



Redland
SHIRE COUNCIL

MINUTES

GENERAL MEETING

**Wednesday 26 September 2007
commencing at 4:00pm**

**Council Chambers
1st floor Administration Building
Bloomfield Street Cleveland. Qld 4163**



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1 DECLARATION OF OPENING

The Deputy Mayor declared the meeting open at 4.00pm.

2 DEVOTIONAL SEGMENT

Pastor George Gebran from the Redlands Ministers' Fellowship led Council in a brief devotional segment.

3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

Cr P J Dowling	Deputy Mayor and Councillor Division 4
Cr A G Barker	Councillor Division 1
Cr C B Ogilvie	Councillor Division 2
Cr D A Henry	Councillor Division 3
Cr J L Burns	Councillor Division 5
Cr M A Elliott	Councillor Division 7
Cr A R Beard	Councillor Division 8

EXECUTIVE LEADERSHIP GROUP:

Mrs S Rankin	Chief Executive Officer
Mr M Goode	Acting General Manager Planning & Policy
Mr R Turner	General Manager Corporate Services
Mr J Pruss	General Manager Redland Water & Waste
Mr T Donovan	Acting General Manager Customer Services

MINUTES:

Mrs J Thomas	Corporate Meetings & Registers Officer
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LEAVE OF ABSENCE:

Moved by:	Cr Beard
Seconded by:	Cr Ogilvie

That leave of absence from today's meeting be approved for Cr T Bowler.

CARRIED

APOLOGY

Cr D H Seccombe	Mayor
Cr K M Williams	Councillor Division 9
Cr H J Murray	Councillor Division 10

4 RECEIPT AND CONFIRMATION OF MINUTES

Moved by: Cr Beard
Seconded by: Cr Elliott

That the minutes of the General Meeting of Council held on 29 August 2007 be confirmed.

CARRIED

5 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES

5.1 REPORT FROM CHIEF EXECUTIVE OFFICER

5.1.1 PETITION (DIVISION 10) – REQUEST FOR NAMING OF PARK

At the General Meeting of 2 May 2007, Council resolved that petition requesting to name parkland in Fisher Road, Thorneside, be received and referred to the appropriate area of Council for consideration and report to the relevant Committee.

A report addressing this petition is proposed for the Planning and Policy Committee meeting scheduled for 17 October 2007.

5.1.2 PETITION (DIVISION 5) – REQUEST FOR ROAD UPGRADES, RUSSELL ISLAND

At the General Meeting of 27 June 2007, Council resolved that petition requesting that Council undertake some road upgrades on Vista, Taylor, Regal, Folwell, Ross and Coyne Streets, Russell Island, be received and referred to a future Planning and Policy Committee meeting.

This petition has been referred to the Infrastructure Planning Group for investigation and a report addressing this petition will be presented to the Planning and Policy Committee scheduled for 17 October 2007.

5.1.3 PETITION (DIVISION 5) – CLOSURE OF FIJI STREET, RUSSELL ISLAND

At the General Meeting of 29 August 2007, Council resolved that petition requesting the closure of Fiji Street at or near light pole number 116877 be received and referred to the Infrastructure Planning Group to investigate and prepare a report to a future Planning and Policy Committee meeting.

This petition has been referred to the Infrastructure Planning Group for investigation and a report addressing this petition will be presented to the Planning and Policy Committee scheduled for 17 October 2007.

5.1.4 RESEARCH ON THE INTRODUCTION OF CARBON MARKETS

At the General Meeting of 29 August 2007, Council resolved that a set of KPI's and accounting measures for carbon emissions and bio-sequestration be developed for a report back to Council.

A report addressing this matter will be presented to a future Planning and Policy Committee meeting.

6 PUBLIC PARTICIPATION

Nil

7 PETITIONS/PRESENTATIONS

7.1 PETITION (DIVISION 2) – REQUEST FOR NEW TOILET BLOCK AT TOONDAH

Moved by: Cr Ogilvie
Seconded by: Cr Henry

That the petition which reads as follows be received and referred to a committee or officer for consideration and a report to Council:

“We need a new toilet block at Toondah”.

CARRIED

7.2 PETITION (DIVISION 2) – REQUEST FOR COUNCIL TO RECONSIDER THE CANAL LEVY CHARGES

Moved by: Cr Ogilvie
Seconded by: Cr Burns

That the petition which reads as follows be received and referred to a committee or officer for consideration and a report to Council:

“We, the undersigned request that Council contribute 50% of the cost annually to maintain the Raby Bay canals (presently 10%). The movement of rocks in the canals and subsequent damage to the revetment walls are not caused by the residents and, as such, should be contributed more from the General Rate. The damage has been brought about by Redland Shire Council officers approving the design and construction of the canals without proper knowledge of the design requirements”.

CARRIED

7.3 PETITION (DIVISION 4) – REQUEST FOR LIGHTING – ORANGE GROVE STREET, COOCHIEMUDLO ISLAND

Moved by: Cr Beard

Seconded by: Cr Henry

That Standing Orders be suspended and that Council resolve that the petition, which reads as follows, be received and forwarded onto the relevant area of Council:

“We, the undersigned, which is the vast majority of the residents of Orange Grove Street on Coochiemudlo Island, request that the lighting be improved on our street. The street currently does not have any street lighting or footpaths. We believe that improving the lighting, via the addition of street light/s in our street is a cost effective way to help us avoid injuries to ourselves and visitors to the street, avoid injuries to our and visitor’s children, and help us avoid killing or injuring the local wildlife.”.

CARRIED**7.4 PETITION (DIVISION 4) – REQUEST FOR ROADWORKS – OOYAN STREET, COOCHIEMUDLO ISLAND**

Moved by: Cr Beard

Seconded by: Cr Barker

That the petition which reads as follows be received and referred to the appropriate area of Council for consideration and a report to a future Planning and Policy Committee meeting:

“We the undersigned respectively petition the Redland Shire Council to include Ooyan Street in the current roadworks program”.

CARRIED**7.5 PETITION (DIVISION 3) – REQUEST FOR BUS SHELTER WITH SEAT, DINWOODIE ROAD, THORNLANDS**

Moved by: Cr Henry

Seconded by: Cr Elliott

That the petition which reads as follows be received and referred to the appropriate officer for consideration:

“The residents of Lake Sherrin have asked that a letter is written again to you regarding our previous request to have installed a bus shelter with

seat on the eastern side of Dinwoodie Road opposite the entrance driveway to Lake Sherrin. The stop has recently been identified with a "Bus Stop" sign.

Whilst waiting for the bus to Victoria Point Shopping Centre many elderly people need to stand and wait as long as 20 minutes because the bus is often late, and it is very tiring for senior citizens to stand for any length of time. With summer fast approaching people need not only shade from the heat, but shelter from the rain.

Council's assistance in this matter would be appreciated by all who choose to live in this lovely area of the Redlands".

CARRIED

7.6 PRESENTATION (CR BARKER)

Cr Barker presented to Council, a plaque from Queensland Police in appreciation of Council's assistance and support for the Queensland Police Games – 2007.

8 MOTION TO ALTER THE ORDER OF BUSINESS

Moved by: Cr Elliott
Seconded by: Cr Ogilvie

That the late report *Request for Statement of Reason under the Judicial Review Act* be received and discussed as a Direct to Council report.

CARRIED

9 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEMS OF BUSINESS

Nil

10 PLANNING & POLICY COMMITTEE 12/09/07 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Burns
Seconded by: Cr Barker

That the following Planning & Policy Committee Report of 12 September 2007 be received.

CARRIED

DECLARATION OF OPENING

Cr Burns declared the meeting open at 9.00 am.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Members Present

Cr J L Burns	Chair and Councillor Division 5
Cr D H Seccombe	Mayor
Cr A G Barker	Councillor Division 1
Cr C B Ogilvie	Councillor Division 2
Cr D A Henry	Councillor Division 3
Cr P J Dowling	Deputy Mayor and Councillor Division 4
Cr M A Elliott	Councillor Division 7
Cr A R Beard	Councillor Division 8
Cr K M Williams	Councillor Division 9
Cr H J Murray	Councillor Division 10

Committee Manager

Mr G Underwood	General Manager Planning and Policy
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Officers

Mr K Phillips	Manager Financial Services
Mr W Dawson	Manager Land Use Planning
Mr G Photinos	Manager Environmental Management
Mr S Fitzsimmons	Adviser Biodiversity Planning
Ms A Wright	Senior Advisor Urban Parkland Management
Ms R Bonnin	Manager Community and Social Planning
Mr T Green	Senior Advisor Environmental Health
Mr D Carter	Senior Advisor Natural Area Management

Minutes

Mrs J Thomas	Corporate Meetings & Registers Officer
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Apology

Moved by: Cr Murray
Seconded by: Cr Ogilvie

That the apology from today's meeting be approved for Cr T Bowler.

CARRIED

PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

Cr Dowling left the meeting at 10.15 am start of item 3.2 and returned at 10.20 am during general business. Cr Burns vacated the chair at 10.21 am during general business. Cr Dowling presided over the remainder of the meeting. Cr Burns returned to the meeting at 10.30 am during general business. Cr Burns left the meeting at 10.41 am end of general business and returned at 10.51 am during closed session. Cr Elliott left the meeting at 10.46 am during closed session. Cr Ogilvie left the meeting at 10.51 am during closed session and returned at 10.55 am during closed session. Cr Ogilvie left the meeting at 10.57 am during closed session. Cr Burns left the meeting at 10.59 am during closed session and returned at 11.21 am during closed session.

10.1 CORPORATE SERVICES

10.1.1 NON CURRENT ASSET DISPOSALS

Datworks Filename: Asset Management Policy
Responsible Officer Name: Kerry Phillips
Manager Financial Services
Author Name: John Hunter
Service Manager Corporate Asset Information

EXECUTIVE SUMMARY

The purpose of this report is for Council to review and to consider for authorisation, the write-off of Computers and other assets (\$648,771.25), Parks assets (\$2,837,005.79), Car Park assets (\$979,574.82) and Wastewater Pump Station assets (\$688,315.82) that have been disposed that exceed Council Officers' financial delegation write-off limits.

The lists of assets totalling to these amounts have been reviewed to date as follows:

- Computers and other assets – General Manager Corporate Services
- Parks – General Manager Customer Services and Chief Executive Officer
- Car Parks – Group Manager O&M, General Manager Customer Services and the Chief Executive Officer
- Wastewater Pump Stations – General Manager Redland Water and Waste and the Chief Executive Officer.

Each of the four asset write-off amounts exceed the financial delegation levels for disposals of the Group Managers (\$55,000 to \$110,000), General Managers (\$250,000) and the Chief Executive Officer (\$500,000).

To maintain strong internal controls and for auditing, it is important the amounts presented for write-off (that exceed the Manager's financial delegation thresholds) be reviewed and considered by Council for approval.

PURPOSE

The purpose is to recommend to Council to review and to consider for authorisation the write-off of Computers and other assets (\$648,771.25), Parks assets (\$2,837,005.79), Car Park assets (\$979,574.82) and Wastewater Pump Station assets (\$688,315.62).

BACKGROUND

After its formation on 01/07/05, Council's Corporate Asset Information Team (CAIT) identified non-current asset disposal processes needed strengthening to conform to the *Local Government Act 1993*, and to enhance corporate governance and internal control.

A report was presented to the 26/04/06 General Meeting, where Council resolved under section 472 of the *Local Government Act 1993* to delegate to the Chief Executive Officer:

- Other than land, the authority to identify, retire and to approve error adjustments from previous years that have a financial implication to non-current asset balances
- That the Chief Executive Officer may exercise these powers up to the Chief Executive Officer's approved financial delegation limit.

Under section 1132 of the *Local Government Act 1993*, the Chief Executive Officer was authorised to sub-delegate the authority outlined above to the relevant Council Officers.

This power was sub-delegated to the Group and General Managers according to their procurement financial delegation levels listed previously. The levels specifically relate to the maximum monthly totals for asset write-offs processed.

ISSUES

The Computer and other asset write-offs relate to items that have been recorded in the Finance One Fixed Asset Register. The items for write-off have a value that were under the financial threshold, or were under the financial threshold upon the threshold value being raised. Internal Audit requested that the assets be retired for 2006/2007. Stock takes for this category of assets are and will be carried out every year.

The Parks asset disposals resulted from a large, Council-wide stock take of Parks. Items such as play equipment, barbecues, tables, seats, shelters and gazebos were disposed. It is anticipated that future stock takes will occur simultaneously with regular asset maintenance inspections. Procedure PR-2528-001-002 (Non - current stock take scheduling) requires formal stock takes to be performed during 2008/2009 and 2009/2010. With scheduled stock taking, it is unlikely there will be stock take adjustments of this magnitude in future years.

The stocktake of Car Parks had never previously been formally undertaken. Some of the reasons for the write-offs include:

- Some car parks belonging to QR and not to Council (e.g. Thorneside and Cleveland Railway Station car parks, which were confirmed with QR).
- Duplications (e.g. Grandview Hotel car park which is Council owned and had been recorded twice).
- Items recorded in two asset registers such as the Benfer Rd extension roadway and the drop off area adjacent to the Victoria Point High School.

Procedure PR-2528-001-002 requires Car Park stock takes to be scheduled during 2007/2008, 2008/2009, and 2009/2010. It is not expected there will be further large write-offs. Future stock takes will verify car park existence and importantly their

spatial coordinates and measurements, for asset integrity purposes. During these years, additional Council assets including Car Park lighting will be verified by stock take.

A stock take of the RWW Pump Stations was undertaken and many pumps and motors had been disposed. The next scheduled stock take is during 2008/2009.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to ensure the long term financial viability of the Shire and to provide public accountability in financial management.

FINANCIAL IMPLICATIONS

A table of the write-offs with replacement values/costs, written down values and % of WDV's write off amount for the asset general type is included on the following table:

Asset type	Cost	WDV	% WDV of the asset type
Computers and other	648,771.25	63,800.69	0.39%
Parks	2,837,005.79	864,427.43	2.83%
Car Parks	979,574.82	621,651.25	4.65%
RWW Pump Stations	688,315.62	154,337.65	0.05%
Total/Weighted Ave	5,153,667.48	1,704,217.02	0.48%

The authority to write-off assets is vested through the *Local Government Act 1993*. It is essential Managers authorise disposals within the Council endorsed financial delegation disposal thresholds. If write-offs exceed Managers financial delegations, the authorisation must be through Council, allowing transparency in the financial aspect of asset write-offs.

PLANNING SCHEME IMPLICATIONS

It is not considered that the outcome of recommendations in this report will require any amendments to the Redlands Planning Scheme.

CONSULTATION

The Manager Financial Services and the General Manager Corporate Services were consulted for their advice. It was agreed at that time that a report be prepared for the next Council Meeting (Planning and Policy dated 12 September 2007).

OPTIONS

PREFERRED

That Council resolve:

To approve the write-offs for Computers and other assets, Parks, Car Parks and Pump Station assets for a gross cost/replacement value of \$5,153,667.48 and a

written down value of \$1,704,217.02 that falls outside of Managers' delegated financial limits.

ALTERNATIVE

There is no alternative to seeking Council approval as it is a legislative requirement that all Council Officers act within the authority delegated under section 472 and section 1132 of the *Local Government Act 1993*.

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Burns
Seconded by: Cr Barker

That Council resolve to approve the write-offs for Computers and other assets, Parks and Car Parks for a combined gross cost/replacement value of \$5,153,667.48 and a written down value of \$1,704,217.02 that fall outside of Council Managers' delegated financial disposal limits.

CARRIED

10.2 CUSTOMER SERVICES

10.2.1 PROVISION OF IRRIGATION & SEATING - CCBF DIVISION 7

Dataworks Filename: G&S Community Benefit Fund
Responsible Officer Name: Neil Kesur
Services Manager Parks & Conservation
Author Name: Bill McDowell
Senior Advisor Urban Landscape

EXECUTIVE SUMMARY

Council annually allocates in its budget an amount for discretionary spending by Divisional Councillors known as the Councillors' Community Benefit Fund (CCBF). All requests for funding individual projects with a greater expenditure than \$5,000 requires approval from Council.

This request is for an amount of \$15,000.00 (GST exclusive) to be allocated for a contribution towards the provision of a new irrigation system and new seating in Keith Surridge Park, Alexandra Hills.

PURPOSE

The purpose of this report is to seek approval from Council for an allocation from the Division 7 portion of the CCBF of \$15,000.00 (GST exclusive) for the provision of a contribution towards the provision of a new irrigation system and new seating in Keith Surridge Park, Alexandra Hills.

BACKGROUND

During the process of sportsfield inspections of the playing field at Keith Surridge Park, staff from Parks & Conservation determined that the existing irrigation system has exceeded its useful life. It has been reported that consistent breakdowns have been occurring with regular water leakages.

Councillor for Division 7 has been receiving regular public comment on the poor performance of the existing system.

ISSUES

Parks & Conservation advised the Divisional Councillor of the need to upgrade the playing field as part of the 2007/08 Sportsfield Renovation Program. The upgrade program will include weed eradication, soil amendments, fertilizing and topdressing. As part of this upgrade program, the new irrigation system would be required to be installed prior to these works being implemented.

The Divisional Councillor indicated his support for this upgrade of the playing field and confirmed this with an offer of a \$10,000.00 contribution from the Community Benefit Fund towards the installation of the new irrigation system.

During this consultation, it was also identified that more seating and a replacement table and seat combination for spectators was required. The Councillor for Division 7 requested the installation of park furniture utilising a further \$5,000.00 contribution from the Community Benefit Fund.

