



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 2 July 2008

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

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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.00pm.

2 DEVOTIONAL SEGMENT

Pastor Richard Kingham from the Cleveland Baptist Church, led Council in a brief devotional segment.

3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

Cr M Hobson	Mayor
Cr T Bowler	Deputy Mayor and Councillor Division 6
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2
Cr D Henry	Councillor Division 3
Cr P Dowling	Councillor Division 4
Cr B Townsend	Councillor Division 5
Cr M Elliott	Councillor Division 7
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9
Cr H Murray	Councillor Division 10

EXECUTIVE LEADERSHIP GROUP:

Mr R Turner	Acting Chief Executive Officer
Mr G Underwood	General Manager Planning and Policy
Mr G Soutar	General Manager Redland Water & Waste
Mr L Smith	Acting General Manager Customer Services
Mr P Bucknell	Acting General Manager Corporate Services

MINUTES:

Mrs J Parfitt	Corporate Meetings & Registers Officer
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4 RECEIPT AND CONFIRMATION OF MINUTES

4.1 GENERAL MEETING MINUTES OF 28 MAY 2008

Moved by:	Cr Elliott
Seconded by:	Cr Reimers

That the minutes of the General Meeting of Council held on 28 May 2008 be confirmed.

CARRIED

4.2 SPECIAL MEETING MINUTES OF 17 JUNE 2008

Moved by: Cr Elliott
Seconded by: Cr Townsend

That the minutes of the Special Meeting of Council held on 17 June 2008 be confirmed.

CARRIED

5 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES

5.1 REPORT FROM CHIEF EXECUTIVE OFFICER

5.1.1 SAFE COMMUNITIES PROGRAM

At the General Meeting of 26 September 2007, it was resolved 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.

A report addressing this matter will be presented to the 23 July 2008 Planning and Policy Committee meeting.

5.1.2 PETITION (DIVISION 4) – REDLANDS DISTRICT MOTORCYCLE CLUB REQUESTING THAT COUNCIL PROVIDE FACILITY FOR OFF ROAD MOTOR CYCLE VENUE

At the General Meeting of 19 December 2007, Council resolved that the petition requesting that Council provide a facility for off-road motor cycle venue, be received and referred to the appropriate area of Council for consideration and a report to Council.

A report addressing this petition will be presented to the 9 July 2008 Planning and Policy Committee meeting.

5.1.3 PETITION (DIVISION 3) – REQUEST TO CONTROL TRAFFIC SPEEDS IN CLIFFORD PERSKE DRIVE, THORNLANDS

At the General Meeting of 30 January 2008, Council resolved that the petition requesting that Council investigate means of controlling traffic speeds in Clifford

Perske Drive so as to avoid further wildlife fatalities; the increasing threat to the safety of residents and pedestrians; and the accompanying decline in amenity and quality of life, be received and referred to the appropriate area of Council for consideration and a report to Council.

At the Planning & Policy Committee meeting of 18 June 2008, consideration of this matter was deferred to a future Planning & Policy Committee Meeting to allow further investigation by officers.

5.1.4 PETITION-(DIV 9) REQUEST TO CLOSE PATHWAY ADJACENT TO 13 AND 15 DIANA STREET, CAPALABA

At the General Meeting of 28 November 2007, Council resolved that the petition requesting that Council take appropriate measures to close the pathway adjacent to 13 and 15 Diana Street, Capalaba, be received and referred to the appropriate area of Council for consideration and a report to Council.

At the Planning & Policy Committee Meeting of 21 May 2008, consideration of this matter was deferred to the Planning and Policy Committee meeting scheduled for 23 July 2008, to allow for further consultation and survey to be completed.

5.1.5 PETITION TO RAISE COUNCIL CONTRIBUTION TO CANAL LEVIES

At the General Meeting of the 26 September 2007 Council resolved that the petition be received and referred to a committee or officer for consideration and a report to Council.

At the General Meeting on 19 December 2007, Council resolved that consideration of this item be deferred to a future Planning and Policy Committee meeting to enable a more detailed report to be prepared and presented to Council.

At the General Meeting of 28 May 2008 Council resolved that the Committee Recommendation not be adopted and that Council resolve to defer this item until further legal advice is received regarding the legitimacy of the benefit area levy in raising monies for repair to revetment walls.

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

5.1.6 REQUEST FOR REPORT – HEAVY VEHICLES, MT COTTON ROAD

At the General Meeting of 30 January 2008, Council resolved that:

1. A report be prepared and brought back to Planning & Policy Committee investigating the need to remove heavy vehicles, including quarry trucks, along Mt Cotton Road between Broadwater & Moreton Bay Roads; and
2. That a 'Load Limit' sign be installed.

A report addressing this matter will be presented to the August 2008 Planning and Policy Committee meeting.

5.1.7 PETITION (DIVISION 5) – REQUESTING A VEHICULAR CROSSING BETWEEN LAMB AND MACLEAY ISLANDS

At the General Meeting of 30 April 2008, Council resolved that the petition requesting a vehicular crossing between Lamb and Macleay Islands, be received and referred to the appropriate area of Council for consideration and a report to Council.

