (b) Bundle 2 - TTUV Security Pty Ltd, Trading As Ardent Security Services
 - (c) Bundle 3 - MSS Security Pty Ltd

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 11 of the council minutes (page 7074) where council resolved that the committee recommendation be adopted.

Smart City Sustainable Future Committee

It was *MOVED* by Councillor V Veitch, *SECONDED* by Councillor L Walker:

"that the committee recommendations to items 13 to 15 be adopted."

CARRIED UNANIMOUSLY

Councillor V Veitch thanked staff for their work on the Earth Hour event.

13 Earth Hour 2014 Report and 2015 Update

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Integrated Sustainability Services
Date 02 April 2014

Executive Summary

In January 2014, Townsville City Council was approached by World Wide Fund for Nature (WWF) to be one of five national flagship events as part of Earth Hour 2014 held on 29 March. This public screening of the WWF documentary "It's Lights Out for the Reef" and energy management resilience expo event was held at Strand Park (Full Council Resolution – 25 February 2014). The screening has received positive feedback from members of the community who attended. This report highlights some of the activities and promotion that led up to the event including:

- activities that occurred during the energy management and resilience expo;
- the evening activities for the public screening of the documentary "It's Lights Out for the Reef"; and
- the work of Townsville City Council employees taking part of the LGMA Management Challenge (Northern Heat <http://youtu.be/6NB6AYypIGA> & Tropical Stars <http://youtu.be/pa2dj4pzxPk>) for their *important thinking and concepts of enhancing the cities productivity – through building resilience before and after cyclones and potentially other disasters* and the showcase of Townsville business and community sustainability "Action Heroes" (WWF Climate Heroes).

Officer's Recommendation

1. That council note the report on Earth Hour 2014 and support participation and planning for Earth Hour 2015 with WWF (World Wide Fund);
2. That council support non-essential lights being turned off at the Walker Street and Thuringowa Drive administration buildings; Castle Hill and Strand Park, as well as any other opportunities that may present themselves in supporting Earth Hour here in Townsville; and
3. That council support an energy management and resilience building expo at Strand Park in conjunction with Earth Hour 2015 to promote actions Townsville City Council and community-business collaborators and partnerships for the event (Citysolar).

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 7076) where council resolved that the committee recommendation be adopted.

14 Vehicles on Public Land Strategic Framework

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Integrated Sustainability Services
Date 03/04/2014

Executive Summary

The inappropriate and unauthorised usage of vehicles on public land (including council land, foreshore areas, riparian zones and creek and river beds) has been an issue of concern for council, police and the public for some time.

A report to council was submitted in April 2013 entitled 'Vehicles on Public Land'. The recommendations of the report have been adopted and implemented by council. At the same time various issues and challenges within specific areas of access to beaches and waterways (riverbeds) keep emerging for which a strategic response to management and resourcing is now required to accompany the previous recommendations from April 2013. This report highlights some of the challenges and issues faced as experienced by residents and reported to Council (in particular via Councillors) and specifically addresses developing strategy to ensure a consistent approach in light of differential public expectations.

The recommended strategy as outlined in the report is reliant on a collaborative approach and building relationships between Council, stakeholders, residents and the police and a transparent community engagement process to address priority areas and issues.

Officer's Recommendation

1. That council develop a strategic and consistent approach to managing the ongoing issue of unauthorised vehicle usage on council controlled public land, including creeks and river beds in light of recent changes to the *Local Government Act 2009*.
2. That council continue to work closely with the Queensland Police, stakeholders and the public to monitor and manage the problem of unauthorised vehicle use on council controlled public land.

Committee Recommendation

That the item be held over to the next month's Smart City Sustainable Future Committee.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 7076) where council resolved that the committee recommendation be adopted.

15 CONFIDENTIAL REPORT Enterprise Energy Management System (EEMS)

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Executive Manager Integrated Sustainability
Department Integrated Sustainability Services
Date Wednesday, 2 April 2014

Executive Summary

Townsville City Council has secured funding from the Federal Government under the Community Energy Efficient Program (CEEP) Round 1 for the Energy Transformation Townsville Project. Totalling \$1.6 Million and 50% grant funded the project will significantly add to the ongoing work of the past several years in energy efficiency, greenhouse gas reductions, demand management and community engagement in sustainability.

There are three key elements to this proposal the fit together to create a unique opportunity:

- Energy Conservation Measures at TCC facilities including a retrofit of all appropriate outdoor lighting in public open spaces.
- Community Education and Capacity Building: Expanding on our established practices to engage the community in ways that are meaningful to them and that promote real behaviour change.
- Smarter Instrumentation and data management: reducing energy use through innovative technology, sensors and the development of an enterprise wide energy management system.

The Enterprise Energy Management System (EEMS) and a Centralised Building Management System (BMS) dashboard is a key deliverable for this project and was endorsed by council on Thursday 5 December 2013, the process included liaison with IBM to define a road map to assist with future data modelling uses and implementation.

The tender documentation was originally prepared as a Request for Quotation No. RFQ000328 and following receipt of offers and a review of available funding the project was re-registered as Request for Tender No. TCW00069.

A number of tenders were received for the design, configuration, and installation and commissioning of the two systems which will generate metrics and reports strategically in order to enhance process to optimising existing operational and new projects. The scope of the project was expanded to maximise the opportunity to integrate building management and visualisations of energy information.

This report describes the procurement process, the recommended option and proposes council proceed with the award of the contract.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council approve the recommendation to award the TCW00069 Enterprise Energy Management System (EEMS) to Value Added Engineering Pty Ltd for a lump sum contract amount of \$276,404 excluding GST.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 13 of the council minutes (page 7076) where council resolved that the committee recommendation be adopted.