Quotations for the new irrigation system were sought by Parks & Conservation. Three quotations were received from licensed irrigation contractors. The recommended contractor has supplied a quote with the total cost of \$40,024.69 (GST exclusive).

For the supply and installation of seats and a replacement table and seat combination, Parks & Conservation will use the services of contractors on Council's Pre Qualified Suppliers List. Six new seats will be installed on concrete slabs and the table & seat combination installed on an existing concrete slab.

Other costs associated with the installation of the irrigation system and park furniture will be supplied from the Parks & Conservation 2007-08 budget for Sportsfield Renovation and Park Infrastructure Upgrade.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to "Build safe, strong and self reliant communities with access to community services, infrastructure and opportunities for participation in community life".

FINANCIAL IMPLICATIONS

The Division 7 Councillor supports this project and has sufficient funds to allocate an amount of \$15,000 (GST exclusive) from the Division 7 portion of the CCBF.

Additional funding to complete the project will be supplied from Parks & Conservation's approved capital and operational budgets for 2007-08.

PLANNING SCHEME IMPLICATIONS

It is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

The Services Manager, Parks & Conservation and Turf Services Officer have consulted with the Division 7 Councillor to advise the intended upgrade of this sportsfield.

The Irrigation Technical Officer has been consulted and was instrumental in securing the quotations for the project.

OPTIONS

PREFERRED

That Council resolve to approve an allocation of \$15,000.00 (GST exclusive) from the Division 7 portion of the Councillors' Community Benefit Fund for the supply and installation of a new irrigation system and additional park furniture for Keith Surridge Park, Alexandra Hills.

ALTERNATIVE

That Council not approve the allocation of \$15,000.00 (GST exclusive) for this project.

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Burns
Seconded by: Cr Barker

That Council resolve to approve an allocation of \$15,000.00 (GST exclusive) from the Division 7 portion of the Councillors' Community Benefit Fund for the supply and installation of a new irrigation system and additional park furniture for Keith Surridge Park, Alexandra Hills.

CARRIED

10.3 PLANNING AND POLICY

10.3.1 PROPOSED POLICY FOR NAMING PARKS AND TRACKS

Datworks Filename:	Parks and Reserves Naming
Attachments:	<u>Park Naming, Memorials & Tribute Policy 3068</u> <u>Tribute Bench Guidelines GL-3068-001</u> <u>Assessment for Street Names Guideline GL-3012-002</u>
Responsible Officer Name:	Gary Photinos Manager, Environmental Management Group
Author Name:	Gary Photinos Manager, Environmental Management

EXECUTIVE SUMMARY

Council currently receives many requests for naming of parks and furniture within parks. An informal naming protocol has existed for some time and it now seems appropriate to formalise the naming of parks with a policy.

It is also proposed that Council consider the introduction of a Tribute Bench and Tree program in local parks with the costs fully recovered by means a donation.

PURPOSE

That Council resolve to adopt a policy position of the naming of Parks and Tracks in Redland Shire.

BACKGROUND

- Council receives numerous requests from the community to name parks and under the provisions of Council's Local Law 15 (Parks and Reserves) 1999, mostly to honour individuals. Council has the discretion to name parks by resolution under the provisions of the local law.
- The informal park naming protocol that Council has been observing to date, is based on the naming of district and regional level parks to be named after natural features (living or non-living) of the area i.e. animals, plants and geographical features. The naming of parks to memorialise persons has recently been primarily in local parks only.
- Most recently an informal Councillor's request has been made to name a major pathway through the Shire.
- The proposed park and track naming policy is intended to formalise the existing position.

ISSUES

STATE LEGISLATIVE REQUIREMENTS

An official place name may be given to any geographical feature or area of land in Queensland, which is deemed by the Minister of Natural Resources under the provisions of the *Place Names Act 1994*.

The purpose of the Act is to provide orderly development of place naming proposals for features and areas within the State. The Act does not apply to the naming of streets, roads, canals in water front developments, highways or freeways, national parks and state forests. The naming of these features is the responsibility of the relevant local government or state government department.

Council has the discretion to assign place names for its parks and reserves under the provisions of Local Law 15 (Parks and Reserves) 1999.

CURRENT NAMING PROCESS

Local Law 15 (Parks and Reserves) 1999 states that when naming parks and reserves Council will give consideration to whether the proposed name is associated with the Shire and the name being at Council's discretion.

Council recently has demonstrated a preference to name parks, mainly conservation parks, after natural features specifically for parks which are classified district and regional. Where park naming requests are associated with local parks, Council has had a preference to name these parks after individuals or families. Regional and district sports parks of late have been named to recognise the main activity undertaken such as the Redlands Baseball Park.

The normal default for naming parks where no formal approval has been made is to assign the adjacent major street name to the park or conservation area. Examples of this default position are Ford Road Conservation Area, Bronson Drive Park, and O'Gorman Street Park.

There has also been a position of naming ovals or fields within a park. This is usually helpful in multiple field/oval parks where fixtures are being conducted and naming assists visitors to orientate themselves within a park. Council has in some instances formally named ovals or fields within a park and in other instances the clubs have named this field or oval.

It should also be acknowledged that the promotion of local identities is provided through naming streets based on significant historical or geographical features. This process sometimes allows for the duplication of place names in both streets and parks. Examples of this occur with Henry Zeigenfusz Park and Zeigenfusz Road. However, there is no formal policy position for street naming. This may be considered appropriate in exceptional circumstances.

POLICY ISSUES

POINT OF REFERENCE

The naming of parks, places, streets and tracks within reserves is important so that visitors to the area can orientate themselves, is vital for Emergency Services so that they can quickly and efficiently find a specific location for the delivery of services.

BRANDING AND MARKETING

Naming provides an opportunity to

- promote the shire, raise and build awareness of park and track facilities
- promote the unique attributes of our shire,
- Improve recognition of the many strategic priorities, policy initiatives, programmes delivered by this Council,
- Promote Redlands as an ideal place to live, visit, and to sustain its vibrant lifestyle.

USE OF INDIGENOUS TERMS AND NAMES

Aboriginal language has been used in place naming, but very few Aboriginal Persons names are used in naming protocols. Most recently Council has accepted a place name based on protection the cultural heritage of the old Myora Mission site at Dunwich by naming it the Terra Bulla Leumeah Conservation Area.

Aboriginal areas and Aboriginal persons names use will require consultation and consent of the appropriate Aboriginal people.

MEMORIALS VERSUS TRIBUTES

There are risks associated with naming places after individuals. In most cases, living individuals are not used for place names due to the inherent fallibilities of individuals that may occur.

Experience within Council and in other jurisdictions shows those proposals to name after a living person invariably leads to divisions in the community. Australian guidelines for naming refer to naming of living persons "only in very exceptional circumstances".

The question that is raised is whether we are memorialising or providing tributes for outstanding community effort by individuals.

Memorialising individuals in most jurisdictions is reserved for cemeteries and or similar facilities such as monuments that have been placed on public parkland. War memorials and monuments are an important feature in our public parklands and provide ongoing community, cultural and social engagement with parks.

The alternative to memorials is a tribute that can apply to individuals both living and deceased for outstanding contributions.

STREET NAMING

Council currently has a Property Identification Policy (POL 3012) which states that street names in new land estates are appropriate and suitable for property identification purposes. Applicants of development applications for reconfiguration of a lot are subsequently required by council guidelines to submit 1 preferred and 2 alternative street names for each street in a development.

The naming protocol is based on the promotion of local identity based on significant historical or geographical features or the views held by the Mayor or the divisional councillor on behalf of local residents.

There are other administrative issues such as making sure the names are not confusing or duplicated, that they maintain a particular theme, such as wines or Melbourne Cup winners, and that the street's designation complies with its function within the overall road network.

Guidelines for naming of roads in other jurisdictions have preferred sources for road names based on:

- Aboriginal names,
- Local history
- Early explorers, pioneers, settlers and other eminent persons
- War/casualty lists
- Thematic names such as flora, fauna or ships.
- Property owners names where a development takes place.

MEMORIALS AND PLAQUES

Council has resisted for some time the placement of memorials or plaques in parks or public places to mark significant occasions. Most memorials take the form of a seat, shelter, fence or the like.

The placing of numerous memorial tables, seats etc and plaques in public places would not usually be in keeping with the management principles for these areas and would distract from their natural setting.

In addition, the cost of maintaining these memorials and plaques is transferred to Council. Many memorials and plaques lose their appearance, interest, usefulness and relevance over time, however their removal due to their condition may create sensitivities in the community. Council would therefore feel obligated to restore these memorials or plaques to overcome these sensitivities.

A memorial or plaque's cultural significance might continue to be recognised either through a replacement interpretive sign or it may be recognised in a museum collection.

TRIBUTE BENCHES AND TREES

There is a case study of a Canadian Council's response to memorials and plaques and it is based on accepting donations for tribute benches and trees.

West Vancouver Municipality accepts donations for tribute benches in its parks subject to its policies and procedures. Currently they charge \$2500 per bench to cover the costs of capital and operating expenses for a 10 year period. Donations for tribute benches are accepted provided that:

- The park or open space in question has space for a bench in accordance with embellishment standards for that park,
- Payment in full is received prior to the bench being ordered and acknowledging that it may take up to 3 months to provide the bench,
- The wording on the plaque conforms to current inscription guidelines.

The donation of a tribute bench in no way constitutes ownership of the item by the donor, nor the land upon which it is situated, or the surrounding lands. The Municipality retains the right to use the land adjacent to these donated items as it deems appropriate, up to and including the moving of the tribute bench to another location. Donated benches are not intended as memorials. Donations do not give the right for the scattering or interment of cremated remains nor the placement or attachment of objects on or adjacent to the bench.

Tribute bench donation is accepted on the basis that the bench is maintained by the Municipality for 10 years only. After 10 years, the term or contract has expired. The original tribute bench donor is contacted and offered the opportunity to donate another bench at the then current price in the same location. If the bench is damaged, destroyed or defaced to an extent that it needs to be replaced, that will be done at no cost to the donor.

The inscription guidelines are very strict to ensure that memorials are not created. Any person who wishes to make a memorial is directed to the cemetery. The inscriptions guidelines further prescribe that dates that indicate lifetime may not be used and wording must be in the present tense to keep the theme of inscriptions uplifting, while still honouring the person who is the subject of the donation. Wording must be approved by the Parks Department. A maximum of three lines and 36 characters or 12 words per line is set and the size of the plaque is restricted to 20 mm high by 50mm wide which is provided by the Municipality. Samples of approved inscriptions are:

- Ron Steward
Sharing your Love of mountains and Sea.
- Jake Ingram
Come sit with me
and rest awhile.

- Measure your age not in years
but by the friends you've made
Edith Phillips

The Tribute Tree program is very much the same but is administered through a service club to allow tax deductibility.

POLICY POSITIONS PROPOSED

PRELIMINARY NAMING

As a general rule, parks and reserves will be named after the most relevant street frontage when they are created.

DUPLICATION OF NAMES TO BE AVOIDED UNLESS UNDER VERY EXCEPTIONAL CIRCUMSTANCES

Duplication of park names should be avoided. There may be cases of commemorative naming where the name has been used to name other facilities or features in the area in dedication to the same person, group or family. Duplication of names in this regard should be avoided. For example naming of a local park in honour of a person would be less favourable if the local hall or nearby road has already been named after the same person.

There are however, very exceptional circumstances where such duplication would be considered appropriate, and this has occurred in the shire on previous occasions.

REGIONAL AND DISTRICT SPORTS PARKS

These parks will be named by Council to identify the main sporting use eg Redlands Baseball Park. There are opportunities to sub name fields and ovals within multi field parks and this can be delegated to predominate clubs and these names should not be used as place names. There should not be any sub naming of ovals or fields within parks with only one oval or field.

REGIONAL AND DISTRICT RECREATIONAL AND CONSERVATION PARKS

High profile regional and district parks will be named to reflect the natural or geographical features, significant flora or fauna of the park. Where an opportunity to recognise heritage of Aboriginal names or Post European names exists then a dual name will be considered. Such a proposal will require consultation with and consent of the most relevant local indigenous community group or other relevant group.

TRIBUTE NAMING OF LOCAL PARKS ONLY

To recognise the work and activities of community volunteers who have provided an outstanding service to the community, it is proposed that local recreational parks will be considered for tribute naming only. There may be very exceptional circumstances where consideration may be given to the naming of district parks.

Tribute naming will only be considered in exceptional circumstances to recognize individuals for their eminence and exceptional endeavours associated with the community such as:

- Provided extensive community service,
- Worked to foster equality and reduce discrimination,
- Risked his/her life to save others,
- Prior ownership for a significant period of time,
- Made a significant financial or non financial contribution to the park.

Memorial inscriptions will not be allowed.

GIFTED OR BEQUEATHED LAND

Where a property has been gifted or bequeathed (not including land dedicated as part of a development application) consideration will be given to any request for this land that forms part or the whole of a local park to bear the personal name of the benefactor.

Where the land forms part or a whole of a district or regional park or reserve may be informally assigned the personal name of the benefactor. On site acknowledgement may take the form of a standard RSC sign bearing the benefactor's personal name and an explanation of the person's connection to the area.

STREET NAMING

That the current naming protocol for street name based on the promotion of local identity based on significant historical or geographical features be replaced with:

- Aboriginal names and/or Aboriginal persons names,
- Local history
- Early explorers, pioneers, settlers and other eminent persons
- War/casualty lists
- Appropriate thematic names for flora and fauna.
- The property owner's name where a development takes place.

These changes have been reflected in the revised Assessment for Street Names Guidelines GL- 3012-002 which appears in the attachment.

CYCLEWAYS FOR TOURISM OR COMMUTER USE

Paths, cycleways or greenways should be restricted to destination type naming to help people understand the purpose of the track, or path and provide an awareness of the alternative transport opportunities provided by that path.

For instance the Alexandra Hills Regional Track clearly articulates the purpose and destination of this important new infrastructure. It would indicate that it connects Alexandra Hills to the region. It would also provide a suitable platform for the launch of the Mt Cotton Regional Track (Pt Talburpin to Daisy Hill) and the Thornlands Regional Track (Wellington Point via Hilliards Creek)

There is also the tourist connotation associated with some of these cycleways. The Moreton Bay Cycleway from Bribie Island to Redland Bay is being developed as an economic generator due to its tourism potential. A sub name of this cycleway which provides local identity is the Eddie Santagiuliana Way.

It is recognised that there will be some exceptions to “destination” naming in very exceptional circumstances.

MEMORIALS OR PLAQUES

It is proposed that no memorials or plaques be allowed in any parks or reserves or on any furniture or park features. As an alternative position, Council would consider the tribute bench and tree program.

Where an existing memorial or plaque has been provided and has deteriorated or become outdated, it will be removed. Where there is still significant community expectation to provide something, an interpretative sign will be provided. Alternatively, the memorial or plaque may be recognised in a museum collection.

COST RECOVERY

It is considered appropriate that Council recover all costs associated with tribute naming, whether it is a local park, bench or tree.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to ensure the enhancement of koala & wildlife habitat including bushland, greenspace, waterways, catchments, air & coastal ecosystems.

FINANCIAL IMPLICATIONS

Based on a full cost recovery model associated with tribute naming the following fees and charges would need to apply to:

- Tribute Naming Sign for Local Recreational Parks based on the Council signage manual currently costs would be \$1900 which includes the supply and installation of a sign. No costs have been apportioned for ongoing maintenance.
- For the supply, installation and 10 year maintenance of tribute park bench which meets Council's specifications the costs are currently \$2600. This cost is based on the initial cost of \$900 for supply and installation of the bench, \$400 for the supply, installation and engraving of a plaque, and then a 10% cost per year for 10 years of maintenance.

Should Council decide to not apply full cost recovery to the implementation of the tribute naming program for local recreational parks, tribute benches and tribute trees, then the subsidisation of the program from general revenue will be determined by the level of subsidy that is determined by Council. There is currently no budget allocation for such a program.

CONSULTATION

A discussion paper on Naming of Parks, Places, Streets and Tracks was prepared and distributed to the Mayor and Councillors on 26 June 2007.

In addition, the discussion paper was also distributed to the following Council Officers:

- Managers Assessment Services, Communications and Marketing, Community and Customer Services, Community and Social Planning, Economic Development, Infrastructure Planning, Major Developments, Operations and Maintenance, Land Use Planning,
- Principal Advisor Urban and Rural Planning, Senior Advisor Environmental Planning, Parks and Conservation Services Manager, Senior Conservation Officer, Environmental Education Services Manager, Senior Advisor Cycling and Public Transport, and Senior Advisor Cultural Services.

The General Manager Planning and Policy Department, Manager Operations and Maintenance, Manager Customer and Community Services, Manager Communications and Marketing, Senior Advisor Cycling and Public Transport all responded and provided agreement on the proposed policy position recommended.

Councillor Helen Murray provided a detailed written response to the discussion paper. Her understanding of the naming protocol for local parks and reserves in the past has been to:

1. Recognise local worthy people while they are living as well as deceased.
2. Recognise worthy people as those who have given much voluntarily and who are not currently doing business with Council. (generally they need to be retired)
3. Recognise Councillors/Politicians after they had retired from their positions.
4. Recognise local history or heritage/environment as appropriate.
5. Recognise any of the above subject to an informal petition from the community with supporting research.

Cr Murray has suggested that this informal protocol has generally been used in the past 16 years and believes that Council needs to take a look at the age people are living to and realise that the proposal to wait for people to die is discriminatory.