A report addressing this petition will be presented to the August 2008 Planning and Policy Committee meeting.

5.1.8 REQUEST FOR REPORT – REVIEW OF CURRENT POSITION ON MANAGEMENT OF SHOPPING TROLLEYS

At the General Meeting of 30 April 2008, it was resolved that a report be prepared and presented to Council to review the current position on the management of shopping trolleys and to provide additional options for compliance.

A report addressing this matter will be presented to the August 2008 Planning and Policy Committee meeting.

5.1.9 REQUEST FOR REPORT – OPPORTUNITIES FOR RECREATIONAL, SPORTING OR FESTIVAL FACILITIES USE ON COMMONWEALTH LAND AT BIRKDALE

At the General Meeting of 30 April 2008, it was resolved that a report be prepared and presented to Council on the opportunities for recreational, sporting or festival facilities use on commonwealth land (telecommunications) on Old Cleveland Road East, Birkdale.

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

5.1.10 REQUEST FOR REPORT – PROTECTING SIGNIFICANT VEGETATION

At the General Meeting of 28 May 2008, it was resolved that a report be prepared and presented to Council on the steps Council is taking to protect significant vegetation through the Development Assessment process.

A report addressing this matter will be presented to a future Planning & Policy Committee Meeting.

6 PUBLIC PARTICIPATION

Moved by: Cr Dowling
Seconded by: Cr Henry

That the proceedings of the meeting adjourn for a public participation segment.

CARRIED

1. Mr R Carter of Macleay Island addressed Council in relation to migrating birds which inhabit the mudflats on the western side of Macleay Island.
2. Mr G Marks, President Redlands-Brisbane Motor Cycle Club, addressed Council in relation to a petition requesting that Council provide an appropriate site to establish an off road motor cycle venue.
3. Mr T Anderson, Motor Media, addressed Council in relation to a petition requesting that Council provide an appropriate site to establish an off road motor cycle venue.
4. Mr J Titman, owner of a Motor Cycle Business in Capalaba, addressed Council in relation to a petition requesting that Council provide an appropriate site to establish an off road motor cycle venue.

Moved by: Cr Henry
Seconded by: Cr Dowling

That the public participation segment be extended to allow further speakers.

CARRIED

5. Mr G Hargraves, Fox & Bell, addressed Council in relation to item 12.1.1 – *Revised Draft Local Growth Management Strategy (LGMS) for SEQ Regional Plan Review*.
6. Mr B Green, Coochiemudlo Progress Association, addressed Council in relation to the granting of a liquor licence to the Bayview on Coochie Tavern.
7. Mr J Conley, Redlands Tourism, passed on Redlands Tourism's appreciation of Council's support in their business endeavours.

Moved by: Cr Williams
Seconded by: Cr Dowling

That the public participation segment be extended to allow further speakers.

CARRIED

8. Ms F Conley, Project Advisor, World Youth Day, encouraged Council to show Redlands hospitality to approximately 500 young people coming from overseas into the Redlands.

MOTION TO RESUME MEETING

Moved by: Cr Elliott
Seconded by: Cr Townsend

That the proceedings of the meeting resume.

CARRIED

7 PETITIONS/PRESENTATIONS

Nil

8 MOTION TO ALTER THE ORDER OF BUSINESS

Nil

9 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEMS OF BUSINESS**DECLARATION OF INTEREST**

1. Cr Dowling declared a conflict of interest in Item 12.1.1 *Revised Draft Local Growth Management Strategy (LGMS) for SEQ Regional Plan Review* - stating a conflict with s.246A (6) of the *Local Government Act 1993*. Cr Dowling remained in the Chamber for discussion and vote on this item, voting in the negative.
2. Cr Dowling declared a conflict of interest in Item 13.6.1 – *Visitor Information Services* - stating a conflict with s.246A (6) of the *Local Government Act 1993*. Cr Dowling remained in the Chamber for discussion and vote on this item, voting in the affirmative.
3. Cr Hobson declared that there may be a perception of a conflict of interest in Item 6.1 – *Visitor Information Centre Services* – as she was previously Deputy Chair of one of the organisations that was part of the tender process. Cr Hobson remained in the Chamber for discussion and vote on this item, voting in the negative.

Cr Dowling left the chamber at 6.00pm during discussion on item 12.1.9 and returned at 6.05pm during discussion on Item 13.1.1.

Cr Elliott left the meeting at 6.00pm.

Cr Ogilvie left the meeting at 6.09pm.

10 PLANNING & POLICY COMMITTEE 4/06/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Ogilvie
Seconded by: Cr Williams

That the Planning & Policy Committee Report of 4 June 2008 be received.