Sports Recreation and Parks Committee

It was MOVED by Councillor P Ernst, SECONDED by Councillor L Walker:

"that the committee recommendations to items 16 to 22 be adopted."

CARRIED UNANIMOUSLY

Cr Ernst requested that it be noted that Item 22 was held over for a workshop.

16 Community Services - Lease - Aitkenvale Sports Association - Illich Park

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services
Department Community Services
Date 1 April 2014

Executive Summary

The Aitkenvale Sporting Association has recently incorporated to form a new governing body to take control of the lease arrangements at Illich Park located at 116 Charles Street, Aitkenvale (Lots 51 and 52 on RP703556). The association has requested an extension to the existing lease area for the purpose of storage of equipment, operation of a canteen, and other purposes related to the operation of a sporting group.

Officer's Recommendation

That council approve the issuing of a lease over existing clubhouse to the Aitkenvale Sporting Association for part of Illich Park located at 116 Charles Street, Aitkenvale (Lots 51 and 52 on RP703556) for a period of up to 10 years at a rent of \$1 per year plus GST payable upon demand.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the council minutes (page 7080) where council resolved that the committee recommendation be adopted.

17 Community Services - Lease Renewal - Matsumoto Karate Academy Inc

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 2 April 2014

Executive Summary

Matsumoto Karate Academy has requested that their lease agreement over land situated at 22 Harold Street, West End (Lot 13 on T11869) be renewed. Matsumoto have been tenants of this building for numerous years with the previous 20year lease commencing in 1990. The building on the land is currently in need of repairs to meet current standards which are the responsibility of the lessee to perform.

Officer's Recommendation

That council approve the issuing of a lease over land and existing clubhouse at Cutheringa Park, located at 22 Harold Street, West End (Lot 13 on T11869), for a period of up to 10 years at a rent of \$1 per year plus GST payable upon demand, subject to the condition of the lessee performing maintenance required to meet safety standards.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the council minutes (page 7080) where council resolved that the committee recommendation be adopted.

18 Community Services - Jubilee Bowls Club lease renewal

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 10 April 2014

Executive Summary

Jubilee Bowls Club Inc is seeking to continue their current lease over their clubhouse and bowling green located at Anderson Gardens, Burdekin Street, Mundingburra (Lease C in Lot 2 on RP707458) which expires 30 June 2014.

Officer's Recommendation

That council approve the issuing of a lease to the Jubilee Bowls Club Inc over the clubhouse and bowling green at Anderson Gardens, Burdekin Street, Mundingburra (Lease C in Lot 2 on RP707458) for a term of 10 years at the rental fee of \$1.00 exclusive of GST per annum if requested by council.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the council minutes (page 7080) where council resolved that the committee recommendation be adopted.

19 Community Services - Norths Tennis Club Lease

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 10 April 2014

Executive Summary

North's Tennis Club is seeking a lease over the tennis courts and clubhouse located at Queens Park, Kennedy Street, North Ward (part of lot 201 SP126605) for a term of 10 years.

Officer's Recommendation

That council approve the issuing of a lease to North's Tennis Club over the tennis courts and clubhouse located at Queens Park, Kennedy Street, North Ward (part of lot 201 SP126605) for a term of 10 years at a rental of \$1 per year plus GST if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the council minutes (page 7080) where council resolved that the committee recommendation be adopted.

20 Community Services - Licence to Occupy (LTO) for North Thuringowa Senior Rugby League

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 1 April 2014

Executive Summary

Council approval has previously been given for the establishment of a number of Licenses to Occupy with community groups in order to formalise their use of council controlled spaces.

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

North Thuringowa Senior Rugby League Club have been a key user of Peggy Banfield Park for a number of years and have made substantial contributions to the facility and grounds during their occupancy.

Officer's Recommendation

That council approve entering into a License to Occupy agreement with the North Thuringowa Senior Rugby League Club for the group's use of Peggy Banfield Park.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the council minutes (page 7080) where council resolved that the committee recommendation be adopted.

21 Community Services - Licence to Occupy (LTO) for North Thuringowa Junior Rugby League

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 1 April 2014

Executive Summary

Council approval has previously been given for the establishment of a number of Licenses to Occupy with community groups in order to formalise their use of council controlled spaces.

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

North Thuringowa Junior Rugby League club have been a key user of Peggy Banfield Park for a number of years and have made substantial financial contributions to the facility and grounds during their occupancy. North Thuringowa Junior Rugby League club also currently hold the lease agreement with Council.

Officer's Recommendation

That council approve entering into a License to Occupy agreement with the North Thuringowa Junior Rugby League Club for the group's use of Peggy Banfield Park.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 16 of the council minutes (page 7080) where council resolved that the committee recommendation be adopted.

22 Engineering Services - Shade Structures over Playgrounds

REPORT TO COUNCIL

Authorised by Director Infrastructure Services
Department Engineering Services
Date 24 March 2014

Executive Summary

This report has been prepared in response to a resolution by Full Council meeting dated 24 November 2013, as requested by the Chair Sports Recreation and Parks Committee:

“That Infrastructure Services prepare a report in response to the request for more established/ permanent shade structures to be installed over playgrounds and that the report include information on the number of parks currently experiencing continuing vandalism problems to existing shade structures, how council could potential shade these parks, history of vandalism costs and the future options available with cost estimates.”