Cr John Burns in his written submission stated that if a park needs to be named and a Councillor puts it up and it gets supported by Council then he believes that is what the policy should be. He will only support an open ended policy, not a restricted one.

Cr Craig Ogilvie submitted that the West Vancouver Model for Tribute naming would work fine in Redland Shire.

The Mayor, Cr Don Seccombe provided a detailed submission. The Mayor provided general agreement for the proposed policy position with the following comments:

- He does not agree that with the discussion paper that naming should be restricted to deceased persons and that living person's name should be considered. Where the discussion paper suggested that duplication of park names should be avoided, he commented that some duplication would be acceptable in special and worthy circumstances.
- The Mayor also mentioned that the proposed dual naming protocol for regional and district conservation parks should in addition to recognising Aboriginal heritage, should recognise post European heritage. Tribute naming for local recreational parks is agreed however, tribute naming for district parks should be considered in special circumstances.
- In response to the prohibition of memorials and plaques, he indicated support for memorial benches in specific parks, for instance on Macleay Island near the Emergency Services Building. One bench can carry a number of names but it should only include the names of very exceptional individuals so the bench could last a lifetime.

OPTIONS

PREFERRED

That Council resolve to:

- (1) Adopt Corporate Policy POL-3068, Park Naming, Memorials and Tributes.
- (2) Introduce a tribute bench program and apply a charge of \$2600 which will be administered in accordance with relevant Corporate Guidelines.

ALTERNATIVE

That Council resolve to defer consideration of a policy position relating to park naming, memorials and tributes until such time as more information as directed by Council is provided.

OFFICER'S RECOMMENDATION

That Council resolve to:

- (a) Adopt Corporate Policy POL-3068, Park Naming, Memorials and Tributes; and
- (b) Introduce a tribute bench program and apply a charge of \$2600 which will be administered in accordance with relevant Corporate Guidelines.

PROPOSED MOTION

That the Officer's Recommendation be adopted with an amendment to dot point 4 of the Corporate Policy POL-3068 to read as follows:

- "4. Conservation parks and pathways to be permitted to be named or renamed after person/s whom the community highly recognises".

The motion lapsed for want of a seconder.

COMMITTEE RECOMMENDATION

That Council resolve to:

1. Adopt Corporate Policy POL-3068, Park Naming, Memorials and Tributes; and
2. Give further consideration to a tribute bench program that incorporates true recognition of community contribution to a local area by an individual or organisation, as well as the proposed guideline.

ADDENDUM – 24 SEPTEMBER 2007

Following presentation of this matter at the Planning and Policy Committee meeting of 12 September 2007, Council officers revised the tribute park bench guideline document to incorporate another category of park bench which Council could nominate for individuals or organisations to provide recognition for their community contribution.

The tribute park bench guideline has subsequently been revised and now incorporates a "Requested Tribute Park Bench" which attracts a fee of \$2,600 and a "Council Nominated Tribute Park Bench" which is provided free of charge by Council. A revised Recommendation is presented to Council for consideration.

**REVISED RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Burns
Seconded by: Cr Barker

That Council resolve as follows:

- 1. That Corporate Policy POL-3068 - Park Naming, Memorials and Tributes, as attached, be adopted;**
- 2. To introduce a Tribute Park Bench Program that incorporates recognition of community contribution to a local area by an individual or organisation, which will be administered in accordance with the relevant corporate guidelines;**
- 3. To set and apply a charge of \$2,600 for "Requested Tribute Park Benches" and include this new charge within Council's Fees and Charges schedule.**

CARRIED

10.3.2 PROPOSED AMENDMENT OF LOCAL LAW NO. 2 (KEEPING AND CONTROL OF ANIMALS)

Datworks Filename: Local Law No. 2 (Keeping and Control of Animals)

Attachment: [State Interest Check Minister's Comments](#)
[Amendment Local Law](#)
[Subordinate Local Law](#)

Responsible Officer Name: Roberta Bonnin
Manager Community and Social Planning

Author Name: Trevor Green
Senior Advisor Environmental Health

EXECUTIVE SUMMARY

This report presents the proposed animal management amendment local law and subordinate local law for making by Council.

Council is seeking to amend the Local Law and Subordinate Local Law for the keeping and control of animals, to enhance the management of koala / wildlife interactions with dogs and cats, with subsequent greater protection of the Shire's koala and wildlife populations.

Additionally, a number of amendments have also been recommended to upgrade the laws to reflect the changing needs of the Redlands and contemporary animal management local law making practices.

The amendment process has been conducted in accordance with the requirements of the *Local Government Act 1993*.

At the General Meeting 2nd May 2007 Council resolved to accept the Second Public Consultation Submission Review; to implement the recommendations of the Public Interest Test Report, to proceed with the making of the amendment local law and to refer the amendment local law to the Minister for a second State Interest Check.

The second State Interest Check has one comment relating to the administration of the proposed law and as such does not change Council's agreed direction for the local law. The amendment local law has been redrafted in accordance with the Ministers comments.

The proposed amendment local law and subordinate local law are now presented to Council for making.

PURPOSE

1. To propose that Council resolve to satisfy the comment about the content of Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007, advised by the Minister for Local Government Planning and Sport in
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the State Interest Comments attached to the letter from the Minister to Council dated 2 August 2007, as attached;

2. To propose that Council resolve to make Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007, as advertised but amended as follows:

- a. section 5(8) after the definition of “**chief executive officer**”—

insert—

“**General Complaints Process Policy**” means the policy which sets out the general complaints process implemented by the local government in accordance with the *Local Government Act 1993*;’;

- b. section 43 (Insertion of new pt 5A), new sections 42C and 42D—

omit, insert—

‘Carrying out review

42C.

The local government must carry out the review in accordance with the local government’s General Complaints Process Policy.’.

3. To propose that Council resolve to make Redland Shire Council Subordinate Local Law No. 2 (Animal Management) 2007, as advertised.

Redland Shire Council Subordinate Local Law No. 2 (Animal Management) 2007 repeals Redland Shire Local Government Local Law No. 2 Keeping and Control of Animals Subordinate Local Law.

BACKGROUND

Council is seeking to amend the Local Law and Subordinate Local Law for the keeping and control of animals and to protect the Redland Shire’s koala and wildlife populations by managing koala / wildlife interactions with dogs and cats, with subsequent greater protection of the Shire’s koala and wildlife populations.

Additionally, as it has been a number of years since the laws have been amended, a number of amendments have been recommended to upgrade the laws to reflect the changing needs of the Redlands and contemporary animal management local law making practices.

The amendment process has been conducted in accordance with the requirements of the *Local Government Act 1993* and has included two State Interest Checks and two public consultation processes.

At the General Meeting 2nd May 2007 Council resolved:

1. To accept the Second Public Consultation Submission Review;
2. That pursuant to section 891 of the Local Government Act 1993, Council resolve to implement the recommendations of the Public Interest Test Report about Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No 1) 2007 (previously Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No 1) 2006) and Redland Shire Council Subordinate Local Law No 2 (Animal Management) 2007 (previously Redland Shire Council Subordinate Local Law No 2 (Animal Management) 2006);
3. To proceed with the making of Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No 1) 2007 (previously Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No 1) 2006) as advertised; and
4. To again ensure that Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No 1) 2007 (previously Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No 1) 2006) satisfactorily deals with any State interest in accordance with the requirements of section 872 of the Local Government Act 1993 and, in particular, advise the Minister of Council's decision under step 6 of the other local law making process.

The draft amendment local law was subsequently referred to the Minister, with the Minister's response received 3rd August 2007.

ISSUES

Second State Interest Check

The Minister's comments have been reviewed by the Manager Community and Social Planning, Manager Legal Services, Senior Advisor Environmental Health and King and Company Solicitors.

The second State Interest Check has one new comment (attached). This comment relates to the overall process of when a person can apply to Council for a review of a decision made under the local law. This is a new matter relating to a change in requirements under the Local Government Act 1993, which was introduced after the first State Interest Check. Amendment of the draft amendment local law to address the Minister's comment is considered appropriate and does not change Council's agreed direction for the local law.

The amendment local law has been redrafted in accordance with the Minister's comment. Under section 872 of the Local Government Act 1993, Council may proceed further in making the proposed local law.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to build safe, strong and self reliant communities with access to community services, infrastructure and opportunities for participation in community life.

The recommendations also support Council's strategic priority to ensure the enhancement of biodiversity including koala habitat, bushland, greenspace, waterways, catchments, air and coastal ecosystems in recognition of our unique location on Moreton Bay.

FINANCIAL IMPLICATIONS

As previously advised at the General Meeting 31 May 2006, Item 10.1.5:

- While it is not envisaged at this time that the implementation projects will require additional full time resourcing for Animal Management, temporary or part time staff may be required. Animal Management will review the effects of the new provisions on their workload after six months and will request additional resourcing if required.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation has occurred with Council's Legal Services Group, King and Company Solicitors and the Department of Local Government, Planning, Sport and Recreation.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To address the comment about the content of Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007, advised by the Minister for Local Government Planning and Sport in the State Interest Comments attached to the letter from the Minister to Council dated 2 August 2007, by amending Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007 as detailed in resolution 2.
2. To make Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007 as advertised but amended as follows:-

(a) section 5(8) after the definition of "chief executive officer"—

insert—

"General Complaints Process Policy" means the policy which sets out the general complaints process implemented by the local government in accordance with the *Local Government Act 1993*;

(b) section 43 (Insertion of new pt 5A), new sections 42C and 42D—

omit, insert—

‘Carrying out review

42C.

The local government must carry out the review in accordance with the local government’s General Complaints Process Policy.’.

3. To make Redland Shire Council Subordinate Local Law No. 2 (Animal Management) 2007 which repeals Redland Shire Local Government Local Law No. 2 Keeping and Control of Animals Subordinate Local Law as advertised.

ALTERNATIVES

1. That Council not agree to satisfy the comment about the content of Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007, advised by the Minister for Local Government Planning and Sport in the State Interest Comments attached to the letter from the Minister to Council dated 2 August 2007.
2. Legal advice be sought regarding the consequences of this on the local law making process and provided to Council for further consideration.

OFFICER’S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Burns
Seconded by: Cr Barker

That Council resolve as follows:

1. **To address the comment about the content of Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007, advised by the Minister for Local Government Planning and Sport in the State Interest Comments attached to the letter from the Minister to Council dated 2 August 2007, by amending Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007 as detailed in resolution 2;**
2. **To make Redland Shire Council Keeping and Control of Animals (Amendment) Local Law (No. 1) 2007 as advertised but amended as follows:-**
 - (a) **section 5(8) after the definition of “chief executive officer”—**

insert—

‘General Complaints Process Policy’ means the policy which sets out the general complaints process implemented by the local government in accordance with the *Local Government Act 1993*;’;

(b) section 43 (Insertion of new pt 5A), new sections 42C and 42D—
omit, insert—

‘Carrying out review’

42C.

The local government must carry out the review in accordance with the local government’s General Complaints Process Policy.’; and

3. To make Redland Shire Council Subordinate Local Law No. 2 (Animal Management) 2007 which repeals Redland Shire Local Government Local Law No. 2 Keeping and Control of Animals Subordinate Local Law as advertised.

CARRIED

10.4 CLOSED SESSION

MOTION TO CLOSE MEETING

That the meeting be closed to the public under Section 463(1) of the *Local Government Act 1993* to discuss the following item:

4.1 Environment Charge Land Acquisition Update and Proposed Future Acquisitions

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.”

CARRIED

MOTION TO REOPEN MEETING

That the meeting be again opened to the public.

CARRIED

10.4.1 ENVIRONMENT CHARGE LAND ACQUISITION UPDATE AND PROPOSED FUTURE ACQUISITIONS

Datworks Filename: EM Environment Charge Acquisitions 06/07
Responsible Officer Name: Gary Photinos
Manager Environmental Management
Author Name: Stuart Fitzsimmons
Adviser Biodiversity Planning

EXECUTIVE SUMMARY

A confidential report from Manager Environmental Management regarding this matter was discussed in closed session.

COMMITTEE RECOMMENDATION

That the Officer’s Recommendation in the confidential report relating to this matter from Manager Environmental Management, dated 12 September 2007, be adopted with an amendment to recommendation 1(b) to reflect the “whole” of lot and not “part” of lot as detailed.

ADDENDUM – 24 SEPTEMBER 2007

Since the Planning & Policy Committee meeting on 12 September 2007, a further property has been identified as a koala habitat property within the urban footprint and as a potential Environment Charge acquisition.

A confidential assessment matrix provides details to Council of the subject property, including locality maps.

**REVISED RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Burns
Seconded by: Cr Ogilvie

That Council resolve as follows:

1. Enter into negotiations with property owners for the purchase of properties nominally between 2007 to 2010 identified in 1 a), b), c), d), e) and f) in the confidential report in this matter from Manager Environmental Management dated 12 September 2007, with 1b) being whole of lot, not part of lot, and the additional property identified in the confidential attachment to the addendum dated 24 September 2007;
2. Enter into preliminary negotiations for the properties identified in 2 a), b), c), d), e), f), g) and h) of report in this matter for future purchase or offset opportunities nominally between 2010 - 2012;
3. Delegate its powers under section 36 (2) (b) of the *Local Government Act* to the Chief Executive Officer to acquire, hold and deal with these properties subject to these properties being acquired at “fair market value” and sufficient funds available in the budget at the time of the acquisition;
4. Once the whole of the property identified in 1b) of the report is purchased, that Council proceed to temporarily close the end of this road to all traffic in the interest of public safety, under the provisions of section 915 of the *Local Government Act*;
5. Using the Environment Separate Charge, to fund the securing of these properties including fencing, signage, and undertake initial management such as clean up and track works up to 5% of purchase costs;
6. That this report and details of this acquisition remain confidential until such time as this matter is finalised; and
7. That the Mayor and Chief Executive Officer be authorised to sign and seal all documentation associated with acquisition of these properties.

CARRIED

10.5 GENERAL BUSINESS

Permission was granted for the following items of general business to be raised:

10.5.1 CAPALABA BUSINESS PRECINCT

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Burns
Seconded by: Cr Barker

That a report be brought back to a future Planning and Policy Committee meeting defining the area of the Capalaba Business Precinct to allow this to be identified for promotion within the Shire.

CARRIED

10.5.2 SAFE COMMUNITIES PROGRAM

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Beard

That a report be prepared on the Safe Communities Program, and its applicability to the Redlands community as a means to:

- a. Assisting Council to meet its obligations under the Corporate Plan and Community Safety Policy;**
- b. Determining the best way forward for community members and organisations with a demonstrable focus on, and commitment to, community safety; and**
- c. Identifying other options to strengthen the community's capacity to respond to safety issues.**

CARRIED

11 REDLAND WATER AND WASTE COMMITTEE 19/09/07 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Barker
Seconded by: Cr Ogilvie

That the following Redland Water and Waste Committee Report of 19 September 2007 be received.

CARRIED

DECLARATION OF OPENING

Cr Barker declared the meeting open at 9.00 am.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Members Present

Cr A G Barker	Chair and Councillor Division 1
Cr D H Seccombe	Mayor
Cr C B Ogilvie	Councillor Division 2
Cr D A Henry	Councillor Division 3
Cr P J Dowling	Deputy Mayor and Councillor Division 4
Cr J L Burns	Councillor Division 5
Cr T Bowler	Councillor Division 6
Cr M A Elliott	Councillor Division 7
Cr A R Beard	Councillor Division 8
Cr K M Williams	Councillor Division 9
Cr H J Murray	Councillor Division 10

Committee Manager

Mr J Pruss	General Manager Redland Water & Waste
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Officers

Mr T Kasper	Manager Technical Support
Mr B Taylor	Manager Treatment Operations
Mr N Vitharana	Acting Manager Technical Support/Senior Planning Engineer
Mr W Mortlock	Senior Adviser Environmental Protection

Minutes

Mrs J Thomas	Corporate Meetings & Registers Officer
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PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

Cr Beard left the meeting at 9.10 am during item 1.1. Cr Burns left the meeting at 9.35 am during item 2.1. Cr Elliott left the meeting at 9.45 am during item 2.1. Cr Williams left the meeting at 9.45 am during item 2.1.

11.1 PLANNING AND POLICY

11.1.1 RSC ACTIONS IN THE SOUTH EAST QUEENSLAND HEALTHY WATERWAYS STRATEGY 2007-2012

Datworks Filename:	EM Healthy Waterways
Attachments:	<u>RSC contributing actions for the South East Queensland Healthy Waterways Strategy 2007-2012</u>
Responsible Officer Name:	Gary Photinos Manager Environmental Management
Author Name:	Mick Holland Advisor Waterways Management

EXECUTIVE SUMMARY

Endorsement of Council's commitments under the *South East Queensland Healthy Waterways Strategy 2007-2012* (HWS) is sought as the SEQ Healthy Waterways Partnership Secretariat has advised Council that the HWS will be finalised following the public consultation period which finishes on 14 September 2007.

PURPOSE

The purpose of this report is to seek Council endorsement for a list of actions in the attachment for which Council would have responsibility for implementing in the HWS.

The Partnership Secretariat has written to Council requesting final endorsement of Council's commitments in the HWS by the end of the public exhibition period (14 September 2007). The recommendation in this report is that Council's endorsement to the proposed actions be made retrospective to this date.