CARRIED

DECLARATION OF OPENING

Cr Ogilvie declared the meeting open at 9.02am.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Members Present

Cr C Ogilvie	Chair and Councillor Division 2
Cr W Boglary	Councillor Division 1
Cr D Henry	Councillor Division 3
Cr P Dowling	Councillor Division 4
Cr B Townsend	Councillor Division 5
Cr M Elliott	Councillor Division 7
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9
Cr H Murray	Councillor Division 10

Committee Manager

Ms R Bonnin	Acting General Manager Planning & Policy
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Officers

Mr G Underwood	Acting Chief Executive Officer
Mr W Dawson	Manager Land Use Planning
Mr A Burgess	Manager Economic Development
Mr G Photinos	Manager Environmental Management
Mr W Mortlock	Senior Advisor Environmental Protection

Minutes

Mrs J Parfitt	Corporate Meetings & Registers Officer
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LEAVE OF ABSENCE

Moved by: Cr Elliott
Seconded by: Cr Murray

That leave of absence from today's meeting be approved for Cr M Hobson and Cr T Bowler who are attending an LGAQ Civic Leaders Summit.

CARRIED

PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

Cr Elliott left the meeting at 9.53am during discussion on item 1.2 and returned at 10.29am during discussion on item 1.4.

10.1 PLANNING AND POLICY**10.1.1 REDLANDS PLANNING SCHEME - ADOPTION OF AMENDMENT 1A**

Datworks Filename: Redlands Planning Scheme – Amendment 1(A)

Attachments: [Redlands Planning Scheme 1A Document \(incl Models\)](#)
[Redlands Planning Scheme 1A Fact Sheet \(July 2007\)](#)

Responsible Officer Name: Wayne Dawson
Manager Land Use Planning Group

Author Name: Martin Hunt
Senior Planner

EXECUTIVE SUMMARY

On the 21st August 2006 a report was placed before Council recommending a number of proposed amendments to the Redlands Planning Scheme (collectively known as Amendment 1(A)) for adoption and approval for forwarding to the Minister for Environment, Local Government, Planning and Women.

These amendments have now progressed through first and second State interest checks and public notification. The Minister has now advised that Council may adopt the Amendment 1(A) and incorporate it into its planning scheme.

PURPOSE

1. To confirm Council's acceptance of the proposed changes to the Redlands Planning Scheme contained in Amendment 1(A);
 2. To formally adopt the changes contained in Amendment 1(A);
 3. To proceed with public notification of Council's adoption of Amendment 1(A).
-

BACKGROUND

The Redland Planning Scheme commenced and took effect from the 30th March 2006. Since that time, specific matters have been identified which need to be changed to improve the effectiveness and efficiency of the scheme as a planning instrument. Council has undertaken a review process and identified a range of matters to be undertaken as amendments to the planning scheme.

Council has considered these amendments on 2 previous occasions with resolutions.

1. 21st August 2006 - proposal to amend the Redlands Planning Scheme and setting out the details of the proposed amendments.
2. 17th October 2007 – to adopt the representations and recommendations on the submission and to proceed with the amendment to the Redlands Planning Scheme.

ISSUES

The first amendments to the RPS were divided into priority matters - Amendment 1(A), and balance matters – Amendment 1(B). Amendment 1(A) targeted a limited scope of matters to facilitate a faster turnaround by the State Government in the review of its interests. The proposed amendments were forwarded to the State Government for first State interest review on 6th September 2006.

Council was advised by letter dated the 18th June 2007 that the first State interest review had been completed and that it could proceed to public notification stage. This was undertaken in July 2007. One (1) submission was received during the public exhibition period and it did not relate to any of the proposed changes in Amendment 1(A). The submission (and its suggested changes to the RPS) was therefore set aside for further consideration in Amendment 2(A). Consequently, no changes were made to Amendment 1(A).

Council forwarded Amendments 1(A) for second State interest review on 1st November 2007.

The State Government has now concluded its second review of the proposed changes contained in Amendment 1(A) and the Minister for Infrastructure and Planning has advised Council by letter dated 24 April 2007 that “ ... *Council may adopt the modified version of the Redland Shire [sic] Council planning scheme amendment package 1(A) submitted on 1 November 2007.*”

No issues have been raised by the State Government in their second State Interest check.

A fact sheet was prepared to accompany the amendment documents at the time of public notification. This sheet is appended for information purposes and to summarise the proposed amendments.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to preserve a balance with urban, rural, bushland, village, coastal and island character of the Redlands by managing growth.

FINANCIAL IMPLICATIONS

Amendments to the scheme are conducted in accordance with Schedule 1 of the *Integrated Planning Act 1997* as amended. Associated costs are within budget allocation made in the 2007/2008 financial year.

PLANNING SCHEME IMPLICATIONS

The outcome of recommendations in this report will result in amendments to the Redlands Planning Scheme, as previously advised to council.

CONSULTATION

The amendments have been discussed with:

- Councillors and the Executive Leadership Group;
- Redland Water and Waste;
- Assessment Services;
- Planning and Policy Departmental Groups, specifically the Environmental Management Group;
- the Redland Community;
- State Government and various State Government Departments through the review process.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To adopt the Amendment 1(A) package to the Redland Planning Scheme (Attachment A) as submitted to the State Government for second State interest review on the 1 November 2007 and as approved by the Deputy Premier and Minister for Infrastructure and Planning in correspondence to Council dated 24th April, 2008;
2. That Council give public notice of the adoption of the Redlands Planning Scheme 1(A) amendments in a local newspaper and in the Government Gazette in accordance with Schedule 1 of the *Integrated Planning Act 1997* (as amended); and
3. Council forward a copy of the published notice of adoption and five certified copies of Amendment 1(A) to the Director-General of the Department of Infrastructure and Planning.