Officer's Recommendation

1. That council undertake the removal of the remaining shade sail posts at the 'high vandalism' locations with 'out of service' shade sails, with the inclusion of an additional \$100,000 in the Maintenance Services 2014/15 Operational Budget.
2. That council at these 'high vandalism' locations:
 - a. Trial 5m high tree stock at five (5) playground locations as an alternate, natural shade provision option in lieu of a constructed shade shelter or shade sail, with the inclusion of an additional \$25,000 in the Maintenance Services 2014/15 Operational Budget.
 - b. Trial a constructed shade shelter option at one (1) playground location, with the inclusion of an additional \$60,000 in the Open Spaces 2014/15 Capital Budget.
3. That council monitor the above trials of both natural and constructed shade provision for a minimum of one (1) year, including new shade sail installations based on the revised design specifications at other locations.
4. That council include in a current external inspection of playgrounds, an audit of existing shade provision of regional and district parks with playgrounds only, to determine the type, amount and quality of shade protection currently provided, so that it can be used to determine 'priority sites' for future capital works.
5. That council provide an additional \$100,000 in the 2014/15 Project and Asset Management Services Operational Budget to audit existing shade provisions at all local parks with playgrounds.
6. That council following completion of the shade provision audit:
 - a. develop operational strategies to promote locations with adequate shade provision
 - b. develop a policy on the provision of shade over playgrounds and other facilities.

Committee Recommendation

That the Report to Council be held over until the next Committee meeting to allow time for a workshop to be held.

Council Decision

Refer to resolution preceding item 16 of the council minutes (page 7080) where council resolved that the committee recommendation be adopted.

Community and Cultural Committee

In accordance with section 173 of the *Local Government Act 2009*, Councillor J Lane declared a conflict of interest in regards to item 28.

- (a) **the name of the councillor who have the real or perceived conflict of interest:**
Councillor J Lane
- (b) **the nature of the conflict of interest as described by the Councillor:**
Councillor J Lane is a Patron of the North Queensland Potters Association.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The councillor voted as per the committee recommendation.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the committee recommendation.

In accordance with section 173 of the *Local Government Act 2009*, Councillor J Lane declared a conflict of interest in regards to item 29.

- (a) **the name of the councillor who have the real or perceived conflict of interest:**
Councillor J Lane
- (b) **the nature of the conflict of interest as described by the Councillor:**
Councillor J Lane is a board member of Dance North.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter before the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The councillor voted as per the committee recommendation.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the committee recommendation.

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

"that the committee recommendations to items 23 to 25 and 27 to 30 be adopted and that item 26 be dealt with separately."

CARRIED UNANIMOUSLY

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

1. *that officer's recommendation 1 to item 26 be adopted; and*
2. *that council resolve to continue to deliver the lawn mowing service using council resources and to discontinue proposals to outsource this service."*

Councillor L Walker called for a division.

FOR: Councillors C Doyle, R Gartrell, L Walker, S Blom and the Mayor, Councillor J Hill.

AGAINST: Councillors V Veitch, P Ernst, A Parsons, J Lane, T Roberts and G Eddiehausen.

The Motion was LOST.

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

- "1. that officer's recommendation 1 to item 26 be adopted; and
2. that this Report to Council be referred back to committee for discussion."

CARRIED UNANIMOUSLY

23 Community Services - PRESENTATION - Neighbourhood Gardens Program - Wicking Beds

PRESENTATION

Authorised by	Director Community and Environment
Department	Community Services
Committee	Community and Culture Committee
Date	10 April 2014

Executive Summary

As an action from the Inclusive Community Advisory Committee held in December 2013, it has been proposed that the Community Development Section investigate a new initiative called the *Neighbourhood Gardens Program* involving the installation of wicking beds (self-watering garden beds) at a number of locations in Townsville. The locations identified will be for community garden projects that will take place on non-council land.

A budget for this project has been identified in the 2014/15 draft Community Services budget that will cover the roll-out of approximately 6 projects. The first year of the project will be used as a trial year, with a broad range of groups selected to trial the program.

This presentation will be in two parts: 1) to highlight community resilience, and 2) to highlight the benefits of wicking beds being low maintenance and easy care growing beds that are designed for efficient, sustainable and environmentally friendly food production beds that are suitable in the urban dry tropics like Townsville.

The following people will be presenting:

- Wayne Preedy: Queensland Fire & Emergency Services - Community Resilience
- Brett Pritchard: Dry Tropics Permaculture – Overview of Wicking Beds project

Officer's Recommendation

That council note this presentation Neighbourhood Gardens Program - installation of wicking beds.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 7087) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 10 April 2014

Executive Summary

Townsville City Council through the Community Services Department – Community Development Section has been guided by ten Strategic Action Plans during the past three years which will expire on 30 June 2014. The Strategic Action Plans provided a frame of reference for council to implement activities and programs in the following areas:

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

Following extensive consultation, one comprehensive and inclusive Community Development Strategy has been developed to replace the ten Strategic Action Plans, providing an overarching strategic approach to achieving community outcomes.

The Community Development Strategy articulates a set of themes and priority outcomes that will underpin initiatives and programs that focus on building capacity. The Community Development Strategy through four themes will strengthen the Townsville community's vitality, resources, empowerment, and self-reliance, working towards building a sustainable community.

The purpose of the Community Development Strategy 2014-2017 is to set the strategic direction for council to inform and guide decision making related to community development, and to identify the priorities and initiatives of the Community Services Department - Community Development Section.

Officer's Recommendation

That council adopt the Community Development Strategy 2014-2017 as a holistic strategic platform that will deliver community development initiatives, engagement, planning, partnerships and opportunities, for the benefit of the community.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 7087) where council resolved that the committee recommendation be adopted.

25 Community Services - Reconciliation Action Plan 4th Quarter Report

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 10 April 2014

Executive Summary

Townsville City Council's Reconciliation Action Plan initiatives and achievements continue to grow and enhance reconciliation. Due to the Christmas holiday period some actions have been delayed in their development. The billboard on the exit from the airport on John Melton Black Drive is complete and now in place as show in attachments. All other areas of the Reconciliation Action Plan are progressing with positive outcomes for both council and community.

