



Redland
CITY COUNCIL

AGENDA

COORDINATION COMMITTEE MEETING

**Wednesday, 20 November 2013
commencing at 10.30am**

**The Council Chambers
35 Bloomfield Street
CLEVELAND QLD**

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The Mayor is the Chair of the Coordination Committee. Coordination Committee meetings comprise of *Portfolios* chaired by Council's nominated spokesperson for that portfolio as follows:

PORTFOLIO	SPOKESPERSON
1. Community & Environmental Health and Wellbeing; Animal Management; Compliance & Regulatory Services	Cr Wendy Boglary
2. Economic Development, Governance, Service Delivery, Regulations and Emergency Management	Mayor Karen Williams supported by the Deputy Mayor Alan Beard
3. Tourism and CBD Activation	Cr Craig Ogilvie
4. Commercial Enterprises (Water, Waste, RPAC, etc)	Cr Kim-Maree Hardman
5. Open Space, Sport and Recreation	Cr Lance Hewlett
6. Corporate Services	Cr Mark Edwards
7. Planning and Development	Cr Julie Talty
8. Infrastructure	Cr Murray Elliott
9. Environment; Waterways and Foreshores	Cr Paul Gleeson
10. Arts, Culture and Innovation	Cr Paul Bishop

1 DECLARATION OF OPENING

Quorum:

6 councillors, including Chairperson (a majority of members)

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Motion is required to approve leave of absence for any Councillor absent from today's meeting.

3 DECLARATION OF MATERIAL PERSONAL INTEREST OR CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS

Councillors are reminded of their responsibilities in relation to a Councillor's material personal interest and conflict of interest at a meeting (for full details see sections 172 and 173 of the *Local Government Act 2009*). In summary:

If a Councillor has a material personal interest in a matter before the meeting:

The Councillor must—

- *inform the meeting of the Councillor's material personal interest in the matter; and*
- *leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.*

The following information must be recorded in the minutes of the meeting, and on the local government's website—

- *the name of the Councillor who has the material personal interest, or possible material personal interest, in a matter;*

- *the nature of the material personal interest, or possible material personal interest, as described by the Councillor.*

A Councillor has a **material personal interest** in the matter if any of the following persons stands to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of the consideration of the matter at the meeting—

- (a) the Councillor;
- (b) a spouse of the Councillor;
- (c) a parent, child or sibling of the Councillor;
- (d) a partner of the Councillor;
- (e) an employer (other than a government entity) of the Councillor;
- (f) an entity (other than a government entity) of which the Councillor is a member;
- (g) another person prescribed under a regulation.

If a Councillor has a conflict of interest (a real conflict of interest), or could reasonably be taken to have a conflict of interest (a perceived conflict of interest) in a matter before the meeting:

The Councillor must—

- *deal with the real conflict of interest or perceived conflict of interest in a transparent and accountable way.*
- *Inform the meeting of—*
 - (a) *the Councillor's personal interests in the matter; and*
 - (b) *if the Councillor participates in the meeting in relation to the matter, how the Councillor intends to deal with the real or perceived conflict of interest.*

The following must be recorded in the minutes of the meeting, and on the local government's website—

- (a) *the name of the Councillor who has the real or perceived conflict of interest;*
- (b) *the nature of the personal interest, as described by the Councillor;*
- (c) *how the Councillor dealt with the real or perceived conflict of interest;*
- (d) *if the Councillor voted on the matter—how the Councillor voted on the matter;*
- (e) *how the majority of persons who were entitled to vote at the meeting voted on the matter.*

A conflict of interest is a conflict between—

- (a) *a Councillor's personal interests (including personal interests arising from the Councillor's relationships, for example); and*
- (b) *the public interest;*

that might lead to a decision that is contrary to the public interest.

4 MOTION TO ALTER THE ORDER OF BUSINESS

The order of business may be altered for a particular meeting where the councillors at that meeting pass a motion to that effect. Any motion to alter the order of business may be moved without notice.

5 PORTFOLIO 2 (MAYOR KAREN WILLIAMS)
(Supported by Deputy Mayor Cr Beard)

**ECONOMIC DEVELOPMENT, GOVERNANCE, SERVICE DELIVERY,
REGULATIONS AND EMERGENCY MANAGEMENT**

5.1 ORGANISATIONAL SERVICES

5.1.1 LOCAL LAWS

Dataworks Filename: L&E Local Laws

Attachments:

[Local Law \(Repealing\) Local Law \(No 2\) 2013](#)

[LL1 \(Administration\) 2013 DRAFT](#)

[SLL1.1 \(Alteration or Improvement to Local Government Controlled Areas and Roads\) 2013 DRAFT](#)

[SLL1.2 \(Commercial Use of Local Government Areas and Roads\) 2013 DRAFT](#)

[SLL1.3 \(Establishment or Occupation of a Temporary Home\) 2013 DRAFT](#)

[SLL1.4 \(Installation of Advertising Devices\) 2013 DRAFT](#)

[SLL1.5 \(Keeping of Animals\) 2013 DRAFT](#)

[SLL1.8 \(Operation of Accommodation Parks\) 2013 DRAFT](#)

[SLL1.9 \(Operation of Cemeteries\) 2013 DRAFT](#)

[SLL1.10 \(Operation of Public Swimming Pools\) 2013 DRAFT](#)

[SLL1.12 \(Operation of Temporary Entertainment Events\) 2013 DRAFT](#)

[SLL1.13 \(Undertaking Regulated Activities Regarding Human Remains\) 2013 DRAFT](#)

[SLL1.14 \(Undertaking Regulated Activities on Local Government Controlled Areas & Roads\) 2013 DRAFT](#)

[SLL1.15 \(Carrying out Works on a Road or Interfering With a Roads or its Operation\) 2013 DRAFT](#)

[SLL1.16 \(Bringing or Driving a Motor Vehicle on to a Local Government Controlled Area\) 2013 DRAFT](#)

[SLL1.17 \(Operation of a Ferry, Charter or Hire Service from a Local Government Controlled Boat Ramp or Landing\) 2013 DRAFT](#)

[SLL1.18 \(Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee\) 2013 DRAFT](#)

[LL2 \(Animal Management\) 2013 DRAFT](#)

[LL2 \(Animal Management - Register\) 2013 DRAFT](#)

[SLL2 \(Animal Management\) 2013 DRAFT](#)

[LL3 \(Community & Environmental Management\) 2013 DRAFT](#)

[SLL3 \(Community & Environmental Management\) 2013 DRAFT](#)

[LL4 \(Local Government Controlled Areas Facilities and Roads\) 2013 DRAFT](#)

[SLL4 \(Local Government Controlled Areas Facilities and Roads\) 2013 DRAFT](#)

[LL5 \(Parking\) 2013 DRAFT](#)

[SLL5 \(Parking\) 2013 DRAFT](#)

[LL7 \(Bathing Reserves\) 2013 DRAFT](#)

[SLL7 \(Bathing Reserves\) 2013 DRAFT](#)

Responsible/Authorising Officer:



Nick Clarke

General Manager Organisational Services

Author:

Trevor Green

Principal Advisor Corporate and Democratic Governance

PURPOSE

The purpose of this report is to initiate the local law making process for a new set of proposed Redland City Council Local and Subordinate Local Laws under the State Model Local Law framework.

BACKGROUND

The State government has developed a set of model local laws, which it is encouraging Queensland local governments to adopt. Many Queensland Councils have now developed their local laws under the model local law framework. This is resulting in a more consistent approach to local laws and local law provisions throughout the State.

There are a number of advantages for Redland City Council to review its local laws and move to the model local law framework. Firstly the process provides for a review of all provisions of Council's local laws (other than vegetation management (see below)) to ensure that Council's laws are relevant, up to date and appropriate for the needs of Redland City. Secondly, the model local law framework provides a package of contemporary local laws that are:

1. Based on best practice,
2. More streamlined,
3. Principle based,
4. Reducing red tape and regulatory burden,
5. Consistent with state legislation, and
6. More flexible for accommodating future regulatory requirements of local governments.

Model Local Law 1 provides the administrative processes (authorised officers, enforcement processes, approvals, etc) for all of the laws. All matters relating to approvals are detailed in the subordinate local laws attached to Local Law 1. All other matters relating to activities are placed in the other local and subordinate local laws.

A model local law can be adopted by a local government without the need for a State Interest Check or public consultation. If altered in any way before adoption, the law ceases to be a model and is subject to the normal local law making processes.

While a local law sets the head of power and contains some provisions, most of the details (specific law provisions) are contained in the subordinate local law associated with the local law. The State has not produced model subordinate local laws, leaving each local government to draft their own individual subordinate local laws, based on the needs of the individual local government area. Subordinate local laws made under a model local law are subject to normal subordinate local law making requirements.