BACKGROUND

- Council endorsed the *South East Queensland Regional Water Quality Management Strategy 2001* in March 2002.
- The Partnership Secretariat commenced a review and update of the *South East Queensland Regional Water Quality Strategy 2001* during August 2005 to produce a new strategy titled *South East Queensland Healthy Waterways Strategy 2007– 2012*. The two major problems affecting waterways in SEQ that were to be addressed in the HWS were: point sources of pollution; and diffuse sources of pollution from urban and rural land uses.
- Council Officers were involved in the process of development of the HWS. The Strategy development phase also included a presentation to Council in February 2006 and negotiations with RSC Officers to include Council's actions in the working draft of the HWS.

- In August 2006 the Partnership Secretariat produced the *Phase 3 Consultation Second Draft of the SEQ HWS*. This document contained 11 individual actions for Council relevant to two of the overall strategy's action plans: point source pollution management and Water Sensitive Urban Design (WSUD).
- In August 2006 in response to a request from the Partnership Secretariat to contribute Council's actions to the HWS a list of 28 RSC actions was sent to the Partnership Secretariat. The list of actions related to five of the strategy's nine action plans. Only existing budgeted commitments at that time were included as RSC actions. This list of actions has been included in the public exhibition version of the SEQ HWS.
- Throughout May 2007 Council received additional uncommitted actions from the Partnership Secretariat. These actions were derived from continuing science and planning studies.
- The current list of actions for Redland Shire Council in Attachment 1 is complete list of actions for which Council would be responsible for implementing under the HWS.

ISSUES

Strategy description:

The South East Queensland Healthy Waterways Strategy (SEQ HWS) is an action-based strategy prepared on behalf of SEQ Healthy Waterways Partners, including Council, to achieve the strategy's vision by 2026. The Strategy has a nominal five-year timeframe containing some actions with a longer timeline. The State Government has recently submitted a range of actions and committed funding to the Strategy. Council has been engaged at various levels in development of the Strategy since 2006.

The Strategy contains targets, action plans with management outcomes. The targets are linked to principles and policies of the South East Queensland Regional Plan. Implementation of the SEQ HWS will assist with achieving the goal of several of the SEQ Regional Plans Desired Regional Outcomes.

In response to the challenges of waterway management presented by the SEQ HWS and the annual report card scores ('F' grades in 2005 and '06) from the regional waterway monitoring program, the Environmental Management Group, in 2006 initiated a policy response involving development of a draft Waterways and Catchments Plan 2007-2012 (WCP). The WCP has been developed to align planning and management commitments with Council's corporate planning cycle. When complete, the WCP will provide a policy structure and identify resource commitments to implement the actions contained in the SEQ HWS.

Redland Shire Council has budgeted to implement a series of actions identified in Attachment 1 as '**Budgeted Activity**'.

Finalisation of the SEQ HWS:

Correspondence received from the Partnership Secretariat (July 2007) states that the HWS will be finalised following the completion of the four-week public engagement period.

Resource implications:

Any increases in resources (personnel) required to implement Council's action in the HWS will be identified and included in the corporate planning and budget process.

Legislative and policy obligations of the SEQ HWS:

The SEQ HWS is linked with a series of other legislative, policy and planning instruments which contain a variety of obligations upon Council. Key legislation / policies / strategies are:

- *Integrated Planning Act, 1997*: SEQ Regional Plan 2005-2026 and Local Government planning schemes;
- *Environmental Protection Act, 1994 / Environmental Protection (Water) Policy, 1997*;
- SEQ Regional Coastal Management Plan; and
- SEQ Regional Water Strategy.

As a responsible Local Government authority and landholder in SEQ Council should commit to achieving the HWS vision by endorsing the proposed list of 48 budgeted and unbudgeted actions in Attachment 1. However, Council could endorse only those which are identified as **Budgeted Activity** in the attachment, pending an analysis of costs and implications for the new actions.

There are no statutory obligations attached to endorsement of the SEQ HWS by Council, however there are moral and custodial issues arising from Council's tenure and ownership of land and natural resources and planning powers over waterways and catchments in the region.

RELATIONSHIP TO CORPORATE PLAN

Although the recommendation relates to endorsement of a regional strategy the recommendation primarily supports Council's strategic priority to 'protect, maintain and enhance the health of the Shire's waterways and coastal zone, and the strategy to develop and implement water quality management for all Shire catchments.

FINANCIAL IMPLICATIONS

The costs of implementing Council's (proposed) actions in the SEQ HWS as shown in Attachment 1 are:

- **Budgeted Activities** are covered by existing budget allocations or have no direct financial cost associated with implementation. Many point-source pollution actions will be subject to the water industry reform process post-June 2008.
- There are 13 **New Actions** which have not been costed or included in Council's operational or budget planning process. The cost of implementing these actions

will need to be incorporated into Council's corporate planning and budget processes within the timeframe of the HWS.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the outcome of recommendations in this report will result in possible amendments to the Redlands Planning Scheme, such as:

- Additional constraints to land development in 'nutrient source not-spots' that will be identified through land investigations and mapping carried out in conjunction with the Queensland Environmental Protection Agency (Coastal Algal Blooms Action Plan);
- The addition of load-based Water Quality Objectives (WQO's) for nutrients and sediment for each catchment;
- Additional design requirements for Water Sensitive Urban Design; and
- Additional requirements for protection of freshwater wetland ecosystems.

CONSULTATION

The actions listed in the attachment were drafted in collaboration with Officers from the following groups / teams:

- Land Use Planning Group;
- Environmental Management Group;
- Redland Water and Waste (Treatment Operations and Customer Service / Business Performance);
- Parks and Conservation Team;
- Infrastructure Planning (Roads and Drainage Planning);
- Pollution Prevention Team;
- Environmental Education Team; and
- Corporate Communications Team.

The Adviser, Waterways Management has acted as liaison between Council and the Partnership Secretariat during production of the SEQ HWS since the first round of strategy-development workshops in June 2006.

OPTIONS

PREFERRED

That Council resolve to:

1. Endorse only those actions identified as 'Budgeted Activity' in the attachment; and
2. Formally notify the Healthy Waterway Partnership Secretariat of Council's resolution.

ALTERNATIVE

There is no alternative option offered.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Endorse only those actions identified as 'Budgeted Activity' in the attachment to this report; and
2. Formally notify the Healthy Waterway Partnership Secretariat of Council's resolution.

COMMITTEE DISCUSSION

It was agreed to include both budgeted and unbudgeted actions for implementation.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Henry
Seconded by: Cr Elliott

That Council resolve as follows:

1. **To implement the identified actions in the attachment to this report, subject to budget approvals; and**
2. **To formally notify the Healthy Waterway Partnership Secretariat of Council's resolution.**

CARRIED

11.2 REDLAND WATER AND WASTE

11.2.1 REDLAND WATER & WASTE COUNCIL BUSINESS UNIT REPORT - AUGUST 2007

Datworks Filename:	WW Redland Water & Waste Committee WM Redland Water & Waste Committee WS Redland Water & Waste Committee
Attachments:	<u>Business Unit Report - August 2007</u> <u>Appendix A – Additional Water Quality Indicators</u> <u>Appendix B – Wastewater Treatment Plants</u> <u>Supplementary Performance Information</u>
Responsible Officer Name:	Jim Pruss General Manager, Redland Water & Waste
Author Name:	Jim Pruss General Manager, Redland Water & Waste

EXECUTIVE SUMMARY

The Redland Water & Waste (RWW) Council business unit report is presented to Council for noting. The report provides the business unit's performance for the month of August 2007 and covers financial and non-financial indicators for water, wastewater and waste.

It is expected that, most of the time the report findings will be "business as usual". Where exceptions occur, these will be highlighted.

The report provides a regular opportunity for Council to consider the performance of RWW and to respond to any exceptional reporting.

Council is provided with the option to accept the report or, accept it and request additional information or a review of performance.

PURPOSE

To report on the ongoing performance of the business unit against key performance indicators (KPIs).

BACKGROUND

RWW's performance plan identifies KPIs for which performance targets have been agreed with Council. Reporting is done each month through the RWW committee.

ISSUES

The report is provided to Council as a means of monitoring the performance of RWW for the activities of water, wastewater and waste.

The first part of the report comprises a “snapshot” of the business unit’s achievement in meeting KPIs (year-to-date) and financial report card.

The report then provides specific financial report and commentary, capital expenditure (graphically) and a detailed customer overview.

The main body of the report focuses on actual levels of achievement against the KPIs for the month. Where exceptions have occurred and targets not met, an explanation is given as well as action taken to improve performance.

The report closes with a summary of the major issues for each group during the month.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to provide and maintain water, wastewater and waste services to sustain our community.

Providing this report also supports Council’s governance strategic priority to provide a clear organisational direction supported by effective leadership and a framework of policies, plans and strategies that are responsive to the community’s needs and which promote accountable and ethical standards of practice.

FINANCIAL IMPLICATIONS

There are no direct financial implications resulting from this report. Financial implications may result where Council requests a performance review or requests an increase in performance standards.

CONSULTATION

Consultation has occurred with:

- Manager Customer Service & Business Performance, RWW;
- Manager Treatment Operations, RWW;
- Manager Technical Support, RWW; and
- Senior Advisor, Financial Management, RWW.

OPTIONS

PREFERRED

That Council resolve to accept the Redland Water & Waste Council business unit report for August 2007, as presented in the attachment.

ALTERNATIVE

That Council accepts the report and requests additional information or a review of performance.

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Barker
Seconded by: Cr Beard

That Council resolve to accept the Redland Water & Waste Council business unit report for August 2007, as presented in the attachment.

CARRIED

11.2.2 PROCUREMENT FOR EASTERN PIPELINE INTERCONNECTOR PROJECT

Datworks Filename: WS – Eastern Pipeline Interconnector
Attachment [Letter from Deputy Premier, Treasurer and Minister for Infrastructure to Mayor](#)
Responsible Officer Name: Troy Kasper
Manager Technical Support
Author Name: Darryl Searle
Senior Project Engineer

EXECUTIVE SUMMARY

The eastern pipeline interconnector (EPI) project was mandated as part of the August 2006 *Water Amendment Regulation No 6* (The Regulation). The project has recently been declared as a 'significant' project and if approved will result in up to 22ML/day of treated water being supplied into the Logan system by 31 December 2008.

Council's involvement includes planning for, and construction of, a new borefield on North Stradbroke Island (NSI), treatment plant augmentation and a third reservoir at Heinemann Road, Mt Cotton. The state government has committed to full reimbursement of Council's costs for the EPI project.

As the timeframe for delivery is extremely tight and the availability of suitably experienced contractors will be a significant issue, the tender approval process needs to be streamlined while still meeting the requirements in the *Local Government Act 1993* (The Act).

This report therefore recommends that Council resolve to delegate authority to the Chief Executive Officer (CEO) to make, vary and discharge contracts associated with the EPI project.

PURPOSE

The purpose of this report is to obtain a Council resolution to delegate authority to the CEO to make, vary and discharge contracts associated with the EPI project.

BACKGROUND

The EPI project was mandated as part of the August 2006 *Water Amendment Regulation No 6* (The Regulation). The project has recently been declared as a 'significant' project and is seeking to export 22ML/day of treated water into the south-east Queensland (SEQ) water grid (via Logan) by 31 December 2008. The take advantage of an existing contract the third reservoir at Heinemann Road, Mt Cotton has previously been awarded to Stirloch Constructions.

The remaining work to be delivered by Council is for treatment plant augmentation and drilling, construction and testing of 3 test water supply bores on NSI which are required as part of the investigations for the EPI project, and a further 11 water

supply production bores, along with associated mechanical, electrical and SCADA works, once the necessary approvals have been obtained.

At present, the CEO has delegated authority to enter into contracts up to \$500,000. It is likely that contracts in excess of \$500,000 will be required as part of Council's involvement in the EPI project.

ISSUES

The timeframe for completion of Council's responsibilities as part of the EPI project are not negotiable due to State Government regulated timeframes and the availability of suitably experienced contractors will be a significant issue.

Redland Water & Waste (RWW) will advertise tenders to attract competitive tenders for the work involved, however, as the timeframe for delivery is extremely tight, a streamlining of Council tender approval processes needs to occur, while still meeting the requirements of The Act relating to tenders. To this achieve this, it is proposed to delegate authority to the CEO, to make, vary and discharge any contracts in excess of \$500,000 which will be required as part of Council's involvement in the EPI project.

It is intended that when the delegated authority has been exercised as part of Council's involvement in the EPI project, it will be reported via the RWW business unit report at the subsequent RWW committee.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to provide and maintain water services and support the provision of infrastructure.

FINANCIAL IMPLICATIONS

The state government has committed to full reimbursement of Council's costs associated with the EPI project.

CONSULTATION

- Service Manager Special Engineering Projects;
- Manager Technical Support;
- General Manager RWW.

OPTIONS

PREFERRED

That Council resolve to delegate authority to the Chief Executive Officer, under s.472 of the *Local Government Act 1993*, as follows:

1. To make, vary and discharge any contract required as part of Council's involvement in the Eastern Pipeline Interconnector Project; and
2. To sign all relevant documentation.

ALTERNATIVE

That Council resolve to approve all contracts over \$500,000 required as part of Council's involvement in the EPI project.

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Barker

Seconded by: Cr Beard

That Council resolve to delegate authority to the Chief Executive Officer, under s.472 of the *Local Government Act 1993*, as follows:

- 1. To make, vary and discharge any contract required as part of Council's involvement in the Eastern Pipeline Interconnector Project; and**
- 2. To sign all relevant documentation.**

CARRIED

11.2.3 SYSTEM LEAKAGE MANAGEMENT PLAN

Dataworks Filename: WS Planning - Leakage & Pressure Management
Attachments: [System Leakage Management Plan](#)
[Registered Engineer's certification](#)
Responsible Officer Name: Nalaka Vitharana
Acting Manager Technical Support
Author Name: Matthew Ingerman
Planning Engineer

EXECUTIVE SUMMARY

As a water service provider (WSP) under the *Water Act 2000* (The Act), Redland Shire Council (RSC) is required to submit a system leakage management plan (SLMP) detailing how it plans to minimise water leakage from its water supply distribution systems. As part of the pressure and leakage management program (PLMP), Redland Water & Waste (RWW) has prepared a detailed planning report in order to secure State Government subsidy for that program.

To meet the requirements of the SLMP, the detailed planning report prepared as part of the PLMP can be submitted to the Department of Natural Resources & Water (DNRW) provided it is certified by an RPEQ and is based on the latest planning information. In order to comply with these requirements, RWW commissioned Opus International Consultants to update the detailed planning report prepared for the PLMP to meet the requirements of an SLMP.

The review of the PLMP detailed planning report identified some minor changes to scope, program and timing.

The recommended way forward is to implement the program as described in the revised detailed planning report, subject to minor amendments that may be identified through the regional accelerator program and to submit the revised planning report to DNRW as Council's SLMP.

PURPOSE

The purpose of this report is to seek Council's endorsement of the "SEQ Leakage & Pressure Management Project Detailed Planning Report – September 2007 Revision" (attached) and authorisation to formally submit the document to DNRW to meet the SLMP requirements of the *Water Act*.

BACKGROUND

As a WSP under the *Water Act 2000*, RSC is required to submit an SLMP detailing how it intends to minimise water leakage from its water supply distribution systems. The Act requires RSC to submit its SLMP to the regulator (currently the Director-General of DNRW) by 1 October 2007.

Subsequent amendments to The Act, the *Water Amendment Regulation (No. 6) 2006* (The Regulation), require RSC, as a WSP, to participate in the south-east Queensland (SEQ) PLMP. The requirement to prepare an SLMP and the timeframe in which to prepare it were not altered by The Regulation.

In order to comply with The Regulation and commence Redland's pressure and leakage management program, in Item 11.1.2 of the RSC General Meeting of 31 January 2007, Council resolved to:

1. Endorse the "Redland Water & Waste Local Government Infrastructure Services Leakage & Pressure Management Detailed Planning Report – Draft Report";
2. Implement the program described in the report subject to minor changes identified as being required during implementation;
3. Submit the report as part of the Phase 2 subsidy application to Local Government Infrastructure Services; and
4. Note this increase in the estimated cost of these works from \$2,455,000 to \$2,673,500 over the financial years 2006/07 to 2008/09.

ISSUES

Recognising the level of commitment to the PLMP in SEQ and the progress of work in the region towards minimising water leakage from the water supply systems, DNRW, through the SEQ PLMP technical advisory group (TAG) meetings, has advised that WSPs who have submitted a detailed planning report to LGIS for subsidy, can submit the detailed planning report provided it contains the latest planning information and is certified by an RPEQ in order to meet the requirements of an SLMP.

In order to comply with these SLMP requirements RWW commissioned Opus to update the detailed planning report based on the latest planning information and provide certification by an RPEQ. The revised report is titled "SEQ Leakage & Pressure Management Project Detailed Planning Report – September 2007 Revision" (attached).

The planning report covers the following aspects of the Redland's pressure and leakage management program:

- project overview;
- implementation plan;
- progress to date;
- program;
- budget;
- risk management; and

- change management.

With reference to resolution No 2 from the previous report to Council, during the implementation of the program, changes have been made to the originally proposed program. These changes primarily relate to a more discrete initial break-up of the network (as opposed to the originally proposed larger initial district metered areas [DMAs]). This change came about because of the availability of hydraulic modelling resources which allowed the completion of more hydraulic modelling earlier in the project (as opposed to completing this at a later stage as originally planned).

The other major change is the potential for completion of parts of the project, particularly construction, through a regionally prioritised contract. This aspect of the PLMP is called the SEQ PLMP regional acceleration project and is being developed by LGIS. The 2 changes mentioned above have resulted in less construction work being undertaken to date, particularly while the regional acceleration project was being developed.