Officer's Recommendation

Council note the progress of Reconciliation Action Plan 2013-2014

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 7087) where council resolved that the committee recommendation be adopted.

26 Community Services - TCC Lawn Mowing Service

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 27 March 2014

Executive Summary

Townsville City Council has been operating a lawn mowing service for many years. The purpose of the lawn mowing service is to assist eligible residents with the basic maintenance of their lawns and to keep the immediate surrounds of their home in a safe and habitable condition.

The service was originally supported by grant funding through the Home Services Program. Changes to that program in mid-2013 resulted in lawn mowing no longer being able to be funded by these grants. When that occurred, Council made the decision to continue the provision of the service using Council funds.

In order to minimise cost to Council and build capacity in the community sector, it was proposed that the lawn-mowing program be outsourced for management and delivery by a not-for-profit community organisation under a Service Agreement.

A tender process was implemented to initiate the outsourcing of the service. The opportunity was advertised in the Townsville Bulletin, and directly to a variety of potential community organisations and closed on 12 March. Two non-conforming tender submissions were received from a private company and a sole trader both of which lack the capacity to deliver the service. .

Officer's Recommendation

1. That council not accept the non-confirming tender submissions for the delivery of the Lawn Mowing Service.
2. That council continue to deliver the Lawn Mowing Service using council resources for the period from 01 July 2014 until 30 June 2015, with the intent to outsource the service to a community or commercial operator from 01 July 2015.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 7088) where council resolved the following:

1. that officer's recommendation 1 to item 26 be adopted; and
2. that this Report to Council be referred back to committee for discussion.

27 Library Services - Fees and Charges 2014/2015

REPORT TO COUNCIL

Authorised by Director Community and Environmental Services

Department Library Services

Date 31 March 2014

Executive Summary

The proposed fees and charges for Library Services for 2014-2015 are presented for approval.

Officer's Recommendation

That council adopt the proposed Fees and Charges for 2014-15 for services provided by the Library Services Department.

LIBRARY SERVICES FEES AND CHARGES FOR 2014-15

	Fee Charge Type	Unit	New Base Charge (ex GST)	GST Y/N	GST	New Total Fee inc GST 2014/2015	2013/2014 (inc GST)	% Increase/Decrease	New Fee start date (dd/mm/yyyy)	New Fee end date (dd/mm/yyyy)	Legislative Authority (LG Act 2009)	Legislative Subsection per S.97 (a,c,d)	Legislative Subsection per S.97 (b,e)	Legislative Authority (LG Act 2009)
Library Services														
Lost or damaged items	Commercial/Other Fee	each	replacement								S.262			S.262
Photocopies A4 Black & White	Commercial/Other Fee	Each	0.09	Y	0.01	0.10	0.10	-1%	01/07/2014	30/06/2015	S.262			S.262
Photocopies A3 Black & White	Commercial/Other Fee	Each	0.18	Y	0.02	0.20	0.20	-1%	01/07/2014	30/06/2015	S.262			S.262
Photocopies A4 Colour	Commercial/Other Fee	Each	0.91	Y	0.09	1.00	1.00	0%	01/07/2014	30/06/2015	S.262			S.262
Photocopies A4 Colour	Commercial/Other Fee	Each	1.82	Y	0.18	2.00	2.00	0%	01/07/2014	30/06/2015	S.262			S.262
Microfilm printer - per copy page	Commercial/Other Fee	Each	0.09	Y	0.01	0.10	0.10	-1%	01/07/2014	30/06/2015	S.262			S.262
Paper from Printing from Internet computers	Commercial/Other Fee	Per A4 Page	0.09	Y	0.01	0.10	0.10	-1%	01/07/2014	30/06/2015	S.262			S.262
Library Bag	Commercial/Other Fee	Each	0.91	Y	0.09	1.00	1.00	0%	01/07/2014	30/06/2015	S.262			S.262
Interlibrary Loans - Lending Library's fee	Commercial/Other Fee	Each							01/07/2014	30/06/2015	S.262			S.262
Membership fee (non Queensland residents)	Commercial/Other Fee	Each	22.73	y	2.27	25.00	25.00	0%	01/07/2014	30/06/2015	S.262			S.262
Internet use (non members)	Commercial/Other Fee	Per Hr	7.27	Y	0.73	8.00	8.00	0%	01/07/2014	30/06/2015	S.262			S.262
Publications														
Publication: Flinders Street: A Pictorial History	Commercial/Other Fee	Each	9.09	Y	0.91	10.00	10.00	0%	01/07/2014	30/06/2015	S.262			S.262
Publication: In the Shadow of Castle Hill	Commercial/Other Fee	Each	9.09	y	0.91	10.00	10.00	0%	01/07/2014	30/06/2015	S.262			S.262
Publication: Highways and Byways	Commercial/Other Fee	Each	9.09	Y	0.91	10.00	10.00	0%	01/07/2014	30/06/2015	S.262			S.262
Publication: A Short History of Thuringowa	Commercial/Other Fee	Each	9.09	Y	0.91	10.00	10.00	0%	01/07/2014	30/06/2015	S.262			S.262
Publication: Paluma, the First 80 Years	Commercial/Other Fee	Each	9.09	Y	0.91	10.00	10.00	0%	01/07/2014	30/06/2015	S.262			S.262
Publication: 33 Miles to Rollingstone	Commercial/Other Fee	Each	9.09	Y	0.91	10.00	10.00	0%	01/07/2014	30/06/2015	S.262			S.262
Publication: History of the Bohle Plains	Commercial/Other Fee	Each	9.09	Y	0.91	10.00	10.00			30/06/2015	S.252			S.262
Set of five publications	Commercial/Other Fee	Each	40.90	Y	4.09	44.99	45.00	0%	01/07/2014	30/06/2015	S.262			S.262
Digital per image - high resolution for publication	Commercial/Other Fee	Each	27.27	Y	2.73	30.00	30.00	0%	01/07/2014	30/06/2015	S.262			S.262