ISSUES

A new suite of proposed Redland City Council local laws and subordinate local laws (attached) have been drafted under the State's model local law framework. While this is a new format for Council's laws and significant research was undertaken

during drafting, the new laws are predominantly based on a transfer of Council's existing law provisions. As such, the majority of provisions remain unchanged.

The drafting of the proposed laws has been based on the following factors:

1. In accordance with the model local law framework developed and produced by the Queensland Government;
2. From feedback received from internal engagement processes;
3. With reference to existing provisions in Council's current local and subordinate laws;
4. With reference to a number of contemporary local laws under the model local law framework, as used by other Queensland local governments;
5. From advice received from the Department of Local Government and King and Co solicitors;
6. From evaluation of current Redland City Council local law reviews;
7. From review of enforcement activities and practicality issues associated with Redland City Council's current local laws;
8. A reduction of laws:
 - Local Laws from 23 to 7;
 - Subordinate Local Laws from 23 to 21;
9. A reduction in red tape (including an engagement process with the Redland City Chamber of Commerce); and
10. From feedback received from Councillor engagement processes.

This report is to present the draft laws for Council "to propose to make the draft laws" and initiate the process for making the laws in accordance with the requirements of the *Local Government Act 2009* and Council's adopted local law making process.

In developing the draft Redland City Council local laws some minor changes have been proposed to the standard model local laws produced by the State. As such, Council will need to refer these proposed amendments to the State government for a State Interest Check. After review by the State, Council will need to consider and approve any changes they require. From here, Council will then conduct community engagement on the proposed laws.

In summary the general process for making the laws is:

1. Council proposes to make the local laws and subordinate local laws (via resolution);
 2. The local laws are referred to the State government for State Interest Checking of Council's proposed amendments to the model local laws;
 3. Council considers and comes to agreement on any changes to the draft local laws required by the State government (via resolution);
 4. Council conducts:
 - a. a community engagement process on the draft law; and
 - b. a public interest test on the draft laws under the national competition policy;
-

5. Council considers the results of the community engagement (all properly made submissions) and the results of the public interest test and Council resolves to:
 - a. make the laws as proposed, or
 - b. make the laws with minor amendments (resulting from the results of the community engagement process); or
 - c. make major amendments to the draft laws (resulting from the results of the community engagement process) and repeat steps 2-5 as appropriate.
6. At the time of making the new laws, Council repeals its existing laws (other than Law and Subordinate Local Law No. 6 (Protection of Vegetation) as detailed below).
7. Council provides public notification of the making of the laws.

As there is no model local law on vegetation protection, it is intended that Council retain the existing Local Law and Subordinate Local Law No. 6 (Protection of Vegetation) until the new planning scheme is adopted. At that time Council can decide on the most appropriate course of action with regard to this local law, (retain, amend or repeal) based on the provisions of the new planning scheme. To accommodate retention of the existing local law 6, for Council's purposes the State's Model Local Law No. 6 (Bathing Reserves) has been renumbered to be Local Law 7.

As advised above, at the same time as Council is running the process to make the new laws, Council will also be running the process of repealing all existing local and subordinate local laws, other than Local Law and Subordinate Local Law No. 6 (Protection of Vegetation).

As a number of the proposed local laws contain possible anti-competitive provisions as per the National Competition Policy, Public Interest Tests will be conducted on these laws concurrently with the community engagement process. The Public Interest Test Plans will be included in the report when Council considers the results of the State Interest Check.

Council's adopted local law making process includes a step to conduct community engagement during a specified public consultation period. At this time, Council accepts and considers every properly made submission it receives. This is a standard local law making procedure and appropriate for the process for making individual laws. In this instance, Council will be making a full suite of laws, with an expectant period of approximately 3-4 months between proposing to make the laws and the start of the public consultation period. This relates to a combination of the time period required for conducting the State Interest Check, Council's General Meeting's schedule and not starting the community engagement until after the Christmas period.

While Council will not actively invite submissions on the proposed laws until the specified consultation period is to begin, some members of the community may make submissions before this time. Rather than advising writers to resubmit their views during the specified official consultation period, it is recommended that, in this instance, any such correspondence be received and recorded as a submission towards this local law making process.

STRATEGIC IMPLICATIONS

Legislative Requirements

This report is in accordance with the legislative requirements of the *Local Government Act 2009* and the *Local Government Regulation 2012*.

Risk Management

The risks associated with making the new laws are managed by conducting the process in accordance with the legislative requirements of the *Local Government Act 2009*, *Local Government Regulation 2012* and Council's adopted practice for making local laws. Should Council not conduct the process in accordance with these requirements, the Minister for Local Government may suspend or revoke the local laws (section 38AB of the *Local Government Act 2009*).

Financial

The main costs associated with the local law making process for the new laws will be in conducting the community engagement and public notification steps. Funding for the project has been included in the 2013/2014 Budget.

People

Extensive internal consultation has occurred in drafting the proposed laws. This has included both the content of the laws and their implementation.

Environmental

There are no direct environmental implications associated with this report. There are environmental implications associated with Council's local laws. The community will be asked to provide their views and feedback on any environmental issues associated with the proposed laws, when the community engagement step is undertaken.

Social

While the new laws are predominantly based on a transfer of Council's existing law provisions, this process places all of Council's laws open for community review. As such, it is expected that our community will take an interest in the local laws for the City. In saying this, it is hoped that the community takes the opportunity during the community engagement step to provide their input and advice on the proposed laws.

It will be particularly important that Council manage the advice provided to the community on the process for making the laws. From the time Council proposes to make the laws, there will be a number of steps (see Issues above) before community feedback will be officially sought during the community engagement step.

It will also be particularly important that the community is aware that until Council completes the entire process, the draft laws do not come into effect. Until this time the proposed laws are exactly as explained, "only proposed".

Alignment with Council's Policy and Plans

The process for making the proposed laws and the associated recommendations of this report are in accordance with Council's adopted practice for making local laws. The process is also in keeping with Council's Corporate Plan Priority 8 Inclusive and

Ethical Governance for deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council.

CONSULTATION

In developing the proposed draft laws consultation has occurred with:

1. All internal areas of Council;
2. Elected representatives;
3. Department of Local Government;
4. King and Company Solicitors;
5. Redland City Chamber of Commerce; and
6. Other Queensland Councils which have adopted the State Model Local Laws.

In making the proposed draft laws consultation will include:

1. The State Government (State Interest Check);
2. Community engagement on the content of the laws;
3. Public Interest Test as per the National Competition Policy.

OPTIONS

1. Initiate the local law making process for the laws, as attached.
2. Make amendments to the local laws and then initiate the local law making process for the laws as amended.
3. Postpone the local law making process at this time, while further review of the draft laws is conducted.
4. Cancel the project to develop new local laws for Redland City under the model local law framework and maintain Council's existing local laws.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Propose to make each proposed local law listed in schedule 1;
2. Propose to make each proposed subordinate local law listed in schedule 2;
3. Refer the proposed local laws to the State Government for State Interest Checking; and
4. For this process, accept any properly made submissions received before the commencement of the consultation period.

SCHEDULE 1

1. Local Law (Repealing) Local Law (No. 2) 2013;
 2. Local Law No. 1 (Administration) 2013;
 3. Local Law No. 2 (Animal Management) 2013;
 4. Local Law No. 3 (Community and Environmental Management) 2013;
 5. Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2013;
-

6. Local Law No. 5 (Parking) 2013; and
7. Local Law No. 7 (Bathing Reserves) 2013.

SCHEDULE 2

1. Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2013;
2. Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2013;
3. Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2013;
4. Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2013;
5. Subordinate Local Law No. 1.5 (Keeping of Animals) 2013;
6. Subordinate Local Law No. 1.8 (Operation of Accommodation Parks) 2013;
7. Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2013;
8. Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2013;
9. Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2013;
10. Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2013;
11. Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2013;
12. Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2013;
13. Subordinate Local Law No. 1.16 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2013;
14. Subordinate Local Law No. 1.17 (Operation of a Ferry, Charter or Hire Service from a Local Government Controlled Boat Ramp or Landing) 2013;
15. Subordinate Local Law No. 1.18 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2013;
16. Subordinate Local Law No. 2 (Animal Management) 2013;
17. Subordinate Local Law No. 3 (Community and Environmental Management) 2013;
18. Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2013;
19. Subordinate Local Law No. 5 (Parking) 2013; and
20. Subordinate Local Law No. 7 (Bathing Reserves) 2013.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION OF 6 NOVEMBER 2013**

Moved by: Cr A Beard
Seconded by: Cr P Gleeson

That the item be deferred and brought back to a future General Meeting of Council.