As part of the process of updating the detailed planning report, the budget and program have been revised in accordance with these changes. Changes to the budget mainly revolve around the reprogramming of the construction work and the participation in the regional acceleration project and are discussed in more detail below in the financial implications section.

In terms of the RWW components of the program, the project is still scheduled to be completed by the legislated timeframe of 31 August 2008, with the major milestones listed below:

- completion of construction for pressure managed DMAs – January 2008;
- completion of construction for meter-only DMAs – March 2008;
- leakage detection across above DMAs – March 2008 and July 2008 respectively;
- pressure management – April 2008;
- leakage repair – May 2008 and August 2008 respectively; and
- final analysis and reporting – August 2008.

In terms of the components of the program that are nominated for the regional acceleration project, there remains a degree of uncertainty as to when the work in the Redlands will be programmed relative to other areas in the region. It is expected that work in the Redlands will be a relatively low priority and will therefore be programmed towards the end of the nominated project timeframe.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to provide and maintain water services and support the provision of infrastructure.

FINANCIAL IMPLICATIONS

The current estimated cost of the project as detailed in the “SEQ Leakage & Pressure Management Project Detailed Planning Report – September 2007 Revision” is \$2,707,684. This is a minor variation from the original budget of \$2,673,500. No additional funding is being sought at this time, as it is anticipated that potential cost savings for the meter only sites (approximately 50% of the planned installations) will see the final project cost approximate very closely to \$2,673,500.

There is also potential for a significant portion of these costs to be incurred towards the end of this financial year and possibly into next financial year should the regional acceleration project progress as is currently anticipated with work in Redlands likely to be given a low priority relative to other parts of the region. It should be noted that there is still uncertainty surrounding the acceleration project and the extent of the state subsidy for this project.

Council has budgeted to receive 100% subsidy from the state government on this project as per Minister Bligh’s letter. Council has written to the state government for confirmation through the Council of Mayors but no response has been received. Unconfirmed reports indicate that this project was not intended to be covered by the Minister’s advice and Council will not receive the 100% subsidy. Given the current status of the due diligence process, it is even more unlikely that Council will receive more than the 40% subsidy previously anticipated.

CONSULTATION

During the development of the “SEQ Leakage & Pressure Management Project Detailed Planning Report – September 2007 Revision”, consultation was undertaken with the members of the RWW PLMP Project Team. LGIS and DNRW were also consulted in determining the requirements of the SLMP.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To endorse the “SEQ Leakage & Pressure Management Project Detailed Planning Report – September 2007 Revision”;
2. To formally submit the “SEQ Leakage & Pressure Management Project Detailed Planning Report – September 2007 Revision” to NRW as Council’s system leakage management plan; and
3. To note Council’s involvement in the regional acceleration project as part of the SEQ PLMP and continue to implement the program as detailed in the revised report subject to minor changes as identified as being required during implementation, including those required by the regional acceleration project.

ALTERNATIVE

To advise the DNRW that Council's system leakage management plan has been deferred pending further detailed review of the program.

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Barker

Seconded by: Cr Beard

That Council resolve as follows:

- 1. To endorse the "SEQ Leakage & Pressure Management Project Detailed Planning Report – September 2007 Revision";**
- 2. To formally submit the "SEQ Leakage & Pressure Management Project Detailed Planning Report – September 2007 Revision" to NRW as Council's system leakage management plan; and**
- 3. To note Council's involvement in the regional acceleration project as part of the SEQ PLMP and continue to implement the program as detailed in the revised report subject to minor changes as identified as being required during implementation, including those required by the regional acceleration project.**

CARRIED

12 FINANCE AND CORPORATE MANAGEMENT COMMITTEE 19/09/07 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Beard
Seconded by: Cr Elliott

That the following Finance and Corporate Management Committee Report of 19 September 2007 be received.

CARRIED

DECLARATION OF OPENING

Cr Williams declared the meeting open at 2.00 pm.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Members Present

Cr K M Williams	Chair and Councillor Division 9
Cr D H Seccombe	Mayor
Cr A G Barker	Councillor Division 1
Cr C B Ogilvie	Councillor Division 2
Cr D A Henry	Councillor Division 3
Cr P J Dowling	Deputy Mayor and Councillor Division 4
Cr J L Burns	Councillor Division 5 Entered at 2.52 pm
Cr T Bowler	Councillor Division 6
Cr M A Elliott	Councillor Division 7 Entered at 2.01 pm
Cr A R Beard	Councillor Division 8

Committee Manager

Mr R Turner General Manager Corporate Services

Officers

Mrs S Rankin	Chief Executive Officer
Mr M Goode	Acting General Manager Planning and Policy
Mr T Donovan	Acting General Manager Customer Services

Minutes

Mrs J Thomas Corporate Meetings & Registers Officer

Absent

Cr H J Murray Councillor Division 10

PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

12.1 OFFICE OF CEO

12.1.1 MACLEAY ISLAND STATE SCHOOL P&C ASSOCIATION - CCBF REQUEST DIVISION 5

Datworks Filename: G & S Councillors' Community Benefit Fund
Responsible Officer Name: Susan Rankin
Chief Executive Officer
Author Name: Tina Robinson
Executive Support Officer

EXECUTIVE SUMMARY

Council annually allocates in its budget an amount for discretionary spending by the Divisional Councillors known as the Councillors' Community Benefit Fund (CCBF). All requests for funding for individual projects with an expenditure at or greater than \$5,000 require approval from Council.

This request relates to an allocation of \$5,000 (GST exclusive) from the Division 5 portion of the CCBF to assist the Macleay Island State School Parents & Citizens Association in purchasing an interactive whiteboard ("Team Board" IWB Package) to be utilised for student and teacher training programs.

PURPOSE

The purpose of this report is to seek Council approval for the allocation of \$5,000 (GST exclusive) from the Division 5 portion of the CCBF to purchase an interactive whiteboard ("Team Board" IWB Package).

BACKGROUND

- The Macleay Island State School P&C Association submitted a CCBF application to the Division 5 Councillor for consideration to purchase an interactive whiteboard;
- Cr John Burns and the Principal of the Macleay Island State School have discussed the CCBF application, which was submitted by the school's Parents & Citizens Association;
- The interactive whiteboard will be located at the Macleay Island State School and will be utilised for teacher/student training programs and anticipated community information sessions;
- The total project cost is \$5,310 (GST exclusive), with the Macleay Island State School and the Parents & Citizen Association funding the difference;
- Cr Burns supports this request and the allocation of \$5,000 (GST exclusive) from the Division 5 portion of the CCBF.

ISSUES

There are sufficient funds in the Division 5 portion of the Councillors' Community Benefit Fund to support the request made by the Macleay Islands Parents & Citizens Association to purchase an interactive whiteboard ("Team Board" IWB Package).

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to build safe, strong and self reliant communities with access to community services, infrastructure and opportunities for participation in community life.

FINANCIAL IMPLICATIONS

Councillor Burns has sufficient funds in the Division 5 portion of the CCBF to allocate \$5,000 (GST exclusive) to the Macleay Island State School P&C Association to purchase an interactive whiteboard ("Team Board" IWB Package).

As per CCBF Guideline (GL-2034) requirements, two written quotations have been provided.

CONSULTATION

Cr John Burns has discussed the Macleay Island P&C Association's request with the Principal of the Macleay Island State School.

OPTIONS**PREFERRED**

That Council approve the allocation of \$5,000 (GST exclusive) to the Macleay Island State School Parents and Citizens Association from Division 5 portion of the CCBF, to assist with the purchase of an interactive whiteboard ("Team Board" IWB Package).

ALTERNATIVE

That Council not approve the allocation of \$5,000 (GST exclusive) to the Macleay Island State School Parents and Citizens Association from Division 5 portion of the CCBF to assist with the purchase of an interactive whiteboard ("Team Board" IWB Package).

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That Council resolve to approve the allocation of \$5,000 (GST exclusive) to the Macleay Island State School Parents' and Citizens' Association from Division 5 portion of the CCBF to assist with the purchase of an interactive whiteboard ("Team Board" IWB Package).

CARRIED

12.2 CORPORATE SERVICES

12.2.1 AUGUST 2007 - MONTHLY FINANCIAL REPORTS

Dataworks Filename: FM Monthly Financial Reports to Committee
Attachment: [EOM Report](#)
Responsible Officer Name: Kerry Phillips
Manager Financial Services
Author Name: Kevin Lamb
Services Manager Financial Reporting

EXECUTIVE SUMMARY

Section 528(1) of the *Local Government Act 1993* requires that Council's statement of accounts be presented at an ordinary monthly meeting.

The attachments to this report present the interim August 2007 financial statement of accounts to Council and provide detailed analytical commentary.

All seven Key Financial Performance Indicators exceeded targets set at the beginning of the financial year. These are:

- level of dependence on rate revenue;
- ability to pay our bills – current ratio;
- ability to repay our debt – debt servicing ratio
- cash balance;
- cash balance – cash capacity in months;
- longer term financial stability – debt to assets ratio and
- operating performance

The operating financial result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of budget by \$2.5 million, with operating expenditure favourable by \$2.6 million and operating revenue unfavourable by \$0.04 million.

Capital expenditure is \$0.2 million or 3.7% ahead of budget expenditure levels at the end of August.

The cash flow position for the year is behind forecast levels by \$0.1 million at 31 August 2007.

PURPOSE

The purpose is to present the interim August 2007 report to Council and explain the content and analysis of the report. Section 528 of the *Local Government Act 1993*

requires the Chief Executive Officer of a local government to present statements of its accounts to the local government.

BACKGROUND

The Corporate Plan contains a strategic priority to ensure the long term financial viability of the Shire and provide public accountability in financial management. For organisational effectiveness, it is important that Council receive and understand the monthly financial statements.

ISSUES

The following elements, shown in the attachments, comprise the interim End of Month Financial Reports for August 2007:

Corporate Financial Report Card (A)

- Operating Revenue compared with Budget;
- General Operating Costs compared with Budget;
- Capital Expenditure compared with Budget;
- Cash Position; and
- Employee Costs compared with Budget.

Report Card Analysis (B)

Classifies variances between revised budget and actual results as being either timing or permanent variances as well as favourable or unfavourable. Timing variances are anticipated to evaporate once 30 June 2008 figures are produced. Permanent variances imply the variance will remain into the next financial year.

Council Financial Report 1 (C)

Shows the percentage variance of year to date actual results compared with year to date budget by colour indicators.

Council Financial Report 2 (D)

Shows year to date actual results compared with annual and year to date budgets. This report has a brief commentary on all year to date variances greater than \$20,000.

A **Balance Sheet (E)**, an **Investment Summary (F)**, a **Statement of Cash Flows (G)**, **Financial Stability Ratios report (H)** and **Community Benefit Fund Report (I)** have been included to provide the complete picture of Council's finances.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report supports Council's strategic priorities to provide a clear organisational direction supported by effective leadership and a framework of policies, plans and strategies that are responsive to the community's needs and which promote accountable and ethical standards of practice and to support the organisation's capacity to deliver services to the community by building a skilled,

motivated and continually learning workforce, ensuring assets and finances are well managed, corporate knowledge is captured and used to best advantage, and that services are marketed and communicated effectively.

FINANCIAL IMPLICATIONS

The overall financial position remains strong with EBITD of \$9.9 million (\$2.5 million ahead of budget). This result is due to total operating revenue of \$27.0 million (\$0.04 million behind budget) and total operating costs of \$17.1 million (favourable variance of \$2.6 million).

The capital expenditure program is \$0.2 million or 3.7% ahead of targeted expenditure levels at the end of August.

The investment of surplus funds for the month returned a weighted average rate of return of 6.24% that compares unfavourably to the benchmark UBS Australia Bank Bill Index of 6.40%. These returns are reported on a monthly weighted average return. In turn Council benchmarks the funds against the UBS Australia Bank Bill Index. Interest return is reported on both an annual effective and nominal rate of return. The Cash Enhanced Funds have under performed during the months of July and August 2007 due to the uncertainty and volatility of world financial markets. The performance of these types of funds need to be measured over a longer time span than 2 months and will be closely monitored during the next couple of months.

The cash balance is almost on budget at \$74.1 million, equivalent to 5.9 months cash capacity.

PLANNING SCHEME IMPLICATIONS

It is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation has taken place amongst the Executive Leadership Group.

OPTIONS

PREFERRED

That Council note the End of Month Financial Reports for August 2007 and explanations as presented in the attachments.

ALTERNATIVE

That Council requests additional information.

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That Council resolve to note the End of Month Financial Reports for August 2007 and explanations as presented in the following attachments:

- 1. Corporate Financial Report Card;**
- 2. Report Card Analysis;**
- 3. First Council Financial Report;**
- 4. Second Council Financial Report;**
- 5. Balance Sheet;**
- 6. Investment Summary;**
- 7. Statement of Cash Flows;**
- 8. Financial Stability Ratios Report and**
- 9. Community Benefit Fund Report.**

CARRIED

12.2.2 SALE OF LAND FOR OVERDUE RATES

Dataworks Filename: R&V Sale for Overdue Rates
Attachments: [Schedule A – Sale of Land for Overdue Rates](#)
Responsible Officer Name: Kerry Phillips
Manager Finance
Author Name: Noela Barton
Service Manager Revenue & Recovery

EXECUTIVE SUMMARY

A review of properties with rates and charges outstanding greater than 3 years has been conducted.

Section 1040 of the *Local Government Act 1993* provides Council with the power to sell properties where rates remain unpaid for:

1. Vacant land or land used solely for commercial purposes where Council has obtained judgment – 1 year;
2. A mining claim – 3 months; and
3. All other – 3 years.

The 27 properties identified in Schedule A are considered suitable to consider for sale of land for overdue rates. Twenty-five of the properties are vacant land located on the Bay Islands and share the following characteristics:

- Current zoning – SR (Southern Moreton Bay Islands (SMBI) Residential);
- Land purpose - Vacant land;
- Drainage constraints – none known;
- Rate balance – greater than 3 years overdue;
- Unimproved Capital Value - greater than the outstanding rates and charges.

The other two properties are dwellings, one is a house located on Macleay Island and the other a unit located at Wellington Point, both will be sold as vacant possession being the responsibility of the purchasers. Neither property owner has been contactable.

It is considered that any vacant Bay Island land that is offered for sale at auction should have a property assessment conducted prior to the auction so the result can be offered to potential bidders. These costs are not recoverable by Council as expenses.

Council officers recommend that Council resolve to:

1. Commence proceedings for the sale of land described in Schedule A dated 26 September 2007 on which overdue rates remain unpaid for a period of 3 years or longer;
2. Offer the land for auction if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale have not been paid;
3. To obtain a market value on all land that will be offered for sale by auction;
4. To use the lesser of the market value and the Unimproved Capital Value on each property offered at auction as the reserve price; and
5. That Council resolve to approve use of the Council Seal by the Mayor and Chief Executive Officer to sign Transfer Documents for land sold at this auction in accordance with Section 38 of the *Local Government Act 1993*.

PURPOSE

To request that Council resolve to recover unpaid rates and charges through the sale of land for overdue rates on the properties listed in Schedule A attached.

BACKGROUND

A review of properties with rates outstanding greater than 3 years has been conducted.

Section 1040 of the *Local Government Act 1993* provides Council with the power to sell properties where rates remain unpaid for:

1. Vacant land or land used solely for commercial purposes where Council has obtained judgment – 1 year;
2. A mining claim – 3 months; and
3. All other – 3 years.

ISSUES

A review of properties with rates outstanding greater than 3 years has been conducted.

The review identified a number of properties where collection activity has failed to recover the outstanding rates and charges and they should be considered for sale of land for overdue rates.

The 27 properties identified in Schedule A are considered suitable to consider for sale of land for overdue rates. Twenty-five of the properties are vacant land located on the Bay Islands and share the following characteristics:

- Current zoning – SR (Southern Moreton Bay Islands (SMBI) Residential);

- Land purpose - Vacant land;
- Drainage constraints – none known;
- Rate balance – greater than 3 years overdue;
- Unimproved Capital Value - greater than the outstanding rates and charges.

The other two properties are dwellings, one is a house located on Macleay Island and the other a unit located at Wellington Point, both will be sold as vacant possession being the responsibility of the purchasers. Neither property owner has been contactable.

Sale of Land for Overdue Rates

The process involved in a sale of land for overdue rates is:

1. Council must resolve to sell the land by resolution;
2. Once resolved a Notice of Intention must be given to the owner of the land and each encumbrancee, lessee or trustee with an interest in the land;
3. After giving notice, if the overdue amount is not paid, Council has a period of 3 to 6 months (mining claims are 1 to 6 months) to commence procedures to sell the land;
4. Land intended for sale must first be offered for sale by auction. A reserve price must be arrived at and this may either be the market value of the land, or the higher of the following: a) overdue rates or b) the unimproved capital value of the land. It is recommended that the lesser of the Market Value and the Unimproved Capital Value is used as the reserve price;
5. If the reserve price is not reached at the auction, Council may enter into negotiations with the highest bidder to sell the land by agreement. The negotiated price must be greater than the highest bid for the land at the auction;
6. If the land is not sold either at auction or through negotiations the land is taken to be sold to Council at the reserve price.

Note: At any stage through this process if the overdue rates and all expenses incurred by Council for the intended sale are paid, then the sale for overdue rates proceedings must cease.

Development potential of Bay Island Land

Council officers recommend that a property assessment be carried out on all vacant land to be offered for sale at auction to ensure prospective buyers are aware of the development potential to circumvent any possibility of negative press if a development issue arose at a later date.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to ensure the long term financial viability of the Shire and provide public accountability in financial management.