Alternative

No alternative option proposed since the Amendment 1A package is currently being applied administratively and is in effect being used by council officers when providing advice to the public when considering development applications.

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

Moved by: Cr Ogilvie
Seconded by: Cr Elliott

That Council resolve as follows:

1. To adopt the Amendment 1(A) package to the Redland Planning Scheme (Attachment A) as submitted to the State Government for second State interest review on the 1 November 2007 and as approved by the Deputy Premier and Minister for Infrastructure and Planning in correspondence to Council dated 24th April, 2008;
2. That Council give public notice of the adoption of the Redlands Planning Scheme 1(A) amendments in a local newspaper and in the Government Gazette in accordance with Schedule 1 of the *Integrated Planning Act 1997* (as amended); and
3. Council forward a copy of the published notice of adoption and five certified copies of Amendment 1(A) to the Director-General of the Department of Infrastructure and Planning.

CARRIED

10.1.2 HIGHER EDUCATION LEARNING INSTITUTIONS

Dataworks Filename: ED Business Sector Development - Education
Responsible Officer Name: Alan Burgess
Manager Economic Development
Author Name: Alan Burgess
Manager Economic Development

EXECUTIVE SUMMARY

At the General Meeting of 28 November 2007, Council resolved that officers investigate the opportunities for the location of higher education and learning institutions in the Redlands.

Potential locations for the Higher education institution were considered to be Cleveland, Capalaba, Thornlands and Birkdale.

Information was sought from eight Universities throughout Queensland and Northern NSW. Responses overall indicated they were not considering other campus locations at this time. Griffith University undertook a review of information on Redland City and in particular the Birkdale 'Commonwealth Radio Receiver Facility' site.

The main conclusion from the investigation was that there was a lack of population density, and that universities require a local population of between 300,000 and 800,000 to be viable.

PURPOSE

The purpose of this report is to provide a report on the opportunities for the location of higher education and learning institutions in the Redlands.

BACKGROUND

On 28th November 2007 Council resolved:

1. That Council officers investigate the opportunities for the location of higher education learning institutions in the Redlands and bring a report back by May 2008.
2. That the potential for these institutions be acknowledged and investigated in the planning of:
 - 1.1. the Principal Activity Centres of Cleveland and Capalaba;
 - 1.2. the Thornlands Integrated Enterprise Area (as designated in the draft LGMS); and
3. That the environmental constraints and possible development opportunities of the Birkdale ' Commonwealth Radio Receiver Facility' be investigated.

ISSUES

CURRENT STATUS OF HIGHER EDUCATION FACILITIES IN REDLANDS

There are currently 11 High Schools and one TAFE college within Redland City. However, there are no Universities or University Campuses. Redlands residents wishing to attend University are required to travel to one of the major universities near Brisbane, Gold Coast or Sunshine coast. Potential locales for a University Campus (of varying type, scale and nature) include:

- Principal Regional Activity centres of Cleveland and Capalaba,
- Thornlands Integrated Enterprise area as identified in the draft Local Growth Management Strategy (LGMS), or
- Commonwealth Radio Receiver Facility land in Birkdale.

CRITERIA FOR ESTABLISHING A UNIVERSITY CAMPUS

The issues to be considered in establishing a university campus include:

- Finding suitable land with the size/area, amenity, character for this type of activity;
- Identifying the potential market for students to attend the facility;
- Affordable student housing and accommodation availability;
- Supporting hard and social infrastructure provision;
- High capacity, efficient and accessible public transport network.

Suitable locations for the establishment of a university campus, depending of actual type and size, may be available in Cleveland, Capalaba, Thornlands or Birkdale. Campus size would be dependent on numbers of students and range of courses offered.

CONSULTATION WITH EIGHT UNIVERSITIES

Consultation with eight universities in the Queensland and Northern NSW area have indicated that for a campus to be considered the population of the catchment area needs to be between 300,000 and 800,000. Some relaxations to this requirement are used in remote areas, such as Lismore which has become a University based city. Redland City would not qualify for this as we are currently considered to be in close proximity to several Universities.

Universities also stressed the need for excellent supporting infrastructure, student accommodation, road networks and parking access. There was also a high requirement for good public transport infrastructure.

Under the current and predicted population base, until 2026, it is not considered likely that a mainstream University campus would be a viable proposition. The only potential option would be the establishment of a boutique style sub or satellite campus, contained within a small area of office space with an associated classroom(s). This would only provide a limited range of subjects to a strictly targeted market. Further consideration of the viability of this type of option would

require an in-depth study of the higher education market to identify any untapped segments to target.