CARRIED 11/0

6 PORTFOLIO 4 (CR KIM-MAREE HARDMAN)
COMMERCIAL ENTERPRISES (WATER, WASTE, RPAC ETC)**6.1 INFRASTRUCTURE & OPERATIONS****6.1.1 2013 JOINT WORKING GROUP ANNUAL REPORT****Dataworks Filename:** WS Meetings - SEQ Joint Working Group**Attachment:** [Joint Working Group Annual Report](#)**Authorising Officer:****Gary Soutar**
General Manager Infrastructure & Operations**Responsible Officer:** **Bradley Taylor**
Group Manager Water & Waste Infrastructure**Author:** **Matthew Ingerman**
Principal Engineer - Water

PURPOSE

To seek approval of the 2013 Joint Working Group Annual Report prior to submission to the Minister Energy and Water Supply.

BACKGROUND

The Bulk Water Supply Code requires that a Joint Working Group (JWG) be formed between Seqwater and the south-east Queensland (SEQ) service providers to encourage co-ordinated network planning between the bulk and the distribution sections to achieve infrastructure planning on a best value for money basis.

The JWG formed in July 2013 with representation from each of the SEQ service providers and Seqwater. This group meets regularly with the aim of:

- Identifying opportunities to co-ordinate infrastructure, operations and optimisation of assets across the network;
- Identifying priority areas across the network where water quality outcomes might be improved on a best value for money, whole of network, basis (having regard to any strategic plan developed by the JWG).

Following an assessment of these opportunities and priority areas, the JWG will develop key possible projects (KPPs). These KPPs are reported annually to the Minister Energy and Water Supply.

In accordance with the Bulk Water Supply Code requirements, the JWG must produce an annual report for the Minister of Energy and Water Supply to advise the Minister of the KPPs for that year, their savings, benefits and progress.

ISSUES

In writing the 2013 JWG Annual Report, the JWG has identified some KPPs which it is scoping and assessing. Due to the short timeframe between formation of the JWG and the preparation of the annual report, the JWG was not able to list any completed KPPs. The progression of these KPPs will be reported to the Minister in the next annual report. The Department of Energy & Water Supply were advised by Seqwater in a letter regarding the review of the Bulk Water Supply Code, that KPPs for the 2013 annual report will not be finalised due to the short timeframes.

As this annual report is to be a single document for the Minister, Seqwater and each of the SEQ service providers must approve this document. Any changes to the JWG annual report will need to be approved by each of the Councils/ Boards prior to 23 December 2013.

The 2013 JWG Annual Report has been developed with input from each of the JWG member organisations and is presented in Attachment A.

This report is being presented simultaneously to each of the SEQ service provider boards / Councils. Any changes made to the JWG annual report by Seqwater or any SEQ service provider boards / councils will need to be re-submitted to each of the boards / councils for Seqwater and the SEQ service providers for final approval.

STRATEGIC IMPLICATIONS

There are no strategic implications in the 2013 JWG Annual Report for Redland City Council (RCC).

Legislative Requirements

The 2013 JWG Annual Report is a requirement under the *Bulk Water Supply Code, 1 January 2013*, which is made by the *Minister for Energy and Water Supply* under section 360M of the *Water Act 2000*.

Risk Management

No specific risk management issues are raised or addressed in the 2013 JWG Annual Report.

Financial

There are no financial implications for RCC in the 2013 JWG Annual Report.

People

Under the *Bulk Water Supply Code* each SEQ service provider must make staff and resources available for the JWG. The Redland representative on the JWG is the Principal Engineer Water Distribution.

Environmental

No direct impacts on the environment are expected from the 2013 JWG Annual Report.

Social

Not applicable.

Alignment with Council's Policy and Plans

Participation in the JWG aligns with RCC's Corporate Plan objective of Wise Planning and Design.

CONSULTATION

The 2013 JWG Annual Report has been reviewed by all water service providers in SEQ.

OPTIONS

1. Council could note the purpose and requirement of the Joint Working Group Annual Report to the *Minister Energy and Water Supply*, and approve the attached 2013 Joint Working Group Annual Report for submission to the *Minister Energy and Water Supply*
2. Not approve the attached 2013 Joint Working Group Annual Report for submission to the *Minister Energy and Water Supply*.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. **Note the purpose and the requirement of the Joint Working Group Annual Report to the *Minister Energy and Water Supply*;**
2. **Approve the attached 2013 Joint Working Group Annual Report for submission to the *Minister Energy and Water Supply*; and**
3. **Delegate authority to the Chief Executive Officer, under s.257(1)(b) of the *Local Government Act 2009* to sign, as approved, final copy of the 2013 Joint Working Group Annual Report.**

7 PORTFOLIO 5 (CR LANCE HEWLETT)
OPEN SPACE, SPORT AND RECREATION**7.1 INFRASTRUCTURE & OPERATIONS****7.1.1 ACCEPTANCE OF TRUSTEESHIP FOR RESERVE FOR OPEN SPACE AND BUFFER PURPOSES - REDLANDS TRACK PARK DEVELOPMENT****Datworks Filename:** EM-Scribbly Gums**Attachments:** [Letter to Redland City Council - Amendment Offer and Notification of Acceptance General Trail Flow Amended Lots with Lot 241 & Trail Loop](#)**Authorising/Responsible Officer:****Gary Soutar**
General Manager Infrastructure & Operations**Author:****Leo Newlands**
Advisor Reserve Management

PURPOSE

The purpose of the report is to seek Council approval to accept an offer from the Department of Natural Resources and Mines (DNRM) trusteeship to amend the existing Reserve for Open Space and Buffer Zone – ‘Scribbly Gums Conservation Area’ - TF49106782 being lots 1,3,4,5,6 &7 on SP234806 to include Lot 241 on SP234806 - Teesdale Road Alexandra Hills.

BACKGROUND

- 2007 - Redland City Council (RCC) approached the State Government to excise a significant portion of the Special Lease for Sewerage Purposes situated at 2 Weippin Street, Cleveland described as Lot 171 on SL7400 to create a Reserve for Open Space and Buffer Zones under Council's trusteeship.
- 2007 - Council agreed in principle to the creation of the Redlands Regional Track Park (now referred to as the Redland Track Park) as a “conservation-based open space reserve for non-motorised track and trail-based activities such as walking and cycling”.
- May 2010 - The Department of Environment & Resource Management (DERM) granted the request and changed the designation of the land to “Reserve for Open Space and Buffer Zone” with Council as Trustee.
- 2011 - A preliminary planning document ‘Redland Track Park User Needs Analysis’ was developed by Council to inform master planning processes.
- February 2012 – the Redland Track Park Concept & Development Plan was developed.

- March 2012 - Council resolved to support the development of the Redlands Track Park Facilities for non-motorised track and trail outdoor recreation activities.
- October 2013 - Council officer wrote to the Department of Natural Resources & Mines (DNRM) asking if they would consider offering Council trusteeship of Lot 241 on SP234806 at 27A Teesdale Road Alexandra Hills to fulfil necessary land to implement recreational trails at the south end of the Redlands Track Park.
- October 2013 - DNRM offered to amend existing Reserve for Open Space and Buffer Zone – ‘Scribbly Gums Conservation Area’ - TF49106782 being lots 1, 3, 4, 5, 6 & 7 on SP234806 to include Lot 241 on SP234806 - Teesdale Road Alexandra Hills (Attachment1).

ISSUES

Values

- 27A Teesdale Road, Alexandra Hills (Lot 241 on SP234806) has been identified by Council officers as offering Redlands with an excellent opportunity for enhancing and extending conservation, cycling and walking trails in the Scribbly Gums Conservation Area (Redlands Track Park) (Attachment 2).
- Consolidation of this 4.59ha lot into the surrounding conservation land will support strategic north/south recreational linkages recognised in Council’s Seven Cs’ Strategy, allow for the planned extension of a hub for nature-based activities under ‘Redlands Track Park Concept and Development Plan’, enhance the nature-based recreational experience and connectivity for the emerging Kinross Road community into the Redlands Track Park and Scribbly Gums (Attachment 3).

Condition

The land is generally in excellent condition with (approximately 83%) few visible weeds present. One edge has been impacted by weeds from the adjoining Cleveland wastewater treatment plant. However, weed populations are stable (no significant expansion since 2009) and do not require immediate action.

11. Management

- Parks and Conservation are currently managing the lot as it is enveloped within surrounding conservation land already managed by Council.
- There is no on-ground demarcation of this land to indicate that it is not managed by Council.
- Councils Conservation unit are very supportive of gaining the lot for management purposes given they are already managing it.
- Taking trusteeship of the land will not increase management costs to Council.
- Building trails and increasing legitimate use of this area will continue to deter unlawful use and dumping occurring in the area north of Kinross Road.
- Officers have identified that it is important to proactively build trails that we do want as opposed to having unlawful trails built that we don’t want. This will become significant as the emerging Kinross Road community start to use the area.

- As with other parts of the track park, recreational trails are built largely with the activities of a volunteer trail care program.