FINANCIAL IMPLICATIONS

There is a financial implication to Council if the land is not sold at auction, as the land will be taken to be sold to Council at the reserve price.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

- General Manager Corporate Services;
- Manager Financial Services;
- Principal Advisor Urban and Rural Planning;
- Property Services Manager;
- Integrated Commercial Team Leader;
- Plumbing Certification Team Leader;
- Team Coordinator Debtor Management.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To commence proceedings for the sale of land described in Schedule A dated 26 September 2007 on which overdue rates remain unpaid for a period of 3 years or longer;
2. To offer the land for auction, if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale, have not been paid;
3. To obtain a market value on all land that will be offered for sale by auction; and
4. To use the lesser of the market value and the Unimproved Capital Value on each property offered at auction as the reserve price; and
5. To approve use of the Council Seal by the Mayor and Chief Executive Officer to sign Transfer Documents for land sold at this auction in accordance with Section 38 of the *Local Government Act 1993*.

ALTERNATIVE

That Council resolve to direct Council officers to continue collection activity on the landowners' listed in the attached Schedule, taking into consideration the cost/benefit of any collection action undertaken.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. To commence proceedings for the sale of land described in Schedule A, dated 26 September 2007 on which overdue rates remain unpaid for a period of 3 years or longer;
2. To offer the land for auction if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale have not been paid;
3. To obtain a market value on all land that will be offered for sale by auction;
4. To use the lesser of the market value and the Unimproved Capital Value on each property offered at auction as the reserve price; and
5. That the Mayor and Chief Executive Officer be authorised to sign and seal Transfer Documents for land sold at this auction in accordance with Section 38 of the *Local Government Act 1993*.

COMMITTEE DISCUSSION

An updated Schedule A was presented to Committee which indicated the removal of property 21189, inclusion of property 22673 and amendment to property 26012.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That Council resolve as follows:

- 1. To commence proceedings for the sale of land described in Schedule A, as amended, dated 26 September 2007 on which overdue rates remain unpaid for a period of 3 years or longer;**
- 2. To offer the land for auction if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale have not been paid;**
- 3. To obtain a market value on all land that will be offered for sale by auction;**
- 4. To use the lesser of the market value and the Unimproved Capital Value on each property offered at auction as the reserve price; and**
- 5. That the Mayor and Chief Executive Officer be authorised to sign and seal Transfer Documents for land sold at this auction in accordance with Section 38 of the *Local Government Act 1993*.**

CARRIED

12.3 CUSTOMER SERVICES

12.3.1 CLEVELAND AQUATIC CENTRE MANAGEMENT

Dataworks Filename: CP Cleveland Aquatic Centre Lease
Responsible Officer Name: Greg Jensen
Manager Customer and Community Services
Author Name: Russell Cook
Leisure and Recreation Services Manager

EXECUTIVE SUMMARY

At its meeting on 27 September 2006, Council resolved to appoint a manager to operate the Cleveland Aquatic Centre for up to 12 months and delegated authority to the Chief Executive Officer (CEO) to negotiate, make, vary and discharge all relevant documentation.

The CEO subsequently accepted an offer from and entered into a contract with David Urquhart Swim School to manage the Centre for a period of 12 months from 22 November 2006.

Maintenance and operational costs have been allocated by Council for this project in its 2007/08 Budget; however, the existing management contract expires in November 2007 with no provision for an extension.

It is proposed that tenders be invited for the lease of the Aquatic Centre in July 2008, with a new specification. Therefore, as it is considered premature to invite tenders at this stage, it is recommended that quotations be sought for the management of the Centre from 23 November 2007 to 31 July 2008.

PURPOSE

The purpose of this report is to confirm Council's position as to the timing of the new lease of the Cleveland Aquatic Centre and what operational and expenditure items should be the responsibility of the future lessee.

BACKGROUND

Following Council's decision of 27 September 2006, eight (8) selected groups were invited to provide quotes for the management of the Cleveland Aquatic Centre for a period of up to 12 months.

The CEO subsequently accepted an offer from and entered into a contract with David Urquhart Swim School to manage the Centre from 22 November 2006 for a period of up to 12 months. This agreement has Council paying for all maintenance and consumables such as chemicals, gas, electricity and water. David Urquhart Swim School provides staffing and aquatic programs and keeps all revenue generated at the venue. They then pay Council a fee of \$2,500 per month.

Maintenance and operational costs have been allocated by Council in its 2007/08 budget, however, the existing management contract expires in November 2007.

As there is no provision in the current contract to extend, it is recommended that quotations be sought for the management of the centre for a period of 8 months to July 2008.

ISSUES

Over the past 9 months, Council has continued with the redevelopment of the complex with the financial assistance of the State Government (\$760,000). Contractors have been appointed to construct a Leisure Water area which includes three new pools, extensively refurbished the existing amenities block and gym areas and maintenance work has been undertaken to the 2 plant rooms, the grandstand, terrace areas and the 50m pool. These projects will be completed by mid September 2007 and the opening of the Leisure Water area to the public is scheduled for the September school holidays.

Council officers have drafted a new specification for the lease agreement which reflects a more balanced approach to the requirement of both the Lessee and Council. The previous lease of the complex was heavily swayed towards the Lessee paying all costs at the venue and keeping any revenue. Council was then required to pay a management fee of approximately \$130,000 per year. There was also a considerable capital contribution by the lessee of \$1 million towards the redevelopment of the venue. Experience has shown that this arrangement was not tenable as the previous lessee operated for only 13 months.

The following are the **variations** between the proposed and previous leases. These changes will have a considerable effect on the amount Council will either be responsible for, or have the Lessee absorb, and ultimately have Council pay for in the Management fee.

Any proposed lessee, when tendering, is more likely to inflate the management fee to cover those expenses they are responsible for, where these costs are out of their control i.e. reactive maintenance on pool filtration equipment and pool water heating equipment, both of which can be quite expensive.

It is therefore recommended that Council take on the responsibility for maintaining/replacing these larger items to allow the tenders to provide a more realistic tender on the costs they can control and more accurately predict i.e. chemicals, gas, electricity and water consumption. However, Council will specify the requirements to meet safety and customer expectations in regard to these consumables.

The lessee should however be responsible for the maintenance and ultimate replacement of items that, while initially provided for by Council, would deteriorate quickly without good operational and maintenance practices i.e. pool covers and mechanical pool cleaning equipment.

The following is not a complete list of duties of either party, as specified in the tender documents, only those that officers feel need highlighting.

The successful **Tenderer** will be responsible for the cost of, supervision, and maintenance of the Centre which includes, but is not limited to the following:

- Operation and minor maintenance of all plant, equipment, fixtures and assets;
- The provision of and use of all chemicals necessary to maintain the water quality to the required standard;
- The provision of all gas necessary to operate the pool heaters;
- The cost of electricity used at the venue;
- The cost of all water consumed at the venue (Council will be responsible for all other Rates and Charges fees);
- Provision of all consumables for use in toilets, including sanitary units, toilet paper, hand towels and soaps and all consumables, chemicals and equipment used in cleaning and maintenance activities;
- Supply and maintenance of covered refuse bins for the collection and disposal of refuse on and from the premises, including waste disposal costs;
- The successful Tenderer will, with the following exceptions, (members of the swimming club and schools using the swimming pool as members of the club or school) have sole and exclusive rights to conduct at the Centre, swimming classes and the coaching of swimmers for reward. The swimming club will be allowed to appoint their own coach and entitled to have access to the lanes in the 50m pool and club land based training Centre. Any fee for use of the lanes will be negotiated with the club depending on the coaching arrangements;
- Once a month during the swimming season the water quality will be tested to ensure compliance with Bacteriological Standards. The successful Tenderer will be required to arrange for an independent body to take the water sample and undertake testing at a NATA registered laboratory. Any corrective action required should be undertaken immediately and reported to Council; otherwise the results will be reported in the monthly report to Council;
- The successful tenderer must maintain the temperature of the heated pools to a minimum 26.5 degrees. Pool temperatures may vary above this figure subject to the operational needs of each area;
- The successful tenderer will be responsible for obtaining and the cost of all Licenses needed to operate the venue.

MAINTENANCE

The successful **Tenderer** will be responsible for undertaking minor maintenance at the Centre. This would include, but not limited to the following:

- The replacement and maintenance of, light bulbs and fittings (excluding floodlighting to the pool areas and security lighting);
- Glazing;
- Painting;
- Landscaping;
- Public address system;
- Oxy viva resuscitator;
- Pool covers and associated equipment;
- Lane ropes;
- Automatic and manual pool cleaners;
- Non key operated locks and doors;
- Removal of graffiti in and outside the premises;
- Fencing;
- Hot water system (showers etc); and
- Generally all other maintenance and repairs except where that work is the responsibility of the Council.

COUNCIL will be responsible for maintenance on the following:

- All major structural repairs of the pools and amenities facilities;
- Maintenance, repair and replacement of all pool pump and filtration equipment;
- Both gas and electric pool water heaters;
- Shade covers;
- Children's aquatic play equipment;
- Floodlighting and security lighting;
- Load-bearing and/or supportive walls, floors, roofs and structures, or otherwise, essential to the continued operation of the venue.

FEES AND CHARGES

The successful Tenderer is responsible for the collection of all entrance charges, including the issue of season tickets and all documentation associated with this task.

Admission fees will be approved annually by the Council delegate after considering a submission from the successful tenderer. New fees will take effect from 1 July of each year.

The following are the recommended maximum 2007/08 Fees (including GST):

- Adult (13 & over) \$4.00
- Adult (10 passes) \$36.00
- Child (under 2 years free) \$3.00
- Concession \$3.30
- Family Pass(1 adult & 2 children) \$8.50
- Pool Hire (schools per hour) \$125.00 (minimum of 4 hour hire)
- Pool Hire (Others per hour) \$150.00 (minimum of 4 hour hire)

Children 10 years and under must be accompanied by an adult at all times.

Note: Concession Rate applies to holders of a Centrelink issued, Pensioner Concession Card.

OPERATING TIMES

The Centre will be open to the public year round except for closure of areas for renovations or major repairs in the winter period, approved by Council.

However, the 50m pool may be closed for an extended period of up to 2 months during the winter months. The rapid river ride may also be closed from March to September, as it is not heated. Any closure of these facilities must be approved by Council and advertised to the public at the successful tenderers expense, well in advance of the closure date.

Opening hours will be as follows:

- Monday – Friday 5 am- 8 pm;
- Saturday 6 am- 6 pm;
- Sunday 9 am- 6 pm;

(Closed Christmas Day and Good Friday)

The Centre may be closed for various special functions and the Opening Times may be varied from time to time with the prior approval of Council. These varied opening times must be advertised to the public at the successful tenderers expense, well in advance of the date.

**(Please note - The cost of heating the 5 pools for the entire year, 3 with gas and 2 with electricity, will cost approximately \$135,000. The 50m pool alone costs between \$7,000 to \$8,000 per month in winter, with very little revenue generated from this area. This is why consideration is given for the lessee to close this pool during the peak winter period for 2 months. While the gas and electricity costs are the responsibility of the lessee, ultimately this expense is passed on to Council in a higher management fee, should we require this pool to be operational all year round).*

GYMNASIUM/AEROBICS

The successful Tenderer will be responsible for the operation and fit out of the gymnasium/aerobics facility. The gym fixtures and fittings remain the property of the successful Tenderer. The successful Tenderer may sub-lease these facilities subject to Council's approval.

CAPITAL UPGRADE/PROVISION OF NEW FACILITIES

The tenderers will be asked to consider capital upgrade to the centre and will need to provide costs and timing of any proposals. Prioritised areas within the complex have been highlighted for their consideration in line with the Master Plan for the facility.

CURRENT MANAGEMENT CONTRACT

The current agreement with David Urquhart expires at the end of November 2007 and it was intended to have advertised and appointed a new lessee for up to 20 years by this date. However, due to the later than expected completion of the new pool area (to be opened for 22 September school holidays) officers recommend that this agreement be extended until 31 July 2008 for the following reasons:

- This will allow for the commissioning of the new facilities;
- This will allow officers to ascertain the actual costs associated with the new facility for gas, electricity, chemicals, staffing, Public Liability Insurance etc for the period October to March;
- Receive actual revenue / attendance figures for the period October to March;
- Council will be able to complete maintenance to the venue so that it is in its best condition when inspected by tenderers;
- The biggest risk to any tenderer is having to estimate their unknown revenue and expenses without previous history, especially when any miscalculation will be extrapolated out over the 20 years of the lease. Therefore they will always try to err in their favour which will mean a higher than appropriate Management Fee being paid by Council to cover the lessee's risk over the full period of the lease.

INVITATION TO TENDER TIME FRAME

The time frame for the tender process would be as follows:

- Finalise tender documents as recommended in this report by late March 2008 (to include revenue and expenditure data collated from October to March);

- Advertise Invitation to Tender early April 2008;
- Close Invitation to Tender early May 2008;
- Assessment of tenders to late May early June 2008;
- CEO approval of successful tender late June 2008;
- Provide one month's notice to David Urquhart Swim School and the new Lessee;
- New Lessee to start 1 August 2008.

Council will be offering a lease of the Aquatic Centre for up to 20 years. It is therefore considered critical that Council provide actual costs and revenue expectations associated with the redeveloped venue as part of the Invitation to Tender. This will allow prospective lessees to tender with some certainty in assessing any management fee Council may pay annually over the period of the lease. Without this information, the Management fee is likely to be inflated to offset any risk to the tenderers.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to build safe, strong and self reliant communities with access to community services, infrastructure and opportunities for participation in community life.

FINANCIAL IMPLICATIONS

All maintenance and operational costs for the period up to July 2008 have been allocated in the current 2007/08 budget. David Urquhart Swim School have indicated that they would be agreeable to extending the existing operational and financial agreement from December 2007 to July 2008.

PLANNING SCHEME IMPLICATIONS

It is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation has occurred with the following:

- David Urquhart Swim School;
- Manager Customer and Community Services; and
- Executive Leadership Group.

OPTIONS**PREFERRED**

That Council resolve as follows:

1. That the Chief Executive Officer be delegated authority –
 - a. To invite and accept quotations and make, vary and discharge a contract for the management of the Cleveland Aquatic Centre for the period 23 November 2007 to 31 July 2008, with an option to extend for one (1) month periods, such total term of the contract not to exceed 31 October 2008, if and as required;
 - b. To invite tenders for the lease of the Cleveland Aquatic Centre from 31 July 2008 for a period of up to 20 years;
 - c. To award the tender and make, vary and discharge a contract with the successful tenderer; and
2. That the Mayor and Chief Executive Officer be authorised to sign and seal all relevant documentation.

ALTERNATIVE

That Council resolve as follows:

1. To invite tenders for the lease of the Cleveland Aquatic Centre from 23 November 2007 for a period of up to 20 years;
2. To delegate authority to the Chief Executive Officer to accept the tender from and make, vary and discharge a contract with the successful tenderer; and
3. That the Mayor and Chief Executive Officer be authorised to sign and seal all relevant documentation.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. That the Chief Executive Officer be delegated authority –
 - a. To invite and accept quotations and make, vary and discharge a contract for the management of the Cleveland Aquatic Centre for the period 23 November 2007 to 31 July 2008, with an option to extend for one (1) month periods, such total term of the contract not to exceed 31 October 2008, if and as required;
 - b. To invite tenders for the lease of the Cleveland Aquatic Centre from 31 July 2008 for a period of up to 20 years;
 - c. To award the tender and make, vary and discharge a contract with the successful tenderer; and
2. That the Mayor and Chief Executive Officer be authorised to sign and seal all relevant documentation.

COMMITTEE DISCUSSION

It was agreed that, prior to awarding the tender for the lease of the Cleveland Aquatic Centre for a period of up to 20 years, that a report be presented to Council for its consideration.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That Council resolve as follows:

- 1. That the Chief Executive Officer be delegated authority:**
 - a. To invite and accept quotations and make, vary and discharge a contract for the management of the Cleveland Aquatic Centre for the period 23 November 2007 to 31 July 2008, with an option to extend for one (1) month periods, such total term of the contract not to exceed 31 October 2008, if and as required;**
 - b. That the Mayor and Chief Executive Officer be authorised to sign and seal all relevant documentation; and**
- 2. To invite tenders for the lease of the Cleveland Aquatic Centre from 31 July 2008 for a period of up to 20 years and that a report be presented to Council to decide this tender.**

CARRIED

12.3.2 AMENDMENT TO 2007-08 FEES AND CHARGES FOR COMMUNITY HALLS

Dataworks Filename: FM Fees and Charges 2007/2008
Responsible Officer Name: Greg Jensen
Manager Customer and Community Services
Author Name: Russell Cook
Leisure and Recreation Services Manger

EXECUTIVE SUMMARY

As part of a marketing campaign to increase use of Council's Community Halls, officers are proposing to introduce an additional "Early Bird" fee to attract additional users to the early morning, before 9 am weekdays, time slots. This would be equivalent to a 25% discount for regular hirers.

Council at its meeting dated 30 May 2007 adopted the 2007/08 Fees and Charges for the 15 Community Halls within the Shire. However, an incorrect percentage was used in the spreadsheet when calculating some of the fees for 2007/08 for the Wellington Point hall.

PURPOSE

The purpose of this report is to gain approval to introduce an "Early Bird" fee at Council's 15 Community Halls and to correct the Meeting Room and Full Hall fees for the Wellington Point hall that were incorrectly recommended for approval in May 2007.