LOCAL PLANNING OF PRINCIPAL ACTIVITY CENTRE AND INTEGRATED ENTERPRISE AREA

The draft master plan for the Cleveland Principal activity centre (2008) has identified the opportunity in the centre for higher education facilities, fundamentally a TAFE College. This activity will take advantage of the transit orientated community principles being incorporated into the future planning of the centre. Similarly, the planning study for the Capalaba Centre master plan has also recognised the opportunity, together with the economic and social advantages, in higher education facilities being accommodated in the centre.

In relation to the Thornlands Integrated Enterprise Area (identified in the draft LGMS) a potential opportunity was acknowledged for higher education uses to become a component of this key economic and employment area. This would be subject to the outcomes of the planning study to be completed for this area.

COMMONWEALTH RADIO RECEIVER FACILITY'

Finally with respect to the Commonwealth land in Birkdale, the draft LGMS while acknowledging the environmental and visual amenity values of this substantial area, is referenced with the following statement under the strategy outcome - Network of multi-purpose activity centres and integrated enterprise precincts:

“ Economic Investigation Area – To provide opportunity for economic and employment growth to 2026 and beyond , further investigation into the commonwealth site (radio receiver facility) at Birkdale for the establishment of business park, including a research/tertiary educational facility will be undertaken in the medium to long term. Redlands Council will work with relevant State and Commonwealth Agencies to secure the most appropriate long – term use of this significant site.”

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to enhance employment participation and the community's standard of living through encouraging economic development opportunities

FINANCIAL IMPLICATIONS

There are no financial implications for the recommendations of this report.

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

Land Use Planning was consulted in the preparation of this report. Universities contacted for information and to assess feasibility were:

- Bond University
- Central Queensland University
- Griffith University
- James Cook University
- Queensland University of Technology
- University of the Sunshine Coast
- University of Southern Queensland
- University of Queensland

OFFICER'S RECOMMENDATION

That Council resolve to note this report.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Ogilvie
Seconded by: Cr Elliott

That Council resolve to:

1. **Note this report;**
2. **Look at further education and learning institution opportunities within Council's current planning studies including South East Thornlands, Kinross Road, Springacre Enterprise area, Capalaba Master Plan and Cleveland Master Plan, and other identified areas throughout the City; and**
3. **Maintain dialogue with partners and Government Agencies around further opportunities.**

CARRIED

10.1.3 ENVIRONMENT POLICY REVIEW

Dataworks Filename:	Environment Policy
Attachments:	<u>New Redland City Council Environment & Sustainability Policy POL 2644</u> <u>Current Environment Policy POL2644</u> <u>Melbourne Principles As Used by Manly City</u> <u>Melbourne Principles for Sustainable Cities</u> <u>Sustainable Redlands Background Report</u>
Responsible Officer Name:	Gary Photinos Manager, Environmental Management Group
Author Name:	Warren Mortlock Senior Advisor Environmental Protection

EXECUTIVE SUMMARY

Following the initial review of the Environment Policy in November 2006, direction was sought from Council on progressing Council's approach to sustainability issues and the development of a sustainability policy.

Council resolved at this time to develop a sustainability policy to replace the Environment Policy and cover emerging issues such as climate change, sea level rise, peak oil, sustainable cities. In addition, Council requested that a strategy for sustainability in Redlands also be developed.

This report recommends that Council adopt a three-year stepwise approach to the development of improved sustainability policy and strategy (corporate and community), to be called 'Roadmap to Sustainability'.

This approach uses the opportunity presented by the alignment of Corporate Plan 2006-2010 expiry and Community Plan development to be commenced in 2008, to encourage the community to choose and plan for a more sustainable future, to which Council's new corporate plan could respond – in 2010.

An amendment to the Environment Policy POL 2644 is recommended in the interim to establish these directions and immediately improve sustainability policy and strategy within Council.

PURPOSE

To seek Council endorsement for:

1. Amendment to the existing Environment Policy POL-2644 to further incorporate sustainability policy and strategy in the interim, and;
2. A three-year stepwise approach to the development of a sustainability policy and strategy (corporate and community), to be called 'Roadmap to Sustainability', and

3. The adoption of the United Nations, "Melbourne Principles for Sustainable Cities".

BACKGROUND

- An internal discussion paper on sustainability policy and strategy was drafted in December 2007 and subsequently reworked and included as the background paper to this report (see attachment '*Sustainable Redlands Background Report*').
- The Environment Policy POL 2644 was last reviewed in October 2006. Following the review, direction was sought from Council (Planning & Policy and General Meeting of November 2006) on progressing Council's approach to sustainability issues, and the development of sustainability policy. Council resolved (Planning & Policy and General Meeting of Nov 2006):
 - (i) *"To develop a sustainability policy to replace the Environment Policy POL-2644 currently under review and cover emerging issues such as climate change, sea level rise, peak oil, sustainable cities;*
 - (ii) *To develop a strategy for sustainability in Redland Shire that implements the 'quadruple bottom line' ecologically sustainable development approach of the Corporate Plan and the proposed Sustainability Policy."*
- The State of the Environment Reporting Framework is highly relevant to sustainability policy at Council, primarily because it is intended to provide a sustainability reporting framework for the whole community.