12. Offer by DNRM

- DNRM has made an offer to amend Council Trustee land to include Lot 241 on SP234806 - Teesdale Road Alexandra Hills. Given its strategic recreation and environmental values, it is recommended that the lot be accepted and the Chief Executive Officer sign the attached document 'Notification of acceptance of offer in terms of the Land Act 1994'.

STRATEGIC IMPLICATIONS

Seven Cs

The transfer of the lot to Council as trustee supports the implementation of the Seven Cs' Strategy by consolidating land for recreational connections in this area of the city.

Redland Track Park Concept and Development Plan

The acceptance of this amendment will to enable Council to implement trail linkages recognised under the Redland Track Park Concept and Development Plan and support outcomes of the Seven Cs' Strategy.

Emerging Kinross community

Development works have started at the Kinross Road structure plan area. The Scribbly Gums Conservation Area will become a significant nature-based recreation space for this emerging community. The Seven Cs' strategy has already acknowledged this in its indicative trail layout.

Legislative Requirements

Land Act 1994

An offer has been made under Section 31 of the of the *Land Act 1994*.

Cultural Heritage Act 2003

- An Aboriginal cultural heritage search has been undertaken and has revealed that there are no Aboriginal cultural heritage records on the database for the site.
- The site will be managed in a manner consistent with Council's conservation land which requires Council to take all reasonable and practical measures to ensure activities do not harm Aboriginal cultural heritage.

Risk Management

Native title has not been extinguished on this lot. As such, any future acts must be capable of being stopped if a determination is made that native title exists over the area covered by the future Act. However, the proposed use of the area will be 'Low Impact' and has been assessed by DNRM on the future use being for walking trails, tracks and mainly conservation.

Financial

- Council is currently managing the land enveloping and including this parcel within its current budget. Given the stability of weed populations on the northern edge of the site, Conservation will not be undertaking weed

management works in the land above its current levels. However, a cost of \$17,400 for treatment of weeds has been estimated and will be sought for the 15/16 financial year.

- Trail development will incur some cost and is intended to be developed largely through the volunteer trail care program. Costs for materials will be absorbed into current programs.

People

- The formal inclusion of this lot into the Scribbly Gums Conservation Area will support use by residents of the Kinross Road community, recreational tourism, mountain trail bike (MTB) riders and walkers.
- Information from Queensland Outdoor Recreation Federation (QORF) shows that there is an increasing demand for trails for outdoor recreation.
- There is significant and growing recreational use of the trails in the Redland Track Park. The area is already attracting local and international users, is the training ground for national MTB champions and is used to engage youth and beginners into this outdoor activity.
- The Track Park is also used for orienteering events.

Environmental

The lot consists of upslope vegetation communities consisting of Regional Ecosystem 12.9-10.4. The lot adjoins RE12.3.6 which typically relates to riparian vegetation communities in which much biological diversity exists and includes a range of ecologically sensitive and endangered species. Protection of these areas is paramount from a biodiversity and water quality perspective.

Social

The Redland Track Park is envisaged as a facility for relatively easy cycling and walking activities such as mountain-biking, walking and orienteering in an urban outdoor setting. It is popular with families, youths and people of all ages looking for an attractive location for fitness and social activities.

Alignment with Council's Policy and Plans

1. Healthy natural environment

A diverse and healthy natural environment, with an abundance of native flora and fauna and rich ecosystems will thrive through our awareness, commitment and action in caring for the environment.

- 1.4 Improve residents' understanding, respect and enjoyment of the local environment through stewardship and partnerships.
- 1.5 Co-ordinate effective management of the conservation estate on all (private and public) lands in Redlands, through a combination of incentives and various tenure and management arrangements to restore, maintain and plant new habitat.
- 1.6 Address the decline in the health of Redlands waterways and improve water quality, aquatic populations and their biodiversity.

2. Green living

Our green living choices will improve our quality of life and our children's lives, through our sustainable and energy efficient use of resources, transport and infrastructure, and our well informed responses to risks such as climate change.

2.4 Provide and maintain safe and attractive routes for people to walk and cycle throughout the city and to connect to nearby regional centres.

5. Wise planning and design

We will carefully manage population pressures and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity on a local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well-planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

5.10 Maintain the quality and liveability of residential areas and protect natural resources

5.12 Plan, provide and advocate for essential physical and social infrastructure that supports community well-being and manage Council's existing infrastructure assets to ensure current service standards are maintained or improved

5.13 Enhance the city's liveability and enable people to enjoy outdoor activities, social gatherings and community events through planning, providing and managing high quality parks and open spaces

6. Supportive and vibrant economy

Businesses will thrive and jobs will grow from opportunities generated by low impact industries, cultural and outdoor lifestyle activities, ecotourism and quality educational experiences.

6.6 Promote Redlands as a high quality tourism destination and encourage the development of sustainable nature-based, heritage and eco-tourism.

7. Strong and connected communities

Our health, wellbeing and strong community spirit will be supported by a full range of services, programs, organisations and facilities, and our values of caring and respect will extend to people of all ages, cultures, abilities and needs

7.1 Promote festivals, events and activities for people to come together, developing connections and networks to improve community spirit and enhance 'sense of place'

7.5 Increase the physical activity participation of residents and deliver programs and incentives that strengthen opportunities for sport and recreation

CONSULTATION

The following state departments and officers and parts of Council have been consulted in the preparation of this report and are supportive of the recommendation - Department of Natural Resources & Mines, Senior Conservation Officer, City Planning and Assessment, Environment and Regulation and Senior Property Officer.

OPTIONS

1. To confirm Council's acceptance of offer from the State to amend existing Reserve for Open Space and Buffer Zone – 'Scribbly Gums Conservation Area'

- TF49106782 being lots 1, 3, 4, 5, 6 & 7 on SP234806 to include Lot 241 on SP234806 - Teesdale Road Alexandra Hills.
2. Not to accept offer from the State to amend existing Reserve for Open Space and Buffer Zone – ‘Scribbly Gums Conservation Area’ - TF49106782 being lots 1, 3, 4, 5, 6 & 7 on SP234806 to include Lot 241 on SP234806 - Teesdale Road Alexandra Hills and negotiate with the State to seek use of the site for tracks and trails.

OFFICER’S RECOMMENDATION

That Council resolve to:

- **Accept the offer from the State to amend existing Reserve for Open Space and Buffer Zone – ‘Scribbly Gums Conservation Area’ - TF49106782 being lots 1, 3, 4, 5, 6 & 7 on SP234806 to include Lot 241 on SP234806 - Teesdale Road Alexandra Hills;**
- **Delegate authority to the Chief Executive Officer under s.257(1)(b) of the *Local Government Act 2009*, to negotiate the terms of the agreement and where applicable sign all documentation; and**
- **Return ‘Notification of acceptance of offer in terms of the Land Act 1994’ to the Department of Natural Resources & Mines by close of business on 16 December 2013.**

8 PORTFOLIO 6 (CR MARK EDWARDS)
CORPORATE SERVICES**8.1 COMMUNITY & CUSTOMER SERVICES****8.1.1 REVIEW OF FEES AND CHARGES - INDIGISCAPES HALL HIRE****Dataworks Filename:** CP Council Facilities IndigiScapes**Attachment:** [Amended Page 10 - Fees and Charges - Redlands IndigiScapes](#)**Authorising Officer:****Louise Rusan**
General Manager Community & Customer Services**Responsible Officer:****Gary Photinos**
Group Manager Environment and Regulation**Author:****Boyd Essex**
Service Manager Environmental Education

PURPOSE

Implement recommendations set out in the Internal Report for Review of Revenue Cycle and Cash Handling IndigiScapes, dated 10th October 2013.

BACKGROUND

An audit was undertaken on the cash and stock handling for the IndigiScapes business (cafe, functions and shop) by internal auditors. This was completed on 10 October 2013. As part of this audit, the Final Report for Review of Revenue Cycle and Cash Handling IndigiScapes (final report) has recommended a review into the fees and charges of the IndigiScapes Hall Hire, particularly the bonds.

ISSUES

Currently, bonds are not collected during functions held at the IndigiScapes' gardens and hall when there are IndigiScapes' staff present during the function, allowing staff to monitor the function and guests. However, bonds are required as specified in the Fees and Charges Schedule. In addition there is sliding scale for security bonds that ranges from \$125 to \$500 and may be difficult to monitor administratively. It is proposed that the security bond be set at a flat rate of \$250 for all functions and facility hires and discretion given to centre management to apply the security bond.

The Fees and Charges Schedule does not specify any payment terms and conditions. Terms and conditions for payment are located in customer agreement.

STRATEGIC IMPLICATIONS

Inconsistencies in the payment and collection of bonds for functions and hall hire at IndigiScapes.