BACKGROUND

As part of a marketing campaign for the Community Halls, Council officers have undertaken a usage analysis. Of the 130 regular hirers spread across Council's 15 Community Halls, only six start their usage before 9.00am week days. Therefore this time block, from 6.00 am to 9.00am, is underutilised, at only 6% of the available time, while the remaining hours, after 9.00am, are utilised at 55% (mainland halls).

There are limited user groups that would use the halls at this time; however, the offer would be attractive to the fitness and exercise market.

To attract additional users to the 6.00am to 9.00am time slot, it is proposed to offer regular hirers a 25% reduction in fees for usage within this period. Any additional usage beyond 9.00am would be at their normal hire rate.

Council has previously approved a 15% reduction in hire fees where a hirer concurrently uses more than one area of a hall, i.e. Main Floor and Meeting Room. However, an incorrect percentage was used when calculating the fees for 2007/08 for

the Wellington Point hall. Subsequently the approved fee for Profit - Full Hall fee of \$36.70/hr is incorrect and should be \$34.40/hr, and the Profit, Event Use - Meeting Room fee of \$244.00/day should be \$195.00/day.

ISSUES

Some hirers of the Wellington Point hall have been adversely affected by the higher increase in hire fees than approved at the other halls.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to build safe, strong and self reliant communities with access to community services, infrastructure and opportunities for participation in community life.

FINANCIAL IMPLICATIONS

There will be very little financial implication to Council with the proposed fee reductions, as any small decrease in revenue should be offset by the additional usage of the venues.

PLANNING SCHEME IMPLICATIONS

It is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

The following have been consulted:

- Community Hall Booking Officers;
- Manager Customer and Community Services.

OPTIONS

PREFERRED

1. That Council introduce an "Early Bird" fee of a 25% reduction on the hirer's appropriate fee, for use of Community Halls between the hours of 6.00am and 9.00am weekdays; and
2. That Council approve the amended fees for Wellington Point Hall, Profit - Full Hall fee at \$34.40/hr, and the Profit, Event Use - Meeting Room fee at \$195.00/day.

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That Council resolve to amend the 2007/08 Fees and Charges as follows:

- 1. To introduce an "Early Bird" fee, of a 25% reduction on the hirer's appropriate fee, for use of Community Halls between the hours of 6.00am and 9.00am weekdays; and**
- 2. To approve the amended fee for Wellington Point Hall, Profit - Full Hall fee at \$34.40/hr, and the Profit, Event Use - Meeting Room fee at \$195.00/day.**

CARRIED

12.4 PLANNING AND POLICY

12.4.1 MONTHLY BALANCED SCORECARD REPORT FOR AUGUST 2007

Datworks Filename:	Gov - Corporate Balanced Scorecard Monthly Report to Committee
Attachments:	<u>Corporate Balanced Scorecard August 2007</u>
Responsible Officer Name:	Warren Van Wyk Manager Corporate Planning Performance & Risk
Author Name:	Jenny Forbes Senior Projects Officer

EXECUTIVE SUMMARY

The monthly Corporate Balanced Scorecard report, as attached, provides a high level overview of Council's performance in key areas of Council business.

This report provides the performance results and comments for the month of August 2007. Performance is shown in one of four ranges: Outstanding (green), above standard (yellow), satisfactory (orange) or unsatisfactory (red). The overall rating for each Perspective is determined by the relative weightings of each KPI it includes.

The overall rating for Redland Shire Council for the month of August is Outstanding.

PURPOSE

To provide Council with the Corporate Balanced Scorecard report for the month of August 2007.

BACKGROUND

The performance management framework for Redland Shire Council includes the requirement for reports to Council on a monthly and quarterly basis as follows:

- The monthly Corporate Balanced Scorecard (BSC) report to Council of overall organisational performance. This report comprises a concise set of high level KPI's that have been developed to reflect organisational performance against financial, customer, internal/business processes, and people and learning perspectives. This report provides Council with a monthly snapshot on how the organisation is performing in key areas of our business.
- A more detailed quarterly operational plan performance report that focuses on performance at a program level. This report comprises a summary of performance against all KPI's and more detailed comments from Managers about performance that falls above or below an acceptable range.

ISSUES

The following comments provide an overview of performance under each scorecard perspective and the associated key performance indicators.

Financial Perspective

August Rating: Above Standard

Proven Earnings Before Interest Tax & Depreciation (EBITD) Savings to Budget (weighting 20%) rated at the outstanding level, with a budget of \$7.3 million and actual \$9.8 million. Full details are provided in the monthly finance report.

Cash Levels within Targets (weighting 8%) rated in the satisfactory range with the result of 5.2 months being within the target range.

The Capital Works Program Financial Performance KPI (weighting 12%) compares expenditure on finalised projects with budget. With a satisfactory result this month, the budget for completed projects so far this year (which are almost exclusively PDG projects) was \$329,392 and actual expenditure on these projects was \$329,356.

Customer Perspective

August Rating: Outstanding

Capital works program practical completion (weighting 15%) reports on the % of capital project milestones achieved compared to plan. PDG capital projects program of works is currently under development, with 242 projects from the 2007/08 and 2008/09 Capital Works Program currently being managed by PDG. 20 projects have reached practical completion YTD. Redland Water and Waste is on target YTD and the 6 capital milestones due in August were all achieved. In Corporate Services, milestones are actually ahead of target overall with Information Management Group having already completed most of September's scheduled milestones.

Compliance with the Australian Drinking Water Guidelines (ADWG, weighting 2.5%): Drinking water quality fully complied (100%) with all 4 key ADWG parameters: e-coli levels, turbidity, pH levels, and manganese levels.

Compliance with our EPA Licence for Wastewater (weighting 2.5%) rated as satisfactory, due to two non-conformances due to illegal trade waste dumping at Capalaba Waste Water Treatment Plant.

% of development assessment, integrated commercial and land development applications processed within IPA timeframes (weighting 10%) achieved 96% of decisions made within statutory timeframes and an above standard rating.

Internal Perspective

August Rating: Outstanding

Asset Management Plans Actions Completed (weighting 7.5%) was above standard with 94% completed on time.

% of Internal Audit Actions completed within agreed timeframes (weighting 7.5%), continues to rate as outstanding with 100% of audit recommendations completed on schedule.

People & Learning Perspective

August Rating: Outstanding

% of funded workplace health and safety management plan actions (weighting 10%) rated at the outstanding level. With the change to the new performance based Australian Standard (AS4804/4801) a transition plan has been developed and distributed to the WH&S Committee for review.

The Lost Time Injury Frequency Rate (weighting 5%) is expressed as a rolling 12 month average and rated in the above standard range. Three incidents (two sprains, one fracture) were reported for the month. All have returned to work with two staff on a suitable duties program.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to provide a clear organisational direction supported by effective leadership and a framework of policies, plans and strategies that are responsive to the community's needs and which promote accountable and ethical standards of practice.

FINANCIAL IMPLICATIONS

No direct financial implications arise from this report. The report does contain several indicators that either reflects financial performance to date, or which will have had a direct or indirect impact on financial performance.

PLANNING SCHEME IMPLICATIONS

It is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

The data and comments in the report were provided by relevant managers and were compiled by the Corporate Planning, Performance and Risk Group.

OPTIONS

PREFERRED

That Council resolve to note the Corporate Balanced Scorecard for the month of August 2007, as attached.

ALTERNATIVE

That Council resolve to note the Corporate Balanced Scorecard for August 2007 and request additional information.

**OFFICER'S/COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That Council resolve to note the Corporate Balanced Scorecard for the month of August 2007, as attached.

CARRIED

12.5 GENERAL BUSINESS

Permission was granted for the following items of general business to be raised:

1. Cr Ogilvie requested an update on the progress of quotations for the Visitor Information Centre. Acting General Manager Planning and Policy to follow up on this matter and advise the Councillor.
2. Cr Elliott enquired whether zoning categories could be displayed on future rating notices. General Manager Corporate Services advised that they were currently looking at a range of issues and/or improvements in respect to how the rating notices are displayed. It is anticipated that a new look rating notice would be available in time for the issue of the first notice in March 2008 and that details could be provided to Councillors prior to this date.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That the general business items be noted.

CARRIED

13 DIRECT TO COUNCIL REPORTS

13.1 CORPORATE SERVICES

13.1.1 PROPOSED CHANGES TO LGAQ STRUCTURE & FUNDING

Datworks Filename: Local Government Association of Queensland

Attachments: [Appendix A - Table of Proposed subscription Changes](#)

Responsible Officer Name: Ray Turner
General Manager Corporate Services

Author Name: Ray Turner
General Manager Corporate Services

EXECUTIVE SUMMARY

Following the implementation of the Local Government Reform process, the Local Government Association of Queensland (LGAQ) has distributed a discussion paper on proposed changes to the member subscription formula, member voting entitlements, and the structure of the Executive.

They are requesting feedback on the proposed changes by 22 October 2007 and are planning a Special Conference for 14 December 2007 to discuss the changes.

This revised methodology will increase RSC's annual subscription by 48% to \$101,672. Ipswich City Council will also incur a 48% increase in their subscription. This percentage increase for Redlands and Ipswich is the highest of all Queensland local governments. A number of councils have had decreases.

Currently RSC pays 3.71 times the average subscription and is entitled to eight votes. After the amalgamations from 157 councils to 73 and the resultant revised subscriptions, RSC will pay 2.55 times the average subscription and will be entitled to six votes.

The overall size of the Executive is subordinate to the need to have a fair and reasonable representation for a District. Option 3, with 10 members on the Executive, appears to provide the closest fit to an even allocation of quotas based on votes per member and is thus supported.

Considering there were 18 members representing 153 Councils, it is not unreasonable to reduce the number to 10 members representing 73 Councils.

PURPOSE

The purpose of this report is to provide LGAQ with a response to their September 2007 Discussion Paper – LGAQ Structure & Funding Options and New Council Arrangements.

BACKGROUND

Following the implementation of the Local Government Reform process, the Local Government Association of Queensland (LGAQ) has distributed a discussion paper on proposed changes to the member subscription formula, member voting entitlements, and the structure of the Executive.

They are requesting feedback on the proposed changes by 22 October 2007 and are planning a Special Conference for the 14 December 2007 to discuss the changes.

Changes such as those proposed have to be carried by a two thirds majority of all eligible votes.

The new arrangements will come into effect from 1 June 2008, but need to be in place by the March 2008 elections, to allow a new Executive to be elected on that basis.

The current structure for member subscriptions, voting entitlements and the Executive was put in place in 1993.

The Discussion Paper poses three questions and requests comments on each.

ISSUES

Member Subscriptions

The formula implemented in 1993 distributed the overall subscription on the basis of:-

- 40% as an equal amount per Council (equivalent to a 'flagfall' amount);
- 30% based on population share;
- 30% based on revenue share (later changed to expenditure share).

There were caps in place for Brisbane City and Gold Coast because of their size.

Redland Shire Council's (RSC) 2007/08 subscription based on this formula amounted to \$68,895.

The proposal is to change the basis on which subscriptions are calculated to:-

- 20% as an equal amount per Council;
- 40% based on population share;
- 40% based on expenditure share.

This revised methodology will increase RSC's annual subscription by 48% to \$101,672. Ipswich City Council will also incur a 48% increase in their subscription. This percentage increase for Redlands and Ipswich is the highest of all Queensland local governments. A number of councils have had decreases.

No questions have been posed by LGAQ on this revised methodology and without any further data it is not possible to calculate the impacts of any variations to the revised basis for calculation. It is therefore difficult to make comment on the changes, other than to state our disappointment at the disproportionate increase for Redland Shire.

The table of proposed subscription changes is included as Appendix A to this report.

Voting Entitlements

The voting entitlement for each Council is determined by reference to the annual subscription paid by the Council. The subscription paid by a council is divided by the average subscription paid by all councils. This calculated factor is applied to a table to determine the number of votes.

Currently RSC pays 3.71 times the average subscription and is entitled to eight votes. After the amalgamations from 157 councils to 73 and the resultant revised subscriptions, RSC will pay 2.55 times the average subscription and will be entitled to six votes.

Brisbane City currently has 20 votes but will reduce to 14 and the Gold Coast will reduce from 14 votes to 10 under the new proposals.

Question:

Do you agree that maintaining the current rules for Member voting entitlements is appropriate following the changes to Council boundaries?

If not, what alternative system of allocating votes would achieve a more equitable outcome?

Suggested Response:

The current rules for Member voting entitlement are adequate.

Executive Representation

The Executive representation established in 1993 was linked to the number of votes contained within each of the 14 Districts. There were approximately 25 votes required per Executive member. All Districts, excluding the South East, were allotted one representative. Brisbane City was allotted one representative and the remaining South East councils were allotted four representatives in total.

This resulted in an executive of 18 members. This included the President who was elected at large and two indigenous representatives.

Question:

Do you agree that the stakeholder principles adopted in 1992 will continue to provide a fair and equitable distribution of voting entitlements between members? Will these principles also help to achieve an appropriate

distribution of Executive member representation across the State as they have over the past fifteen years?

If not, what changes do you suggest?

Suggested Response:

The 1992 principles provide an acceptable distribution of voting entitlements between members.

The new proposal includes three options for determining the make up of the Executive:-

- Option 1 - An Executive of 14 members spread across 11 Districts;
- Option 2 - An Executive of 11 members spread across 9 Districts;
- Option 3 - An Executive of 10 members spread across 8 Districts.

Each Option includes a President elected at large.

For the SEQ, Option 1 contains four Executive Representatives, while Option 2 and Option 3 would have three members. All Options contain 1 member from BCC as part of the SEQ entitlement.

The following three tables display options 1, 2, and 3.

Option 1: 13 District Representatives plus President

District	New Council Numbers	No. New Votes	Actual Quota at 17votes per member	No. of Executive Representatives
Brisbane/Moreton	10	72	4.2	4
Wide Bay/Burnett	5	14	0.8	1
Darling Downs	4	14	0.8	1
South West	6	12	0.7	1
Central Qld (Fitzroy/Mackay)	7	22	1.3	1
Central West	7	14	0.8	1
Northern	4	14	0.8	1
Far North (excluding Croydon/Etheridge)	5	16	0.9	1
North West (including Croydon/Etheridge)	9	18	1.1	1
Indigenous	13	26	1.5	1
Total	70	222		13

Option 1 is considered to be the maximum reasonable size for an Executive to represent 70 Councils across the State.

Option 2: 10 District Representatives plus President

District	New Council Numbers	No. New Votes	Actual Quota at 22 votes per member	No. of Executive Representatives
Brisbane/Moreton	10	72	3.3	3
Wide Bay/Burnett	5	14	0.6	1
Darling Downs/South West	10	26	1.2	1
Central Qld (Fitzroy/Mackay)	7	22	1.0	1
Central West	7	14	0.6	1
Northern/ Far North (excluding Croydon, Etheridge, Cook, Torres)	7	26	1.2	1
North West/Peninsula (including Croydon, Etheridge, Cook, Torres)	11	22	1.0	1
Indigenous	13	26	1.2	1
Total	70	222		10

Option 3: 9 District Representatives plus President

District	New Council Numbers	No. New Votes	Actual Quota at 25 votes per member	No. of Executive Representatives
Brisbane/Moreton	10	72	2.9	3
Wide Bay/Burnett/Darling Downs	9	28	1.1	1
South West/Central West	13	26	1.0	1
Central Qld (Fitzroy/Mackay)	7	22	0.9	1
Northern/ Far North (excluding Croydon, Etheridge, Cook, Torres)	7	26	1.0	1
North West/Peninsula (including Croydon, Etheridge, Cook, Torres)	11	22	0.9	1

District	New Council Numbers	No. New Votes	Actual Quota at 25 votes per member	No. of Executive Representatives
Indigenous	13	26	1.0	1
Total	70	222		9

Question:

How important is the overall size of the Executive? Should it be as large as 14 members, meaning one member for every 5 Councils? Should it reduce to 10 members meaning one member for each 7 Councils?

Which of the three options presented in this discussion paper do you prefer?

Can you suggest any better combination of new councils into Districts that would better meet the stakeholder principles for representation discussed earlier?

Suggested Response:

The overall size of the Executive is subordinate to the need to have a fair and reasonable representation for a District. Option 3, with 10 members on the Executive, appears to provide the closest fit to an even allocation of quotas based on votes per member and is thus supported.

Considering there were 18 members representing 153 Councils, it is not unreasonable to reduce the number to 10 members representing 73 Councils.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to provide a clear organisational direction supported by effective leadership and a framework of policies, plans and strategies that are responsive to the community's needs and which promote accountable and ethical standards of practice.

FINANCIAL IMPLICATIONS

Council's annual LGAQ subscription is proposed to increase from \$68,895 to \$101,672 per year.

CONSULTATION

No consultation was carried out when drafting this report.

OPTIONS**PREFERRED**

That Council note the report and that the Chief Executive Officer provide responses to the questions posed by LGAQ in accordance with the contents of this report.

ALTERNATIVE

That Council note the report and that the Chief Executive Officer provide responses to the questions posed by LGAQ as directed by Council.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Henry

That Council resolve to note the report and that the Chief Executive Officer provide responses to the questions posed by LGAQ in accordance with the contents of this report.

CARRIED

13.1.2 REVIEW OF LOCAL GOVERNMENT ACT 1993

Datworks Filename: L&E Legislation – Local Government Act 1993
Attachments: [Response to Issues Papers](#)
Responsible Officer Name: Ray Turner
General Manager Corporate Services
Author Name: Anne Roseler
Manager Legal Services

EXECUTIVE SUMMARY

The Department of Local Government Planning Sport and Recreation is currently undertaking a review of the *Local Government Act 1993*. As part of this review, they have published eight issues papers and requested responses to the issues which will underpin the policy of the legislation.