LIBRARY SERVICES FEES AND CHARGES FOR 2014-15 CONTINUED

LIBRARY SERVICES FEES AND CHARGES FOR 2014-15 CONTINUED													
Meeting Room Hire													
Aitkenvale - Community Group for commercial purposes <3 hours	Commercial/Other Fee	Each	25.00	y	2.50	27.50	27.50		01/07/2014	30/06/2015	S.262		S.262
Aitkenvale - Community Group for commercial purposes - 1/2 day	Commercial/Other Fee	Each	50.00	y	5.00	55.00	55.00		01/07/2014	30/06/2015	S.262		S.262
Aitkenvale - Community Group for commercial purposes - full day	Commercial/Other Fee	Each	100.00	Y	10.00	110.00	110.00		01/07/2014	30/06/2015	S.262		S.262
Von Stieglitz - Community Group for commercial purposes - 1/2 day	Commercial/Other Fee	Each	50.00	Y	5.00	55.00	55.00		01/07/2014	30/06/2015	S.262		S.262
Von Stieglitz - Community Group for commercial purposes - full day	Commercial/Other Fee	Each	86.36	Y	8.64	95.00	95.00	0%	01/07/2014	30/06/2015	S.262		S.262
Flinders St - Community Group for commercial purposes - 1/2 day	Commercial/Other Fee	Each	50.00	Y	5.00	55.00	55.00		01/07/2014	30/06/2015	S.262		S.262
Flinders St - Community Group for commercial purposes - full day	Commercial/Other Fee	Each	86.36	Y	8.64	95.00	95.00	0%	01/07/2014	30/06/2015	S.262		S.262
Learn Space - commercial purposes - 1/2 day	Commercial/Other Fee	Each	55.45	Y	5.55	61.00	61.00	0%	01/07/2014	30/06/2015	S.262		S.262
Learn Space - commercial purposes - full day	Commercial/Other Fee	Each	110.00	Y	11.00	121.00	121.00		01/07/2014	30/06/2015	S.262		S.262
Von Stieglitz - commercial purposes - 1/2 day	Commercial/Other Fee	Each	100.00	Y	10.00	110.00	110.00		01/07/2014	30/06/2015	S.262		S.262
Von Stieglitz - commercial purposes - full day	Commercial/Other Fee	Each	171.81	Y	17.18	188.99	189.00	0%	01/07/2014	30/06/2015	S.262		S.262
Flinders St - commercial use - 1/2 day	Commercial/Other Fee	Each	100.00	Y	10.00	110.00	110.00		01/07/2014	30/06/2015	S.262		S.262
Flinders St - commercial use - full day	Commercial/Other Fee	Each	171.81	Y	17.18	188.99	189.00	0%	01/07/2014	30/06/2015	S.262		S.262
Learn Space - commercial use - 1/2 day	Commercial/Other Fee	Each	95.45	Y	9.55	105.00	105.00	0%	01/07/2014	30/06/2015	S.262		S.262
Learn Space - commercial use - full day	Commercial/Other Fee	Each	190.00	Y	19.00	209.00	209.00		01/07/2014	30/06/2015	S.262		S.262
Aitkenvale Library Raintree Room - commercial use - 1/2 day	Commercial/Other Fee	Each	45.50	Y	4.55	50.05	0.00		01/07/2014	30/06/2015	S.262		S.262
Aitkenvale Library Raintree Room - commercial use - full day	Commercial/Other Fee	Each	90.90	Y	9.09	99.99	0.00		01/07/2014	30/06/2015	S.262		S.262
Aitkenvale Library - Replacement access cards	Commercial/Other Fee	Each	45.50	Y	4.55	50.05	0.00		01/07/2014	30/06/2015	S.262		S.262

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 7087) where council resolved that the committee recommendation be adopted.

28 Community Services - North Queensland Potters Association Lease

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 10 April 2014

Executive Summary

The North Queensland Potters Association is seeking a lease over the building at 15 Flowers Street, Railway Estate (Lot 1 – RP-719286).

The North Queensland Potters Association has occupied these premises for a number of years with no issues.

Officer's Recommendation

That council approve entering into a lease with The North Queensland Potters Association in regards to the premises at 15 Flowers Street, Railway Estate (Lot 1 – RP-719286) for a period of up to 10 years, at a rental of \$1 per year plus GST if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 7087) where council resolved that the committee recommendation be adopted.

29 Community Services - Dance North lease at School of the Arts

REPORT TO COUNCIL

Authorised by Director Community and Environment

Department Community Services

Date 7 March 2014

Executive Summary

Dance North has held a lease over the School of the Arts facility since 1997. Since the establishment of the lease, there has been equipment added to the facility (eg air conditioning). Modernisation of the lease template and standard conditions used by Council has also occurred. In addition, the existing lease does not adequately express the original intent regarding roles and responsibilities for maintenance of this heritage listed facility. The replacement of the existing lease with an updated one that addresses these shortcomings has been requested by the lessee.

Officer's Recommendation

That council approve the issuing of a lease to the North Queensland Ballet and Dance Company Ltd over a portion of the premises known as the School of the Arts at the corner of Stanley and Walker Streets in Townsville for a period of up to 10 years at the rental amount of \$1 per year plus GST if requested.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 7087) where council resolved that the committee recommendation be adopted.