Legislative Requirements

Under Section 262(3)(c) of the *Local Government Act 2009*, Council can charge for services and facilities it supplies which are not covered under Section 97(2) of the *Local Government Act 2009* (regulatory charges). Council is responsible for determining the associated costs, with consideration to the value for money to the community and an appropriate return to Council.

Risk Management

The internal audit report has identified the risk to the business as medium.

Financial

The bulk of the risks are associated with financial risk.

Bonds are a financial security for Council if a customer, during a function, damages the hired premises. However, bonds are fully refundable if no incidents occur. Noting bonds are held in Council's Trust Account, available for refund at anytime and these funds are not recognised on Council's Balance Sheet.

By not collecting bonds, there is a risk that if damages occur, Council will be required to pay for the repairs.

Expenses relative to staff time in collecting, ensuring bonds are secure and reimbursed can be unproductive if staff can monitor the function during normal office hours.

People

There are community groups which regularly utilise the IndigiScapes hall and botanic gardens for functions. The most regular is fortnightly. To request a bond for each of their functions, particularly, when there have been no bonds charged previously, could result in negative feedback and a loss of their support.

The charging of bonds, when the function will be monitored by onsite staff (i.e. during business hours), could be deemed inappropriate by customers, resulting in negative feedback to Council and IndigiScapes and loss of customers. The associated costs may also deter some customers.

Environmental

No environmental risks identified

Social

As IndigiScapes is a public space, it is also a social area. The opportunity for social functions to be held in a pleasant and safe environment can be a draw card for the community. A variety of parties and special occasions have hired the hall and botanic gardens. Similarly, community groups regularly hire the hall or botanic gardens for functions, further providing a social network for not only groups, but individuals to meet, learn and enjoy. Many community groups promote their functions as being at IndigiScapes and have been customers for many years.

Alignment with Council's Policy and Plans

- Corporate Revenue Policy: POL-1837

- External Fees and Charges: GL-1837-002
- Current fees and charges align with the above.

CONSULTATION

Consultation has occurred with the Internal Audit Unit, and other relevant staff of the Environment and Education Unit and Group Manager: Environment and Regulation. Previous feedback from customers has been considered.

OPTIONS

1. That Council resolves to amend the Fees and Charges Schedule 2013 -2014 adopted by Council on 19th June 2013 by deleting page 10 Redlands IndigiScapes Centre and replacing with a new page 10 Redlands IndigiScapes Centre as attached which:
 - a. Removes references to Bonds small events, Bonds medium events, and bonds large events and replaces with a new flat rate security bond of \$250 per function or facility hire,
 - b. Gives discretion to the Centre Manager to not apply the security bond when events are held Monday to Friday (excluding public holidays) between the hours of 8.30am to 4.30pm or to low risk community organisations and regular users, and
 - c. Inserts the Words Botanical Gardens above Weddings/Formal Private Functions to clarify the hire purposes.
2. No alternative options have been provided as the recommended actions were required by the Audit Report.

OFFICER'S RECOMMENDATION

That Council resolve to amend the Fees and Charges Schedule 2013 -2014 adopted by Council on 19 June 2013 by deleting page 10 "Redlands IndigiScapes Centre" and replacing with a new page 10 "Redlands IndigiScapes Centre" as attached which:

- 1. Removes references to Bonds small events, Bonds medium events, and bonds large events and replaces with a new flat rate security bond of \$250 per function or facility hire;**
- 2. Gives discretion to the Centre Manager to not apply the security bond when events are held Monday to Friday (excluding public holidays) between the hours of 8.30am to 4.30pm or to low risk community organisations and regular users; and**
- 3. Inserts the Words Botanical Gardens above Weddings/Formal Private Functions to clarify the hire purposes.**

8.2 OFFICE OF CEO

8.2.1 GOV ANNUAL COMMUNITY FINANCIAL REPORT 2012-13

Dataworks Filename: Community Financial Report 2012-13

Attachment: [Community Financial Report 2012-13](#)

Authorising Officer:



Bill Lyon
Chief Executive Officer

Responsible Officer:

Gavin Holdway
Chief Financial Officer

Author:

Deborah Corbett-Hall
Service Manager Corporate Finance

PURPOSE

The purpose of this report is to present the 2012-13 Community Financial Report to Council which will then form part of the 2012-13 Redland City Council Annual Report.

BACKGROUND

The annual Community Financial Report is a plain language document that contains a summary and analysis of Council's financial performance and position for 2012-13.

ISSUES

There are no issues related to the preparation and presentation of the Community Financial Report that are not already covered in the 2012-13 Annual Report or Financial Statements.

STRATEGIC IMPLICATIONS

Legislative Requirements

Section 179 of the *Local Government Regulation 2012* requires a local government to prepare a Community Financial Report for each financial year. The report then forms part of Council's Annual Report, alongside the financial statements.

Risk Management

Risk management is undertaken during the year with respect to the financials – Council reviews its actual performance against budget on a monthly basis and formally reviews its budget on a quarterly basis. Financial Services also liaises with the Queensland Audit Office at interim and final audits with respect to risk reduction and mitigation.

Financial

There are no direct financial impacts to Council resulting from this report; however it provides a plain language indication of financial performance and position for the 2012-13 financial year.

People

Nil impact expected as the purpose of the attached report is to provide explanations and analysis of the financial statements for 2012-13.

Environmental

Nil impact expected as the purpose of the attached report is to provide explanations and analysis of the financial statements for 2012-13.

Social

Nil impact expected as the purpose of the attached report is to provide explanations and analysis of the financial statements for 2012-13.

Alignment with Council's Policy and Plans

This report has a relationship with the following items of the Corporate Plan:

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals

- 8.7 Ensure Council resource allocation is sustainable and delivers on Council and community priorities; and
- 8.8 Provide clear information to citizens about how rates, fees and charges are set and how Council intends to finance the delivery of the Community Plan and Corporate Plan.

CONSULTATION

Consultation has taken place between the Chief Financial Officer and the Service Manager Corporate Finance. The attachment is a plain language guide based on the information contained in the financial statements which have been signed off by the Mayor and Chief Executive Officer and subsequently taken to Audit Committee on 21 October 2013.

OPTIONS

1. That Council resolve to note the Community Financial Report for 2012-13
2. That Council amends the Community Financial Report for 2012-13 prior to inclusion in the 2012-13 Annual Report

OFFICER'S RECOMMENDATION

That Council resolve to note the Community Financial Report for 2012-13.

8.2.2 2012-13 REDLAND CITY COUNCIL FINANCIAL STATEMENTS**Dataworks Filename:** FM Statements 2012-13**Attachment:** [QAO Certified Statements – Financial Statements for the Year Ended 30 June 2013](#)**Authorising Officer:****Bill Lyon**
Chief Executive Officer**Responsible Officer:** **Gavin Holdway**
Chief Financial Officer**Author:** **Deborah Corbett-Hall**
Service Manager Corporate Finance

PURPOSE

The purpose of this report is to present the final (Queensland Audit Office certified) 2012-13 Annual Financial Statements and accompanying notes to Council for noting prior to adoption of the 2012-13 annual report.

BACKGROUND

Council produced interim statements for the period ending 31 March 2013 and provided the statements to Queensland Audit Office for interim review and feedback.

Draft statements for the period ending 30 June 2013 have been subsequently updated and audited. The attached 2012-13 Annual Financial Statements are final and have been certified by the Queensland Audit Office (QAO) as at 23 October 2013 to be calculated accurately (unqualified opinion). In addition to the certified statements, the QAO also audited the Current Year Financial Sustainability Statement. This is a new requirement from the 2012-13 financial year and consistent with other councils, the QAO has included an 'emphasis of matter' in the auditor's report on the current year financial sustainability statement to highlight the statement has been constructed for a particular purpose and the fact it may not be suitable for another purpose.

In addition to the two aforementioned Independent Auditor's Reports enclosed within the attachment, the QAO also audited Council's annual financial statement for the Roads to Recovery Program. The report has historically been an implicit part of the external audit although from 2012-13 the QAO will separately audit this special purpose report. The 2012-13 Roads to Recovery Financial Statement was found to be based on, and in agreement with, proper and appropriate accounts and records. Due to the fact the report was compiled for a specific purpose, the QAO included an 'emphasis of matter' to outline the fact the financial report may not be suitable for another purpose.

ISSUES

Please refer attached statements, there are no additional issues encompassed in this report.

STRATEGIC IMPLICATIONS

Legislative Requirements

Section 176 of the *Local Government Regulation 2012* requires a local government to prepare the following for each financial year

- a general purpose financial statement;
- a current-year financial sustainability statement; and
- a long-term financial sustainability statement.

Risk Management

Risk management is undertaken during the year with respect to the financials – Council reviews its actual performance against budget on a monthly basis and formally reviews its budget on a quarterly basis. Financial Services also liaises with the Queensland Audit Office at interim and final audits with respect to risk reduction and mitigation in addition to internal controls.