A response on behalf of Redland Shire Council has been prepared for submission to the Department.

PURPOSE

To obtain Council's approval to submit the attached response to the issues papers which were published as part of the review of the *Local Government Act 1993*, to the Department of Local Government Planning Sport and Recreation.

BACKGROUND

The Department of Local Government [the Department] is currently reviewing the *Local Government Act 1993* [the Act]. The Act establishes local government within Queensland and provides the framework for its structure and operation. It is the cornerstone legislation for local government in Queensland and impacts on all areas of Council including the elected members. It is important that Council takes the opportunity to participate in the review process and make a submission in response to the issues papers.

The Department's terms of reference for the review are to:

1. *Investigate the effectiveness of current legislative provisions with regard to contemporary governance and service delivery arrangements in local government – in particular, modern approaches to regionalism, joint local governments, shared services, community engagement and participation, commercial and business operations, performance standards, and leadership and management of community infrastructure and services.*
2. *Consider the legislative framework for local government to determine the most appropriate legal, administrative, regulatory and electoral arrangements to best reflect local government's role in the community.*

3. *Consult with councils, stakeholders and the community to identify issues for inclusion in the review and to contribute to the development of viable options for improvement of local government.*

The Department is undertaking this review in a 5-stage process. The first stage was to identify the general issues for review with LGAQ executive, stakeholder agencies and peak bodies and departmental specialists. The second stage was to identify the key issues in consultation with approved stakeholders including mayors, CEO's, professional associations, industry groups, particular interest groups and indigenous councils.

The third stage is to release issues paper for public consultation. The fourth and fifth stages are then to draft the amendment bill and to have it passed by Parliament.

The issues papers which comprise the third stage of the process have now been released. There are a total of eight issues papers:-

1. **Structures and functions of local government** which *“examines ways in which new legislation can facilitate effective local government, the possibility of new structural and partnership arrangements will be explored.”*
2. **Local government and its place in the wider framework of government** *“provides information on important aspects of the role of the State with local government, the requirements of other relevant legislation, reviewable matters, state intervention, grants and other concerns about the place of local government in the wider framework of government”*
3. **The roles and powers of councillors and officers** examines the roles and functions of elected members and employees.
4. **Local government elections** examines the conduct of local government elections
5. **Local laws** considers the role and quality of local laws, making local laws, penalties under local laws and the effect of State laws on local laws.
6. **Asset, financial and infrastructure management** *“provides an avenue for consideration of how new legislation could provide the framework to support local governments in sound and accountable asset, financial and infrastructure management best value practice, to ensure the economic viability of Queensland communities.”*
7. **Performance reporting and compliance** considers such issues as requirements for performance reporting and quality and consistency of performance indicators and community plans
8. **The role of the department responsible for local government** *“explores options of how the State can best support local government in Queensland.”*

ISSUES

Submissions to the issues papers are encouraged to respond to the questions posed at the end of each issues paper and close on 5 October 2007. Representatives from the department have encouraged councils to respond on a themed basis rather than respond to each of the specific questions.

The Act establishes local government within Queensland and provides the framework for its structure and operation. It is the cornerstone legislation for local government in Queensland and impacts on all areas of Council including the elected members. It is important that Council takes the opportunity to participate in the review process and make a submission in response to the issues papers.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to provide a clear organisational direction supported by effective leadership and a framework of policies, plans and strategies that are responsive to the community's needs and which promote accountable and ethical standards of practice.

FINANCIAL IMPLICATIONS

There are no financial implications identified by the submission of this response.

PLANNING SCHEME IMPLICATIONS

It is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

The Senior Management Group and Executive Leadership Group were consulted in the preparation of this report.

OPTIONS

PREFERRED

That Council resolve to endorse the attached response to the issues papers published by the Department of Local Government Planning Sport and Recreation.

ALTERNATIVE

That Council not endorse the attached response.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Burns
Seconded by: Cr Barker

That Council resolve to submit to the Department of Local Government Planning Sport and Recreation, the attached response to the issues papers reviewing the *Local Government Act 1993*.

CARRIED

13.2 CUSTOMER SERVICES

13.2.1 REDLANDS YOUTH FORUM

Datworks Filename: Redlands Youth Forum
Responsible Officer Name: Glenys Ismail
Acting Manager Customer & Community Services
Author Name: Courtney Gillott
Youth Development Officer

EXECUTIVE SUMMARY

Redlands Youth Forum (YTalk) was launched in 2005 (Policy POL-3021) and replaced the former Junior Council model as Council's youth advisory mechanism. The Redlands Youth Forum is open to young people 13-18 years who live, work or study in the Shire. Meetings are held monthly in Cleveland. The Forum was originally advertised to the youth of the Shire through an open invitation in the newspaper. While efforts have been made through various youth networks to increase membership of the group, participation at Youth Forum meetings has been declining over the past couple of years.

The key role of the Forum is to provide youth comment on local decisions and issues. It is therefore imperative to broaden the membership and participation of the Forum. The Mayor and Deputy Mayor were guests at the September Forum meeting and discussed options for building a sustainable membership. It was agreed to deliver a more formal approach to schools and youth organisations.

PURPOSE

The purpose of the report is for Council to adopt a formal approach to high schools and youth organisations to participate more actively in the Redlands Youth Forum.

BACKGROUND

There is an open invitation to all young people 13-18 years who live, work or study in the Shire to participate in Redlands Youth Forum. This has created a range of issues for membership development and sustainability. Despite numerous efforts to promote the Forum and invite schools and youth organisations to encourage young people to actively participate, little success has been achieved. It is anticipated that a more formal approach to schools and youth organisations will encourage and foster greater participation by a broad range of young people.

ISSUES

The low membership and attendance at monthly meetings results in a lack of representation from a diverse group of young people. The Forum aims to provide comment on local decisions and issues that affect young people and it is important that the forum reflects the diversity of young people across the Shire.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to build safe, strong and self reliant communities with access to community services, infrastructure and opportunities for participation in community life.

FINANCIAL IMPLICATIONS

Costs will be as budgeted for venue hire and catering for the Youth Forum.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

- Mayor, Cr Seccombe;
- Deputy Mayor, Cr Dowling;
- Youth Development Officer, Ms Courtney Gillott;
- YTalk members attending September meeting.

OPTIONS

PREFERRED

That Council resolve to adopt a formal approach, on behalf of Redlands Youth Forum, to schools and youth agencies, requesting they nominate a minimum of two young representatives for the Youth Forum.

ALTERNATIVE

That Council resolve to not adopt a formal approach, on behalf of Redlands Youth Forum, to schools and youth agencies requesting they nominate a minimum of two young representatives for the Youth Forum.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Elliott
Seconded by: Cr Henry

That Council resolve to adopt a formal approach, on behalf of Redlands Youth Forum - YTalk, to schools and youth agencies requesting they nominate a minimum of two young representatives for the Youth Forum.

CARRIED

13.3 OFFICE OF CEO

13.3.1 REQUEST FOR STATEMENT OF REASON UNDER THE JUDICIAL REVIEW ACT RE DRAFT LGMS

Dataworks Filename: LUP - Local Growth Management Strategy
Responsible Officer Name: Susan Rankin
Chief Executive Officer
Author Name: Wayne Dawson
Manager, Land Use Planning Group

EXECUTIVE SUMMARY

At a Special Meeting on 21 June, 2007, Council adopted, subject to amendments, the draft Local Growth Management Strategy (LGMS), associated Planning Report and Schedule of Implementation Activities for referral to the Office of Urban Management for First State Interest review.

On the 4 September 2007 Council received a request under the *Judicial Review Act 1991* for:

“a written statement containing the findings on material questions of fact referring to the evidence or other material on which those findings were based, and giving reasons for that part of the decision contained in resolution 1a “to remove reference to “residential” in the Thornlands Integrated Enterprise Area” from the draft Local Growth Management Strategy, associated planning study and schedule of implementation activities annexed to the Council resolution and under resolution 2, to submit the draft so amended to the Regional Planning Minister.”

Section 33 of the *Judicial Review Act 1991* specifies that the decision maker, in this case Council, must as soon as is practicable, and in any event within 28 days after receiving this request, provide a written statement.

A Statement of Reason has subsequently been prepared and is referred to Council for adoption.

PURPOSE

The purpose of this report is to seek endorsement of the written statement prepared in accordance with the *Judicial Review Act 1991*, regarding the resolution of Council passed on the 21 June 2007 in relation to the draft Local Growth Management Strategy

BACKGROUND

With the introduction of the SEQ Regional Plan each local government in South East Queensland is required to prepare a Local Growth Management Strategy (LGMS). A

report to the Planning and Policy Committee of 18 August 2006 advised Council of this requirement and the process for preparing a LGMS.

The LGMS is the vehicle through which Council sets out its strategy for achieving the urban development aspects of the regional Plan at the local level.

The LGMS must also be supported by two non-statutory supporting documents. They are;

1. A Schedule of Implementation Activities that show how Council intends to achieve the LGMS outcomes.
2. A Planning Report that documents the results of technical studies undertaken in the development of the LGMS, and demonstrates that the LGMS is consistent with the urban development aspects of the SEQ Regional Plan.

At a Special Meeting on 21 June 2007, Council adopted subject to amendments, the draft Local Growth Management Strategy associated Planning Report and Schedule of Implementation Activities for referral to the Office of Urban management for First State Interest Review. In particular Council resolved as follows:

1. To adopt the draft Redlands Local Growth Management Strategy (Annexure 1), associated Planning Study and Schedule of Implementation Activities, with the following amendment:
 - a. To remove reference to “residential” in Thornlands Integrated Enterprise Area;
 - b. To include new dot points on page 38 of 97 Annexure 1 to read “transport infrastructure upgrades to facilitate the revitalisation of Capalaba Principal Activity Centre,” and
 - c. To amend page 15 of 97 of Annexure 1 in that “Victoria Point Town Centre” to read, “Victoria Point Major Activity Centre”,
2. To submit a copy of the draft Redlands Local Growth Management Strategy, associated Planning Study and Schedule of Implementation Activities [with amendments as outlined in resolution 1 above] to the regional Planning Minister for the purposes of First State Interest Review; and
3. That Council formally write to the Regional Planning Minister seeking to include the area as shown in Annexure 5 as a Major Development Area under the Regulatory provisions of the South East Queensland Regional Plan 2005-2026.

On the 4 September 2007 Council received correspondence requesting under the *Judicial Review Act 1991*:

“Council provide a written statement containing the findings on material questions of fact referring to the evidence or other material on which those findings were based, and giving reasons for that part of the decision contained in resolution 1a “to remove reference to “residential” in the Thornlands

Integrated Enterprise Area” from the draft Local Growth Management Strategy, associated planning study and schedule of implementation activities annexed to the Council resolution, to submit the draft so amended to the Regional Planning Minister.”

Council’s decisions embodied in the 21 June 2007 resolutions are decisions of an administrative character made under the *Integrated Planning Act 1997* and/or the South East Queensland Regional Plan and are decisions to which the *Judicial Review Act 1991* applies.

Section 33 of the *Judicial Review Act 1991* specifies that the decision maker, in this case Council, must as soon as is practicable, and in any event within 28 days after receiving this request, provide a written statement of reasons.

ISSUES

Proposed Statement of Reasons

On 21 June 2007 the Redland Shire Council passed the following resolutions:

1. To adopt the draft Redlands Local Growth Management Strategy (Annexure 1), associated Planning Study and Schedule of Implementation Activities, with the following amendment:
 - a. To remove reference to “residential” in Thornlands Integrated Enterprise Area;
 - b. To include new dot points on page 38 of 97 Annexure 1 to read “transport infrastructure upgrades to facilitate the revitalisation of Capalaba Principal Activity Centre, and
 - c. To amend page 15 of 97 of Annexure 1 in that “Victoria Point Town Centre” to read, “Victoria Point Major Activity Centre”],
2. To submit a copy of the draft Redlands Local Growth Management Strategy, associated Planning Study and Schedule of Implementation Activities [with amendments as outlined in resolution 1 above] to the regional Planning Minister for the purposes of First State Interest Review; and
3. That Council formally write to the Regional Planning Minister seeking to include the area as shown in Annexure 5 as a Major Development Area under the Regulatory provisions of the South East Queensland Regional Plan 2005-2026.

The reasons for Council’s decision to “remove reference to “residential” in the Thornlands Integrated Enterprise Area” from the draft Local Growth Management Strategy, associated planning study and Schedule of Implementation activities were:

1. The Thornlands Integrated Enterprise Area represents the most significant land resource within the urban footprint of the SEQ Regional Plan 2005/2026, [SEQRP] to provide for future economic and employment growth within the

Redland Shire. The planning of, and future development of the area for employment and enterprise purposes is critical to the Council delivering on its employment and local job containment strategies to 2026 and beyond. Until such time as appropriate structure planning processes have adequately protected and identified suitable land within the area for long term employment and enterprise purposes, it is premature and inappropriate to identify this land for potential residential uses.

2. The SEQRP requires Redland Shire to accommodate 9,400 dwellings within Greenfield areas by 2026. The draft Local Growth Management Strategy exceeds this target with plans to accommodate 12,000 new dwellings in Greenfield areas. Based on these figures there is no need for Council to identify or include the Thornlands Integrated Enterprise Area for residential purposes to satisfy SEQRP dwelling targets in the draft Local Growth Management Strategy [LGMS].
3. This draft LGMS addresses a significant gap within the final version of the Redlands Planning Scheme (2006) [RPS] and the future commitment on Council to identify land area(s) to meet the local employment and enterprise needs of the Shire, as conditioned through the State Local Government & Planning Minister's approval of the RPS.
4. This position advances previous statements contained with the RPS, Part 3 Division 1 Desired Environmental Outcome No.: 6 – Economic Development and (3.1.7(1)(c) and Division 2 Strategic Framework concerning the investigation of future integrated employment areas in the Shire.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to provide effective organisational leadership through strategic planning and accountable and ethical standards of practice.

FINANCIAL IMPLICATIONS

None identified.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the outcome of recommendations in this report will not result in possible amendments to the Redlands Planning Scheme.

CONSULTATION

Land Use Planning has consulted with Legal Services.

OPTIONS**PREFERRED**

That Council resolve to approve the written statement prepared pursuant to Section 32 of the *Judicial Review Act 1991*.

ALTERNATIVE

That Council resolve to approve the written Statement of Reason subject to amendments.

OFFICER'S RECOMMENDATION

That Council resolve to approve the written statement prepared pursuant to Section 32 of the *Judicial Review Act 1991*.

COUNCIL RESOLUTION

Moved by: Cr Beard

Seconded by: Cr Henry

That Council resolve to approve the proposed statement of reasons contained in this report regarding the resolution of Council passed on 21 June 2007, in relation to the draft Local Growth Management Strategy, with the amendment of deleting the words "premature and" from reason 1.

CARRIED

14 NOTICE OF BUSINESS**14.1 PROPOSAL TO SEND LETTERS RE 2006 RPS ZONING CHANGE ON SMBI (CR BURNS, DIVISION 5)**

Moved by: Cr Burns
Seconded by: Cr Beard

That Council resolve as follows:

- 1. That letters be sent to all those ratepayers of the Southern Moreton Bay Islands whose properties were zoned 'Open Space' or 'Conservation sub area CN1' as a result of the adoption of the Redlands Planning Scheme in 2006, notifying them of the change in zoning; and**
- 2. That the affected ratepayers be advised that, subject to the *Southern Moreton Bay Islands Development Entitlements Protection Act 2004*, until 30 March 2008 they may lodge a development application requesting council assess the application under the superseded planning scheme.**

CARRIED

15 CONFIDENTIAL REPORT**15.1 REPORT FROM CUSTOMER SERVICES****15.1.1 PROPOSAL TO ACQUIRE EASEMENTS FOR WASTEWATER PURPOSES**

Datworks Filename: SB005185.1
Responsible Officer Name: Tim Donovan
Acting General Manager Customer Services
Author Name: Bruce Appleton
Acting Manager Assessment Services

EXECUTIVE SUMMARY

A confidential report from Acting Manager Assessment Services was presented to Council for consideration.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Burns

That Council resolve as follows:

- 1. To take action under s5.5.1, 5.5.2 and 5.5.3 of the *Integrated Planning Act 1997*, to commence action to secure property rights by way of easements from lot identified as 'property 1' in confidential report from Acting Manager Assessment Services dated 18 September 2007, for the purpose of constructing wastewater services from lot identified as 'property 2' to lot identified as 'property 3' in same report;**
- 2. That legal advisors be instructed to commence the preparation of the relevant documents seeking the approval of the Governor in Council for the proposal;**
- 3. That the applicant be required to enter a deed of agreement that indemnifies Council against all costs, penalties and compensation arising from this decision;**
- 4. That the Mayor and Chief Executive Officer be delegated authority to sign all documents relevant to the process; and**
- 5. That this report remain confidential until this matter is finalised.**

CARRIED

A division was called for.

Crs Barker, Burns, Beard and Dowling voted in the affirmative.

Crs Ogilvie, Henry and Elliott voted in the negative.

Crs Seccombe, Bowler, Williams and Murray were absent from the meeting.

The motion was declared by the Acting Mayor as **CARRIED**.

16 MEETING CLOSURE

There being no further business, the Deputy Mayor declared the meeting closed at 4.47pm.