ISSUES

SUSTAINABILITY PLANNING AT REDLANDS HAS ALREADY STARTED

At its core, sustainability is a rather simple concept about living well, within the Earth's limits, or its biological capacity - making sure we don't spoil our nest.

The State of the Environment Reporting Framework is intended to provide a regular measure of how sustainable Redlands is based on 58 environmental, economic, and social indicators. The first report has presented the science available on each indicator with the results that are not as good as might be expected (SOER2008). In particular, the health of our waterways and natural areas is of great concern.

Sustainability is a relatively new agenda for government in Queensland and not well supported by the state in the way that it is in other States. Consequently, Councils 'go it alone' in Queensland, and have developed very different approaches.

Redland City Council has already embarked on a journey toward sustainability. Council already has a 'quadruple bottom-line' Corporate Plan, which at its highest level is aimed at achieving sustainability, and ensuring that our corporate governance is in good order.

The recent Local Government Reforms, by the Queensland State Government, confirmed key aspects (structure, boundaries, political and especially financial position) of our sustainability, and that our corporate governance is in good order, with the result that RCC (apart from the name change) was unaffected by the reforms.

There is a strong case for a corporate sustainability policy and strategy to be developed, particularly to address emerging issues such as sustainable development, sustainable use of resources, climate change, sea level rise, peak oil, sustainable cities. There is a similar need for the Redlands community to plan for a more sustainable future, which Council may facilitate in its community leadership role.

The development of 'sustainability policy' is a far-reaching natural evolution across all of Council's current policy areas (governance, economic, social, and environmental policy). However, it is a substantial cross-council undertaking to develop a united and agreed sustainability policy covering all of Council's current policy areas.

RECOGNITION OF SUSTAINABILITY MEASURES TO DATE

Sustainability embraces a sweep of management concerns that have long been before Councils, such as: ecologically sustainable development, resource efficiency, eco tourism, natural area management, waterway management. It is important to recognise the unique ingredients that Council already has in place, which already contribute to our unique approach to sustainability, including at least:

- An established high level commitment to sustainability in the Corporate Plan and a performance management system that monitors implementation of the Plan;
- A functional Environment Policy POL 2644 that already establishes ecologically sustainable development at Council;
- The Redland Planning Scheme and Local Growth Management Strategy which both commit to ecologically sustainable development;
- The numerous existing policies and strategies of Council that deal with the separate issues under each of the areas of ecologically sustainable development commonly referred to as the three pillars – society, economy and the environment.
- Recent resource efficiency initiatives of the council such as sites/buildings retrofit program to cover energy, water and waste, and fleet and fuel savings and efficiencies.
- Increased resources committed to implementation of the Local Greenhouse Action Plan, and further roll-out of the Eco Biz Program to high profile Council buildings such as the Capalaba Place Library building.

DEVELOPING A SUSTAINABILITY POLICY POSITION

Council has indicated that it wants to develop a plan for how it will achieve greater sustainability in Redlands and how the Council and the community may take practical steps toward sustainability.

Community and corporate planning needs to cover emerging issues such as sustainable development, sustainable use of resources, and sustainable cities, focussing on challenges we face in greenhouse gas reduction, climate change, sea level rise, fossil fuel shortage, and rising living costs.

A clearer policy direction would assist Council to be proactive and provide leadership on sustainability issues in the Redland community as well as advocate at the SEQ regional level for region-wide support and direction for Councils on the sustainability agenda.

All Local Government in Queensland has an increasing obligation to first get their corporate house in order in respect to the elements of sustainable practice. Arguably, Redland City has commenced but still has a long way to go in delivering on this agenda. In particular, indicators of progress toward sustainability are needed within Council's own accountability and reporting framework. Such planning would improve efficiencies, reduce costs and improve investment decisions across Council.

The alignment of Corporate Plan 2006-2010 expiry and Community Plan development to be commenced in 2008/2009, provides a significant opportunity for the community to choose and plan for a more sustainable future, to which Council's new corporate plan could respond.

ADOPTING A "ROADMAP TO SUSTAINABILITY"

The alignment of Corporate Plan 2006-2010 expiry and Community Plan development to be commenced in 2008, provides a significant opportunity for the community to choose and plan for a more sustainable future, to which Council's new corporate plan could respond. Following the Corporate Plan review in 2009/10, rather than now, is the better time for a full cross-council sustainability policy and strategy to be developed.

As this is some time off, revised policy directions for environmental arena may be introduced in the interim through amendment to the Environment Policy POL 2644. The Environment Policy POL 2644 is Council's primary high-level policy on environmental issues.

The above considerations lead to a stepwise sustainability policy development within the next three years typically referred to as the 'Roadmap to Sustainability' following the adoption of a Environment and Sustainability Policy in the interim. It is propose to include the following steps:

- Step 1: Develop a rating framework for the State of the Environment indicators and commission independent rating against these indicators by 2009.
- Step 2: Develop an Interim Action Plan for Sustainability within Council (dealing with actions up to 2010/11 when a revised Action Plan would be developed), including interim sustainability indicators and trial performance reporting against these indicators within Council, commencing with resource efficiency.