Financial

There are no additional financial implications arising from this report - all impacts to Council's financial performance in 2012-13 or financial position as at 30 June 2013 are included in the accompanying financial statements and supporting notes.

People

Nil impact expected as the purpose of the attached report is to provide the financial statements for 2012-13.

Environmental

Nil impact expected as the purpose of the attached report is to provide the financial statements for 2012-13.

Social

Nil impact expected as the purpose of the attached report is to provide the financial statements for 2012-13.

Alignment with Council's Policy and Plans

This report has a relationship with the following items of the Corporate Plan:

8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals

- 8.7 Ensure Council resource allocation is sustainable and delivers on Council and community priorities; and

- 8.8 Provide clear information to citizens about how rates, fees and charges are set and how Council intends to finance the delivery of the Community Plan and Corporate Plan.

CONSULTATION

Financial Services officers and other internal stakeholders have discussed the finances, statement layout and appropriate accounting treatments with the Queensland Audit Office both at the interim audit in May 2013 and the final audit in September and October 2013.

The financial statements have been signed off by the Mayor and Chief Executive Officer and subsequently taken to Audit Committee on 21 October 2013.

OPTIONS

1. That Council resolve to note the audited Financial Statements for inclusion into the 2012-13 Annual Report.
2. That Council resolve not to note the audited Financial Statements for inclusion into the 2012-13 Annual Report.

OFFICER'S RECOMMENDATION

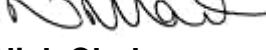
That Council resolve to note the audited Financial Statements for inclusion into the 2012-13 Annual Report.

8.3 ORGANISATIONAL SERVICES

8.3.1 REPORT OF THE AUDIT COMMITTEE MEETING

Dataworks Filename: GOV Audit Committee

Attachment: [Minutes Audit Committee 21 October 2013](#)

Authorising/Responsible Officer: 
Nick Clarke
General Manager Organisational Services

Author: **Siggy Covill**
Group Manager Internal Audit

PURPOSE

The purpose of this report is to present the minutes of the Audit Committee meeting on 21 October 2013 to Council for adoption in accordance with Section 211 of the *Local Government Regulation 2012*.

BACKGROUND

The primary objective of the Audit Committee is to assist Council in fulfilling its corporate governance role and oversight of financial measurement and reporting responsibilities imposed under the *Local Government Act 2009*, the *Financial Accountability Act 2009* and other relevant legislation.

To fulfil this objective and in order to enhance the ability of Councillors to discharge their legal responsibility, it is necessary that a written report is presented to Council as soon as practicable after a meeting of the Audit Committee about the matters reviewed at the meeting and the committee's recommendations about these matters.

ISSUES

Please refer to the attached Minutes of the Audit Committee meeting held on 21 October 2013.

STRATEGIC IMPLICATIONS

Legislative Requirements

Requirements from the *Local Government Act 2009*, the *Local Government Regulation 2012* and the *Financial Accountability Act 2009* have been taken into account during the preparation of this report.

Risk Management

There are no opportunities or risks for Council resulting from this report.

Financial

There are no financial implications impacting Council as a result of this report.

People

There are no implications on people as a result of this report.

Environmental

There are no environmental implications resulting from this report.

Social

There are no social implications as a result of this report.

Alignment with Council's Policy and Plans

Relationship to Corporate Plan: 8. Inclusive and ethical governance

Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision making to achieve the community's Redlands 2030 vision and goals

8.5 Be transparent and consistent in the way we manage the organisation, its risks and obligations and ensure we are delivering against our priorities.

CONSULTATION

The Audit Committee minutes are presented for confirmation as a true and accurate record of proceedings at its next meeting.

OPTIONS

1. That Council accept this report, which summarises the issues discussed at the Audit Committee meeting of 21 October 2013.
2. That Council accept this report and requests additional information, or
3. That Council not accept this report and request an alternative method of reporting.

OFFICER'S RECOMMENDATION

That Council resolve to accept this report, which summarises the issues discussed at the Audit Committee meeting of 21 October 2013.

9 PORTFOLIO 7 (CR JULIE TALTY)
PLANNING & DEVELOPMENT**9.1 COMMUNITY & CUSTOMER SERVICES****9.1.1 DECISION MADE UNDER DELEGATED AUTHORITY FOR CATEGORY 1, 2 AND 3 DEVELOPMENT APPLICATIONS**

Datworks Filename: Reports to Coordination Committee -
Portfolio 7 Planning and Development

Authorising/Responsible Officer: 
Louise Rusan
General Manager Community & Customer Services

Author: **Leah Moir**
Business Support Officer

PURPOSE

The purpose of this report is for Council to note that the decisions listed below were made under delegated authority for Category 1, 2 and 3 development applications.

This information is provided for public interest.

BACKGROUND

At the General Meeting of 27 July, 2011, Council resolved that development assessments be classified into the following four Categories:

Category 1 – Minor Complying Code Assessments & associated administrative matters, including correspondence associated with the routine management of all development applications;

Category 2 – Complying Code Assessments & Minor Impact Assessments;

Category 3 – Moderately Complex Code & Impact Assessments; and

Category 4 – Major and Significant Assessments.

The applications detailed in this report have been assessed under:-

- Category 1 criteria - defined as complying code assessable applications, including building works assessable against the planning scheme, and other applications of a minor nature.
- Category 2 criteria - defined as complying code assessable and compliance assessable applications, including operational works, and Impact Assessable applications without submissions of objection. Also includes a number of process related delegations, including issuing planning certificates, approval of works on and off maintenance and the release of bonds, and all other delegations not otherwise listed.

- Category 3 criteria that are defined as applications of a moderately complex nature, generally mainstream impact assessable applications and code assessable applications of a higher level of complexity. Impact applications may involve submissions objecting to the proposal readily addressable by reasonable and relevant conditions. Both may have minor level aspects outside a stated policy position that are subject to discretionary provisions of the Planning Scheme. Applications seeking approval of a plan of survey are included in this category. Applications can be referred to Development and Community Standards Committee for a decision.

CATEGORY 1

1. Development Permit issued on 18 October 2013 for operational works for reconfiguring a lot (1 into 28 lots) at 31-37 Moreton Road, Thornlands. Ross Campbell & Associates Pty Ltd, Sutgold Pty Ltd. (OPW001499)
2. Development Permit issued on 21 October 2013 for operational works for prescribed tidal works at Orana Esplanade Foreshore park 1A Orana Esplanade Victoria Point. Redland City Council City Spaces. (OPW001518)
3. Development Permit issued on 25 October 2013 for operational works for domestic driveway crossover at 8 Hilltop Crescent Alexandra Hills. The Certifier Pty Ltd. (OPW001549)
4. Development Permit issued on 17 October 2013 for operational works for domestic driveway crossover at 5 Village Drive Mount Cotton. Mrs C Sewell. (OPW001541)
5. Development Permit issued on 23 October 2013 for operational works for an advertising device at 56 Neumann Road Capalaba. Mr K Stewart. (OPW001539)
6. Development Permit issued on 16 October 2013 for operational works for an advertising device at 2 Panorama Drive Thornlands. Cranebrook Sales Pty Ltd. (OPW001536)
7. Development Permit issued on 23 October 2013 for operational works for prescribed tidal works at 85 Wahine Drive Russell Island. (OPW001522)
8. Development Permit issued on 18 October 2013 for operational works for prescribed tidal works at Raby Bay Boulevard Park 23-31 Raby Bay Boulevard Cleveland. Redland City Council As Trustee City Infrastructure. (OPW001513)
9. Development Permit issued on 22 October 2013 for reconfiguration of lots (1 into 2) at 36 Princess Street Cleveland. Sutgold Pty Ltd. (ROL005686)
10. Concurrence Agency Response issued on 23 October 2013 for design and siting for a carport at 14 Turtle Place Redland Bay. Mt Kirk Kotynski. (BWP001973)
11. Concurrence Agency Response issued on 23 October 2013 for design and siting for a dwelling house at 38 Poloni Place Wellington Point. Bartley Burns Certifiers & Planners. (BWP001988)
12. Concurrence Agency Response issued on 23 October 2013 for design and siting for a carport at 61-63 Coburg Street East Cleveland. The Certifier Pty Ltd. (BWP001975)