REPORT TO COUNCIL

Authorised by Director Community and Environment
Department Community Services
Date 1 April 2014

Executive Summary

During discussions regarding the renewal of various child care centre leases, lessee groups expressed interest in purchasing the properties involved. Council has three (3) child care leases that are located on land that is held in freehold title;

- a portion of Lot 1 on RP 808390
- a portion of Lot 1 on RP 708997
- Lot 1 on RP 748472

Permission is sought to sell the land upon which these child care centres have been developed.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolve to seek offers from the existing lessees to purchase the three (3) child care centre facilities that have been developed on council land that is held in freehold title (Amaroo Early Childhood Centre – a portion of Lot 1 on RP 808390 - 1 Petunia Street, Aitkenvale, Western Suburbs Kindergarten Association - a portion of Lot 1 on RP 708997 - 130 Wellington Street, Aitkenvale, and Galbiri Child Care and Preschool Centre - Lot 1 on RP 748472 - 123 Bundock Street, Belgian Gardens) on the condition that the facilities continue to be operated as child care centres.
3. That council resolve to subdivide Lot 1 on RP 808390 (1 Petunia Street, Aitkenvale) so that the Amaroo Early Childhood Centre facility and an appropriate area around it, to enable access, are located within a separate lot to adjoining council assets.
4. That council resolve to subdivide a portion of Lot 1 on RP 708997 (130 Wellington Street, Aitkenvale) so that the Western Suburbs Kindergarten Association facility and an appropriate area around it, to provide access, are located within a separate lot to adjoining council assets.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 23 of the council minutes (page 7087) where council resolved that the committee recommendation be adopted.

Governance and Finance Committee

In accordance with section 173 of the *Local Government Act 2009*, The Mayor, Councillor J Hill declared a perceived conflict of interest in regards to item 35.

- (a) **the name of the councillors who have the real or perceived conflict of interest:**
The Mayor, Councillor J Hill
- (b) **the nature of the conflict of interest as described by the Councillor:**
The Mayor, Councillor J Hill's brother is one of the Executive Managers of Agilent Australia.
- (c) **how the Councillors dealt with the real or perceived conflict of interest:**
The Councillor determined that she could reasonably be perceived to have a conflict of interest in this matter during the meeting, however considered her position and was of the opinion that she could participate in debate and vote on the matter in the public interest.
- (d) **if the Councillor voted on the issue – how the Councillor voted:**
The councillor voted as per the committee recommendation.
- (e) **how the majority of persons who were entitled to vote at the meeting voted on the matter.**
The majority of persons entitled to vote at the meeting voted as per the committee recommendation.

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

"that the committee recommendations to items 31 to 36 be adopted."

CARRIED UNANIMOUSLY

31 Budget Variance Report - Whole of Council - March 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Financial Services
Date 04 April 2014

Executive Summary

On behalf of the Chief Executive Officer, the Director of Corporate Services will present and discuss the Budget Variance Report for the whole of council for March 2014, pursuant to section 204 of the *Local Government Regulation 2012*.

The Director of Corporate Services will circulate separately to the Agenda the Budget Variance Report for the whole of council for March 2014.

Officer's Recommendation

That council note the financial report for March 2014 and budget variance explanations, pursuant to section 204 of the *Local Government Regulation*.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7098) where council resolved that the committee recommendation be adopted.

32 Corporate Governance - Audit Committee Minutes - 4 March 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 19 March 2014

Executive Summary

Please find the minutes of the Audit Committee meeting held on 4 March 2014 attached to the agenda item.

Officer's Recommendation

That council receive the minutes of the Audit Committee meeting held on 4 March 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7098) where council resolved that the committee recommendation be adopted.

33 Corporate Governance - Audit Committee Reports - 4 March 2014

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Corporate Governance
Date 20 March 2014

Executive Summary

Please find the Corporate Governance reports of the Audit Committee meeting held on 4 March 2014 attached to the agenda item.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council receive the Corporate Governance reports of the Audit Committee meeting held on 4 March 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7098) where council resolved that the committee recommendation be adopted.

34 Notice of Intention to Sell Properties for Arrears of Rates

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance Department
Date 01/04/2014

Executive Summary

Forty-two (42) properties listed have overdue rates which have remained outstanding for a period in excess of the period specified in the regulation and can now be sold by council to recover the outstanding rates and charges under Part 12 Division 3 of the *Local Government Regulation 2012*.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That pursuant to Part 12 Division 3 of the *Local Government Regulation 2012*, council commence sale proceedings to recover outstanding rates and charges for the following properties :-

Property Numbers

348987	519381	534084	238990
349285	513458	172030	502727
505827	519592	357574	505538
161550	500349	216910	529646
209620	502401	243290	512494
235530	518178	361732	510708
251440	25060	518230	39550
509694	47780	531190	242170
527033	528162	535457	517516
510532	49860	535820	248050
70070	501938		

3. That council delegate to the Chief Executive Officer the power to discontinue any sale proceedings commenced pursuant to Chapter 4 Part 12 Division 2 of the *Local Government Regulation 2012* in circumstances where the chief executive officer or the delegated officer determines on the facts available to them at the time that it would not be in the best interests of council or would be unfair or unjust to the property owner to proceed with the sale or any auction of the property.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7098) where council resolved that the committee recommendation be adopted.

35 Confidential Report - Sole Supplier List

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Finance
Date 17 March 2014

Executive Summary

It is a requirement of the *Local Government Regulation 2012* to invite written quotations or tenders where the carrying out of works or the supply of goods and services involves costs greater than \$15,000 or \$200,000 respectively. Additionally council's Procurement Policy contains provisions regarding obtaining quotations for amounts less than \$15,000.