- Step 3: Develop sustainable future (planning scenarios) for the Redland community as part of and underpinning the new 'community plan';
- Step 4: Embed community directions for sustainability (of the new Community Plan) in the new Corporate Plan and Operational Plan commencing 2010;
- Step 5: Develop a new cross-council Sustainability Policy, and review and amend where necessary the Environment Policy POL 2644 by 2011.
- Step 6: Review and expand the Action Plan for Sustainability within Council, including sustainability indicators and reporting.

ADOPTING UNITED NATIONS "MELBOURNE PRINCIPLES" FOR OUR COMMUNITY LEVEL APPROACH

It is proposed that Council adopt and uses the Melbourne Principles for Sustainable Cities to guide the development of:

- The Redlands community plan;
- The Council's Corporate Plan;
- Council's Sustainable Policy and Strategy.

It is appropriate to base our community level planning on these principles recognising that the Council's Corporate Plan, Policy and Strategy will in turn be based on the principles.

The Melbourne Principles have international standing and credibility. They were developed in 2002, by members of the United Nations Environment Program at a forum in Melbourne to develop a set of principles for Sustainable Cities. They were designed to be flexible enough to be adopted by cities around the world. They describe how a sustainable city might function, and provide a framework for action (see Attachment). The Melbourne Principles have been adopted for use by many councils across Victoria and NSW and some further a field in Australia.

The Melbourne Principles begin with a vision "to create environmentally healthy, vibrant and sustainable cities where people respect one another and nature, to the benefit of all." The ten Melbourne Principles for Sustainable Cities are intended to guide thinking and provide a strategic framework for action. The Principles are not prescriptive. They allow cities to develop sustainable solutions that are relevant to their particular circumstances. They can help to bring together citizens and decision-makers, whose participation and cooperation is essential in transforming our cities to sustainable units.

Key principles include:

- the need for a city to define a vision that involves its citizens in sharing of aspirations, responsibility and opportunity;
- an understanding that economic strategies must not impede basic human rights of sustenance, hygiene and shelter;
- respect for nature, and a commitment to its care;

- definition of the ecological 'footprint' of a city and a commitment to reduce this impact – problems should be tackled locally and now, rather than elsewhere and in the future;
- a continual process of benchmarking, monitoring and measuring progress.

It is envisaged that the Community Plan may arrive at themes for the Redland community that translate the Melbourne Principles into 'Redlands Principles' in much the same way as has been accomplished in Councils who have used them previously. For example, see Attachment which shows how the principles were translated for Manly City in Sydney.

REVIEWING THE CURRENT ENVIRONMENT POLICY POL 2644

The current Environment Policy POL 2644, and the proposed amended Environment and Sustainability Policy POL 2644 are shown in the attachments.

It is proposed that an Interim **Corporate** Sustainability Action Plan be developed under the new policy, based on that outlined by the *Leading by example: The Sustainability Code of Practice for Government Agencies and Resource Guide for Implementation*. Under the Code, agencies prepare a Sustainability Action Plan to meet the following commitments (amended for relevance to RCC)—

- a. Planning, reporting and decision making are conducted in accordance with the sustainability principles.
 - i. Incorporate sustainability principles and actions in strategic and business planning and budgeting;
 - ii. Report on sustainability achievements in annual reports;
 - iii. Where appropriate, use a sustainability assessment in planning and decision making;
 - iv. Where relevant, incorporate sustainability principles and practices into local laws as they are reviewed, drafted or amended;
 - v. Where appropriate, actively engage stakeholders and the public—regardless of age, gender, culture, ability and location—in transparent policy development and decision-making processes.
- b. Council operations support sustainability.
 - i. Ensure procurement complies with and incorporate sustainability principles;
 - ii. Where appropriate, integrate service delivery across departments;
 - iii. Improve environmental performance through minimising the consumption of energy, water and other resources, reducing waste and maximising recycling;

-
- iv. Minimise the number of vehicles, reduce vehicle use, maximise fuel efficiency, promote alternative fuels and modes of travel and offset greenhouse gas emissions;
 - v. Incorporate sustainability considerations into the design, procurement, leasing, construction, maintenance and management of Council buildings and other built assets and to the management or development of Council-owned land.
- c. Council employees are encouraged and empowered to support sustainability.
- i. Continually improve all employees' knowledge about sustainability through education and training and through opportunities to actively engage in developing agency capability in this area.
 - ii. Support employees in understanding and respecting diversity through anti-racist, equal opportunity and cross-cultural awareness training programs and utilizing means to redress where legislation permits.
 - iii. Encourage employees to contribute to community development through voluntary initiatives that support sustainability.
 - iv. Implement occupational health and safety measures in the workplace to improve environmental, economic and social outcomes.