13. Concurrence Agency Response issued on 23 October 2013 for design and siting for a dwelling house at 2 Wharton Street Wellington Point. GMA Certifications Group Pty Ltd. (BWP001980)
14. Concurrence Agency Response issued on 23 October 2013 for a design and siting for a carport at 1 Eckersly Street Ormiston. Strickland Certification Pty Ltd. (BWP001972)
15. Concurrence Agency Response issued on 22 October 2013 for a design and siting for a roofed patio at 12 Joyce Court Wellington Point. Metropolitan Certification Services Pty Ltd. (BWP001977)
16. Concurrence Agency Response issued on 22 October 2013 for a design and siting for a dwelling house at 1 Lomond Place Victoria Point. DBR Building Certification. (BWP001971)
17. Concurrence Agency Response issued on 21 October 2013 for a design and siting for a dwelling house at 8 Alepine Place Mount Cotton. Mr Gregory N Lamprecht & Ms Lauren J Moorhouse. (BWP001976)
18. Concurrence Agency Response issued on 21 October 2013 for a design and siting for a outbuilding at 224 Main Street Redland Bay. Asset Outdoor Additional Pty Ltd. (BWP001968)
19. Concurrence Agency Response issued on 18 October 2013 for a design and siting for a carport at 20 McTaggart Street Capalaba. The Certifier Pty Ltd. (BWP001969)
20. Concurrence Agency Response issued on 18 October 2013 for a design and siting for a carport & gazebo at 27 Bates Drive Birkdale. Adept Building Approvals. (BWP001970)
21. Concurrence Agency Response issued on 17 October 2013 for a design and siting for a dwelling house at 21 Lancaster Circuit Redland Bay. Platinum Building Approvals. (BWP001967)
22. Concurrence Agency Response issued on 18 October 2013 for a design and siting for a patio at 15 Walnut Court Birkdale. The Certifier Pty Ltd. (BWP001974)
23. Concurrence Agency Response issued on 17 October 2013 for design and siting for a dwelling house & carport at 21 Daysland Street Victoria Point. The Certifier Pty Ltd. (BWP001965)
24. Concurrence Agency Response issued on 17 October 2013 for design and siting for a dwelling at 61-63 Ferry Road Thorneside. Bartley Burns Certifiers & Planners. (BWP001942)
25. Concurrence Agency Response issued on 18 October 2013 for design and siting for a dwelling at 3A Ocean Street Cleveland. Ashcroft Architects Pty Ltd (Redland Bay). (BWP001979)
26. Concurrence Agency Response issued on 25 October 2013 for design and siting for a dwelling house at 1 Seahorse Court Thornlands. The Certifier Pty Ltd. (BWP001982)
27. Concurrence Agency Response issued on 24 October 2013 for design and siting for a dwelling house at 8-8A Russell Street Cleveland. Begbie Bentham Pty Ltd. (BWP001990)

28. Concurrence Agency Response issued on 25 October 2013 for design and siting for a dwelling house at 27 Colthouse Drive Thornlands. Javica Pty Ltd. (BWP001985)
29. Concurrence Agency Response issued on 17 October 2013 for design and siting for a dwelling house at 61-63 Ferry Road Thorneside. Bartley Burns Certifiers & Planners. (BWP001941)
30. Concurrence Agency Response issued on 18 October 2013 for design and siting for a carport at 1 Ocean Street Cleveland. Mr David Thomas. (BWP001987)
31. Concurrence Agency Response issued on 16 October 2013 for design and siting for a dwelling house at 5 Staghorn Court Mount Cotton. DBR Building Certification. (BWP001961)
32. Concurrence Agency Response issued on 16 October 2013 for design and siting for a dwelling house at 27-31 King Street Thornlands. Mr Paul Chapman. (BWP001966)
33. Concurrence Agency Response issued on 29 October 2013 for design and siting for a domestic outbuilding at 4 Church Street Victoria Point. The Certifier Pty Ltd. (BWP001981)
34. Concurrence Agency Response issued on 29 October 2013 for design and siting for a roofed patio at 9 Cartwright Street Victoria Point. Applied Building Approvals. (BWP001991)
35. Concurrence Agency Response issued on 28 October 2013 for design and siting for a shed at 14 Drevesen Avenue Cleveland. The Certifier Pty Ltd. (BWP001992)
36. Concurrence Agency Response issued on 29 October 2013 for design and siting for a carport at 45 Leilani Drive Birkdale. Freedom Patios. (BWP001994)
37. Concurrence Agency Response issued 29 October 2013 for design and siting for a unroofed deck at 19 Piermont Place Cleveland. Harmer Property Group Pty Ltd. (BWP001995)
38. Concurrence Agency Response issued 29 October 2013 for design and siting for a roofed patio deck at 7 Lancaster Circuit Redland Bay. The Certifier Pty Ltd. (BWP001996)
39. Development Permit issued on 29 October 2013 for a material change of use to operate a home business at 12 Hilary Avenue Redland Bay. Mrs Alice J Wyk. (MCU013144)
40. Concurrence Agency Response issued 29 October 2013 for design and siting for a dwelling house at 6 Coburg Street East Cleveland. All Star Energy. (BWP002016)
41. Concurrence Agency Response issued 30 October 2013 for design and siting for a addition to 13 Galeen Street Point Lookout. John Gaskell Planning Consultants. (BWP002002)
42. Concurrence Agency Response issued 30 October 2013 for design and siting for a dwelling at 61 Torquay Road Redland Bay. Mrs Kristine Letheren-Black. (BWP002004)

CATEGORY 2

1. Development Permit issued on 25 October 2013 for a material change of use for a dwelling house at 77 Thomas Street Birkdale. Hallmark Homes Pty Ltd. (MCU013137)
2. Development Permit issued on 25 October 2013 for a material change of use for a mixed use development (apartment building, tourist accommodation, shop and refreshment establishment) at Redland Bay Motor Inn 152-158 Broadwater Terrace Redland Bay. Lib (177) Pty Ltd. (MCU013086)
3. Development Permit issued on 23 October 2013 for a reconfiguration for lots at 35-37 & 39 Valantine Road Birkdale. Mr Christopher Grimm and Ms Jillian Anne Dear. (SB005130)
4. Development Permit issued on 17 October 2013 for a material change of use for a child care centre at 21-23 Valley Road Wellington Point. JDA Consultants Pty Ltd. (MCU013049)
5. Development Permit issued on 17 October 2013 for a material change of use for a child care centre at 172 High Central Road Macleay Island. Mr Y A Amstutz. (MC008936)
6. Development Permit issued on 18 October 2013 for a material change of use for a SMBI dwelling house at 158 Canaipa Road Russell Island. Mr L R Hill. (MCU013127).
7. Development Permit issued on 18 October 2013 for a reconfiguration of lots at 1 and 68 Lancaster Circuit Redland Bay. Sutgold Pty Ltd. (ROL005689)
8. A notice agreeing to change a approval was issued on 18 October 2013 for special facilities at 22 John Street Cleveland. Healthworks Cleveland. (R174)
9. Development Permit issued on 21 October 2013 for a reconfiguration of lots at 57 Point O'Halloran Road Victoria Point. The Certifier Pty Ltd. (ROL005688)
10. A Notice agreeing to change an approval was issued on 22 October 2013 for a dwelling house at 22B Ribonwood Street Thornlands. Coral Homes C/- PC Group. (MCU012730)
11. Development Permit issued 23 October 2013 for a reconfiguration of lots at 8 Gloucester Street, Ormiston. Mr E J Picton & EP Interiors. (ROL005685)
12. Development Permit issued 23 October 2013 for a material change of use for a dwelling house at 207 Rocky Passage Road Redland Bay. Mr D Price. (MCU013109)
13. A Notice agreeing to change an approval was issued on 23 October 2013 for domestic additions at 6 Prosperity Street Point Lookout. Jeff Hall. (BW000941)
14. A Notice agreeing to change an approval was issued 29 October 2013 for a multiple dwelling at 43-45 Surman Street Birkdale. DEQ Design Engineers Queensland. (MC012268)
15. Development Permit issued 29 October 2013 for a material change of use for aged persons and special needs housing at 563-567 Redland Bay Road Victoria Point. Australasian Conference Association Ltd C/- Buckley Vann Town Planning Consultants. (MCU013057)

16. Development Permit issued 29 October 2013 for a material change of use for a indoor recreation facility at 50-52 Neumann Road Capalaba. (MCU013133)

CATEGORY 3


Nil

OFFICER'S RECOMMENDATION

That Council resolve to note this report.

9.1.2 APPEALS LIST CURRENT AS AT 30 OCTOBER 2013

Dataworks Filename: GOV Development and Community Standards Current Appeals

Authorising/Responsible Officer: 
Louise Rusan
General Manager Community & Customer Services

Author: **Daniel Zilli**
Service Manager Engineering & Environment

PURPOSE

The purpose of this report is for Council to note the current appeals.