The Regulation acknowledges that there are instances where it will not always be possible to meet these criteria and provides a number of exceptions to manage these instances, including the following:

235 Other exceptions

A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if—

- (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or*
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders;*

To meet operational requirements it has been identified that there are a number of suppliers who are the only reasonable option from which Council can obtain goods and services. This has created difficulties in meeting Councils procurement requirements as there are no alternative suppliers to provide competitive quotes.

Corporate Procurement has coordinated this report to enable a register of sole suppliers and suppliers of specialised or confidential services to be established and to ensure that legislative requirements are met.

Relevant Council officers have been asked to list and justify why this legislative exception should be considered for each nominated supplier and a summary of the supporting rationale is listed in Attachment 1.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council resolves in accordance with section 235(a) and (b) of the *Local Government Regulation 2012* that it is satisfied that these suppliers as listed in Attachment 1 are sole suppliers and/or suppliers of specialised or confidential services for the 2014 calendar year.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7098) where council resolved that the committee recommendation be adopted.

36 TOW00017 - Automated Scanning and Recognition Software for Accounts Payable and/or Records Management Functions

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Knowledge Management
Date 15 April 2014

Executive Summary

Council issued Tender number TOW00017 on 8 February 2014 for an automated scanning and recognition software for Accounts Payable and/or Records Management functions. The tender closed on 5 March 2014. Five submissions were received in total:

Four submissions were received for an Accounts Payable and/or Records Management solution, and one submission was received specifically for a Records Management solution.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council award: TOW00017 – Automated Scanning and Recognition Software for the Records Management function; to Redman Solutions Pty Ltd.

The estimated value of this contract will be \$50,081 plus annual maintenance and support of \$7,347 per annum (subject to CPI increase), and will be based on continued satisfactory performances.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 31 of the council minutes (page 7098) where council resolved that the committee recommendation be adopted.

Townsville Water and Waste Committee

It was *MOVED* by Councillor R Gartrell, *SECONDED* by Councillor P Ernst:

"that the committee recommendations to items 37 to 38 be adopted."

CARRIED UNANIMOUSLY

37 Wastewater Operations - Management of swimming pool water discharges to sewer

REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department Wastewater Operations
Date 2 April 2014

Executive Summary

This report considers the potential impact of pool water discharges to the sewerage systems, legal implications and an analysis of practices by other water utilities and local governments.

In Townsville, pool filter backwash is either discharged to sewer or garden. Under the *Water Supply (Safety & Reliability) Act 2008*, discharge of filter backwash to sewer requires written approval from the service provider, which Townsville Water currently does not provide. Some pool owners use the filtration system to lower the water level of the pool. This is unlikely to be a significant contributor to the dry or wet weather sewer volumes, but does increase the costs to transport and treat wastewater. Townsville City Council does not have a policy for the management of pool water.

Officer's Recommendation

1. That council approve the development of a policy on the management of swimming pool water discharges to sewer.
2. That council approve the development of a process for providing written approval to pool owners who discharge filter backwash water to sewer.
3. That council approve the development and implementation of an education program to advise pool owners on appropriate management of pool waste.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 7103) where council resolved that the committee recommendation be adopted.

38 Business Management and Compliance - Monthly Report Card - March 2014

CONFIDENTIAL REPORT TO COUNCIL

Authorised by Director Townsville Water and Waste
Department TWW Business Management & Compliance
Date 26 March 2014

Executive Summary

Townsville Water and Waste's monthly report card containing year to date operating results for 2013/2014 is submitted for the month of March 2014.

Officer's Recommendation

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 (5) of the *Local Government Act 2009* and that the document remain confidential unless council decides otherwise by resolution.
2. That council note the report card from Townsville Water and Waste for the month of March 2014.

Committee Recommendation

That the officer's recommendation be adopted.

Council Decision

Refer to resolution preceding item 37 of the council minutes (page 7103) where council resolved that the committee recommendation be adopted.

Officers Reports

Planning and Development

39 Economic Development and Strategic Projects - Changshu Funding Report

REPORT TO COUNCIL

Authorised by Director Planning and Development

Department Strategic Planning

Date 10 April 2014

Executive Summary

Townsville City Council is providing a reciprocal gift to Changshu City to celebrate the 10th anniversary of our Sister City relationship. The gift of an Artscape Garden is being constructed within Changshu City, using Changshu City Government's preferred supplier, *Changshu Ancient Gardening Construction Group*.

To facilitate this arrangement, council needs to transfer A\$30,000.00, as part of the gift to Changshu City Government, to allow Changshu City to distribute the money to its preferred supplier, in accordance with the design and schedule of works agreed with the Townsville City Council. A further contingency fund of A\$10,000.00 to cover unforeseen variations is also required.

Officer's Recommendation

1. That council approves a reciprocal gift to Townsville's Sister City, Changshu City Government to the value of A\$30,000.00 and in accordance with the attached quotation schedule. This money is to be used for the payment to their preferred supplier to construct the Changshu Artscape Garden designed by Townsville City Council.
2. That council approves a contingency amount to be made available as an additional gift of A\$10,000.00 if required. This is for any unforeseen project variations that may occur, e.g. fluctuations in currency values, labour and material costs, delays caused by inclement weather, design changes, customs and transport.

Council Decision

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

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

Corporate Services

40 Company Directors Course - Townsville

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Corporate Governance

Date 9/4/2014

Executive Summary

The Australian Institute of Company Directors has scheduled a Company Directors course in Townsville 18 – 22 August 2014. The course is an internationally recognised qualification and provides participants with practical tools and frameworks ready for immediate use in their role.

Registrations are limited to 4 per organisation. The Company Directors course includes a 5 day workshop followed by a series of assessments to complete the course.