BACKGROUND

Information on appeals may be found as follows:

1. Planning and Environment Court

- a) Information on current appeals and declarations with the Planning and Environment Court involving Redland City Council can be found at the District Court web site using the "Search civil files (eCourts) Party Search" service: <http://www.courts.qld.gov.au/esearching/party.asp>
- b) Judgements of the Planning and Environment Court can be viewed via the Supreme Court of Queensland Library web site under the Planning and Environment Court link: <http://www.sclqld.org.au/qjudgment/>

2. Redland City Council

The lodgement of an appeal is acknowledged with the Application details on the Councils "Planning and Development On Line - Development - Application Inquiry" site. Some Appeal documents will also be available (note: legal privilege applies to some documents). All judgements and settlements will be reflected in the Council Decision Notice documents:

<http://www.redland.qld.gov.au/PlanningandBuilding/PDOnline/Pages/default.aspx>

3. Department of State Development, Infrastructure and Planning (SDIP)

The DSDIP provides a Database of Appeals (<http://services.dip.qld.gov.au/appeals/>) that may be searched for past appeals and declarations heard by the Planning and Environment Court.

The database contains:

- A consolidated list of all appeals and declarations lodged in the Planning and Environment Courts across Queensland of which the Chief Executive has been notified.
- Information about the appeal or declaration, including the appeal number, name and year, the site address and local government.

ISSUES

1.	File Number:	Appeal 1963 of 2009 (MC010715)
Applicant:		JT George Nominees P/L
Application Details:		Preliminary Approval for MCU for neighbourhood centre, open space and residential uses (concept master plan). Cnr Taylor Rd & Woodlands Dve, Thornlands.
Appeal Details:		Applicant appeal against refusal.
Hearing Date:		Listed for review 6 November 2013.

2.	File Number:	Appeal 2675 of 2009. (MC010624)
Applicant:		L M Wigan
Application Details:		Material Change of Use for residential development (Res A & Res B) and preliminary approval for operational works 84-122 Taylor Road, Thornlands
Appeal Details:		Applicant appeal against refusal.
Current Status:		Directions Order 1 March 2013 sets out dates for mediation and disclosure of documents.
Hearing Date:		Listed for review 6 November 2013.

3.	File Number:	Appeal 246 of 2013 (MCU012617)
Applicant:		Lipoma Pty Ltd
Application Details:		Material Change of Use for extension to Shopping Centre (Shop and Refreshment Establishment) 2-34 Bunker Road, Victoria Point
Appeal Details:		Applicant appeal against negotiated adopted infrastructure charges notice.
Current Status:		Without prejudice meeting held with appellant.
Hearing Date:		Listed for review 29 November 2013.

4.	File Number:	Appeal 2335 of 2013 (MCU012421)
Applicant:		Barro Group Pty Ltd
Application Details:		Material Change of Use for Extractive Industry and Environmentally Relevant Activities 8, 16 & 21 1513 & 1515-1521 Mount Cotton Road and 163-177 & 195 Gramzow Road, Mount Cotton
Appeal Details:		Applicant appeal against refusal.
Current Status:		Development application called-in by the Minister.

5.	File Number:	Appeal 3442 of 2013 (S/3953/1)
Applicant:		D Petersen
Application Details:		Originating application P&E Appeal 1756 of 1998 and 1757 of 1998 – 12 Wisteria Street, Ormiston
Appeal Details:		To remove condition 33 of P&E Appeal 1756/98 and 1757/98 to allow removal of vegetation.
Current Status:		No action to date.
Hearing Date:		Listed for review on 7 November 2013.

OFFICER'S RECOMMENDATION

That Council resolve to note this report.

9.1.3 FEES AND CHARGES AMENDMENTS - OCTOBER 2013**Dataworks Filename:** GOV Fees and Charges Register**Attachment:** [Amendments to Current Fees Charges Schedule](#)**Authorising/Responsible Officer:** 
Louise Rusan
General Manager Community & Customer Services**Author:** **Michelle Simpson**
Group Technical Support Officer,
Development Assessment**PURPOSE**

The purpose of this report is to seek Council approval to amend the 2013/2014 Fees and Charges Schedules as detailed.

BACKGROUND

The 2013/2014 Fees and Charges Schedule was adopted on 19 June 2013. Due to operational issues a number of minor amendments are required.

ISSUES

A review of the 2013/2014 Fees and Charges Schedule adopted 19 June 2013 has highlighted some issues which require amendments. The recommended amendments are outlined in attachment 1 and summarised below.

Fee	Change
Inspection Cost	Inspection fee for Plan Sealing Applications. The cost to do inspection forms part of the application fee.
Permissible Change	Modify fee to include changes where the application type is concurrence. Primarily this relates to Council's concurrence agency role for domestic building work.
Special Structure assessment fee	Modify fee to be in line with domestic special structures fee.
Concurrence agency referral	Modify fee wording to apply to all items in Schedule 7 of the Sustainable Planning Regulation 2009 for concurrence referral.
Domestic Additions	Add domestic additions to the schedule triggered by recent Planning Scheme amendments.
Private Swimming Pool	Add swimming pool to the schedule triggered by recent Planning Scheme amendments.

STRATEGIC IMPLICATIONS

Legislative Requirements

There are no legislative requirements.

Risk Management

Nil.

Financial

Overall, there is a negligible impact on the Department's budget bottom line. The proposed changes are minor in nature and do not ultimately change the volume of applications received. The changes are detailed in the attached documents:

- Amendments and Additions to Current Fees and Charges Schedule 2013-2014 (Attachment 1)

People

Clear descriptions and wording will assist officers and Customer Service when quoting fees to customers.

Environmental

There is no known impact to the environment.

Social

There are no known social impacts.

Alignment with Council's Policy and Plans

The recommendation primarily supports Council's Operational Plan strategy 9.6 – "Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels".

CONSULTATION

The Business and Systems Team Leader City Planning and Assessment has been consulted on this matter and supports the recommendation of this report.

OPTIONS

1. That Council resolve to adopt the amendments to the 2013/2014 Fees and Charges Schedule to reflect the changes to the Redlands Planning Scheme.
2. That Council resolve to not adopt the amendments to the 2013/2014 Fees and Charges Schedule.

OFFICER'S RECOMMENDATION

That Council resolve to adopt the amendments to the 2013/2014 Fees and Charges Schedule effective 20 November 2013.

10 CLOSED SESSION**PORTFOLIO 10 (CR PAUL BISHOP) ARTS, CULTURE AND INNOVATION****10.1 COMMUNITY & CUSTOMER SERVICES****10.1.1 REVIEW OF LIBRARY OUTREACH SERVICES**

Datworks Filename: CS Library - Outreach Services
CS Library - General

Authorising/Responsible Officer: 
Louise Rusan
General Manager Community & Customer
Services

Author: Jann Webb
Library Services Manager

EXECUTIVE SUMMARY

Council or Committee has a broad power under Section 275(1) of the *Local Government Regulation 2012* to close a meeting to the public where there are genuine reasons why the discussion on a matter should be kept confidential.

OFFICER RECOMMENDATION

That the meeting be closed to the public to discuss this matter pursuant to Section 275(1) of the *Local Government Regulation 2012*.

The reason that is applicable in this instance is as follows:

"(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage."

PORTFOLIO 9 (CR PAUL GLEESON) ENVIRONMENT, WATERWAYS & FORESHORES**10.1.2 ENVIRONMENTAL SEPARATE CHARGE LAND ACQUISITIONS LIST 2013**

Datworks Filename: EM Environmental Charge Acquisitions 13/14

Authorising Officer: 
Louise Rusan
General Manager Community & Customer Services

Responsible Officer: **Gary Photinos**
Group Manager Environment and Regulation

Author: **Candy Daunt**
Advisor Habitat Protection

EXECUTIVE SUMMARY

Council or Committee has a broad power under Section 275(1) of the *Local Government Regulation 2012* to close a meeting to the public where there are genuine reasons why the discussion on a matter should be kept confidential.

OFFICER RECOMMENDATION

That the meeting be closed to the public to discuss this matter pursuant to Section 275(1) of the *Local Government Regulation 2012*.

The reason that is applicable in this instance is as follows:

"(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage."

PORTFOLIO 2**(Mayor Karen Williams)
(Supported by Deputy Mayor Cr Beard)****ECONOMIC DEVELOPMENT, GOVERNANCE, SERVICE DELIVERY,
REGULATIONS AND EMERGENCY MANAGEMENT****10.2 ORGANISATIONAL SERVICES****10.2.1 PDAS - PROPOSED DEVELOPMENT SCHEMES****Datworks Filename: LUP Priority Development Areas (PDAs)****Authorising Officer:****Nick Clarke
General Manager Organisational Services****Responsible Officer:****Peter Kelley
Project Director Priority Development Areas****Author:****Scott Hutchison
Principal Advisor Strategic Planning**

EXECUTIVE SUMMARY

Council or Committee has a broad power under Section 275(1) of the *Local Government Regulation 2012* to close a meeting to the public where there are genuine reasons why the discussion on a matter should be kept confidential.

OFFICER RECOMMENDATION

That the meeting be closed to the public to discuss this matter pursuant to Section 275(1) of the *Local Government Regulation 2012*.

The reason that is applicable in this instance is as follows:

"(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage."

11 MEETING CLOSURE