Council had resolved for Councillor S Blom to attend a Foundations of Directorship to be held in Townsville on 20 June 2014 however the course does not offer accreditation and it is recommended that Cr Blom now attend the full Company Directors course.

Officer's Recommendation

1. That Council note its resolution of 25 March 2014 approving Cr Blom to attend the Foundations of Directorship course to be held in Townsville on 20 June 2014 and that Cr Blom will no longer be attending this course.
2. That Council nominate Councillor J Hill, Councillor S Blom, Councillor L Walker and Councillor C Doyle to attend the Company Directors five day course in Townsville 18 – 22 August 2014.

Council Decision

It was MOVED by Councillor L Walker, SECONDED by Councillor G Eddiehausen:

- "1. that officer's recommendation 1 be adopted; and
2. that council nominate Councillor J Hill, Councillor S Blom, Councillor L Walker and Councillor C Doyle (Councillor P Ernst if any of the councillors above are unavailable) to attend the Company Directors five day course in Townsville 18 – 22 August 2014."

CARRIED UNANIMOUSLY

41 National Smart Communities Conference - Melbourne - 4 and 5 June 2014

REPORT TO COUNCIL

Authorised by Director Corporate Services

Department Corporate Governance

Date 11 April 2014

Executive Summary

The National Smart Communities Conference will be held in Melbourne on 4 and 5 June 2014. The conference will provide the latest advice on how to ensure communities and council services are keeping pace with change and are on the cutting -edge of broadband and digital technology use.

Officer's Recommendation

1. That council approve the attendance of an interested councillor/s to attend the National Smart Communities Conference in Melbourne on 4 and 5 June 2014.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested councillor/s to allow attendance at the National Smart Communities Conference held in Melbourne on 4 and 5 June 2014.

Council Decision

It was MOVED by Councillor L Walker, SECONDED by Councillor V Veitch:

1. That council approve the attendance of one councillor at the National Smart Communities Conference in Melbourne on 4 and 5 June 2014.
2. That in accordance with section 162(1)(e) of the *Local Government Act 2009* leave of absence be granted to the interested councillor to allow attendance at the National Smart Communities Conference held in Melbourne on 4 and 5 June 2014.

CARRIED UNANIMOUSLY

42 8 Month Budget Review

REPORT TO COUNCIL

Authorised by Director Corporate Services
Department Financial Services
Date 08 April 2014

Executive Summary

In accordance with *the Local Government Act 2009* and the *Local Government Regulation 2012*, council may amend the budget for a financial year at any time before the end of the financial year.

Management have completed an 8 month review of the 2013/2014 Budget considering the results to the end of February 2014. Known or anticipated changes to the operating environment or assumptions made at the time of budget formulation, increasing the forecast operating surplus from \$1.47M to \$10.3M for 2013/14.

Management have made every effort to update the budget assumptions to reflect the results to-date and anticipated changes in the operating environment however, there remains a risk that the forecast surplus may be impacted growth forecasts, timing of financial assistance grant payments from the Federal Government and timing and quantity of funding relating to Natural Disaster Relief and Recovery Arrangements (NDRRA).

There are no material changes to planned activities or service levels resulting from the budget amendments.

The amended budget for 2013/2014 and the following two years financial statements and nine years financial sustainability ratios as defined by the Department of Infrastructure and Planning are attached to the Agenda.

Council Officers continue to monitor the achievement of the 2013/14 Capital Works budget and the funding of same and will report to Council further on this budget later in the year should that be necessary.

Officer's Recommendation

OPERATING FUND BUDGET

1. That, in accordance with section 169 of the *Local Government Regulation 2012*, and having considered presentations and advice provided by the Executive Manager Finance, council note the 2013/14 Budget has been:
 - prepared on an accruals basis; and
 - developed consistently with council's corporate and operational plans.and shows that council's:
 - liabilities are able to be satisfied;
 - capital base is not being consumed at a rate that will adversely affect it's service potential;
 - planned asset replacement is sufficiently funded; and
2. That in accordance with Sections 169 of the *Local Government Regulation 2012*, council adopt the Revised Budget Financial Statements for 2013/14, including council's Significant Business Activities, Forecast Financial Statements for 2013/14 to 2015/16, and relevant measure of financial sustainability ratio's for 2013/14 to 2022/23.

Council Decision

It was **MOVED** by Councillor L Walker, **SECONDED** by Councillor V Veitch:

"that the officer's recommendation be adopted."

CARRIED UNANIMOUSLY

The Mayor, Councillor J Hill thanked the staff for their work on the above item particularly with regards to the NDRRA funding.

Planning and Development

43 New Appeal No. 77 of 2014, NEM Enterprises Pty Ltd v TCC, 2 Karanya Street, Mount Louisa

REPORT TO COUNCIL

Authorised by Director Planning and Development
Department Development Governance
Date 11 April 2014

Executive Summary

On 19 March 2014 an appeal was filed in the Planning and Environment Court by NEM Enterprises Pty Ltd (applicant) against council's deemed refusal of a development application for a Preliminary Approval for a Material Change of Use – Residential Development and a Development Permit for Reconfiguration of a Lot to create 95 residential lots in stages.

Officer's Recommendation

1. That council resolve to approve the development subject to reasonable and relevant conditions in accordance with the officer's recommendation contained in a report presented to the Planning and Development Committee on 12 February 2014.
2. That council, under *Section 257 (1)(b) of the Local Government Act 2009*, resolve to delegate authority to the Chief Executive Officer to settle the Planning and Environment Court Appeal, out of court, in the event that a mutually acceptable settlement emerges relating to the above matter.

Council Decision

It was **MOVED** by Councillor A Parsons, **SECONDED** by Councillor L Walker:

"that council receive this report."

CARRIED