LINKING SUSTAINABILITY POLICY WITH STATE OF ENVIRONMENT REPORTING

Council released the first State of the Environment (SOER 2008) report to the Redland community in April 2008, after more than four years of work. SOER 2008 presents a snapshot of the Redlands environment through 58 indicators examining the atmosphere, waterways, land, biodiversity, human settlements and cultural heritage. Essentially the role of the SOE report is to present the science available against the 58 indicators, and will be reviewed and re-issued every 4 years. The SOE Reporting framework also includes:

- a biennial SOE Report Card, that provides independent ratings of each of the indicators (first rating report due in 2009);
- a biennial Council Management Response (due with the Report Card in 2009).

Council is currently developing a framework to critically and independently rate the environmental performance of the Redlands community (it's not just about the Council) and establish benchmarks for future reporting.

Clearly, the SOER 2008 provides a major input to the development of sustainability policy and strategy in both the community and corporate dimensions, and the SOE Report Card and Council Management Response to be published in early 2009 are intended to inform the development of the new Community and Corporate Plans.

Council also currently presents a simple analysis of annual performance against a set of indicators from the Global Reporting Initiative within Council's Annual Reports. This may be viewed as a precursor to a more rigorous standard of sustainability

reporting recommended for development in this report. However, it would be a goal that such reporting be compatible with the Global Reporting Initiative (G3) Guidelines, and be so structured that it provides input to annual reports.

RELATIONSHIP TO CORPORATE PLAN

The Redland City Council Corporate Plan commits to sustainability by measuring decisions against the 'quadruple bottom line' environmental, social/community, and economic yardstick and a fourth indicator of 'good governance'.

The recommendations support Council's high level commitment to sustainability in the Corporate Plan, but lead to amendment of strategic priorities.

FINANCIAL IMPLICATIONS

It is not possible to quantify the financial implications of the recommendations, which deal with high-level policy directions of Council. Almost by definition however, sustainability policy and strategy will have a positive rather than negative impact Councils financial position. For example, sustainability:

- requires that individual financial decisions be made with a view to long-term value for money, rather than simply taking the cheapest short-term option;
- involves increased resource efficiency, recycling, and reuse;
- involves planning that predicts and manages the financial impacts of future fossil fuel shortage and climate change impacts.

In the short term, the SOE Independent Report Card is funded from the current operational budgets.

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 immediate amendments to the Redlands Planning Scheme.

CONSULTATION

The following were consulted and asked to review this report:

- the Environmental Management Group;
- the Community and Social Planning Group endorse the report but do point out that the new policy is not strong in the sustainable communities and cultural sustainability areas. This comment accepted and agreement that these are desirable content changes for the future 'sustainability policy' at Step 5 of the 'Roadmap to Sustainability';
- the Economic Development Group;
- the Corporate Planning Performance & Risk Group. Manager Corporate Planning Performance & Risk Group has indicated strong support for this report and recommendations. It was stated that this report is excellent and

identifies all the key issues. The recommendations are well thought out and well argued. It is therefore important for all managers to fully support this approach as it will provide the head of power and direction for Council into the future. This will certainly be a major piece of work for the Planning and Policy Department following the finalisation of the Community Plan in 2009.

OPTIONS

PREFERRED

That Council resolve to:

1. Repeal the current Environment Policy POL 2644;
2. Adopt the amended Environment and Sustainability Policy POL-2644 as proposed in the attachment to establish the principles that underpin and policies that implement sustainability;
3. Adopt the 'Roadmap to Sustainability' that includes the following six steps:
 - Step 1: Develop a rating framework for the State of the Environment indicators and commission independent rating against these indicators by 2009.
 - Step 2: Develop an Interim Action Plan for Sustainability within Council (dealing with actions up to 2010/11 when a revised Action Plan would be developed), including interim sustainability indicators and trial performance reporting against these indicators within Council, commencing with resource efficiency.
 - Step 3: Develop sustainable future (planning scenarios) for the Redland community as part of and underpinning the new 'community plan';
 - Step 4: Embed community directions for sustainability (of the new Community Plan) in the new Corporate Plan and Operational Plan commencing 2010;
 - Step 5: Develop a new cross-council Sustainability Policy, and review and amend where necessary the Environment Policy POL 2644 by 2011;
 - Step 6: Review and expand the Action Plan for Sustainability within Council, including sustainability indicators and reporting; and
4. Adopt the Melbourne Principles for Sustainable Cities to guide the development of:
 - a) The Redlands community plan;
 - b) The Council's Corporate Plan; and

- c) Council's Sustainable Policy and Strategy.

ALTERNATIVE

That Council resolve to

- Repeal the current Environment Policy POL 2644 and replace it with the amended the Environment Policy POL-2644 as proposed in Attachment 3 to establish the principles that underpin and policies that implement sustainability; and
- On consideration of the issues, adopt an alternative Roadmap to Sustainability that includes other steps or alternative step sequence, or provide direction that officers prepare an alternative roadmap to include specific matters and resubmit this for adoption at a later date.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Repeal the current Environment Policy POL 2644;
 2. Adopt the amended Environment and Sustainability Policy POL-2644 as proposed in the attachment to establish the principles that underpin and policies that implement sustainability;
 3. Adopt the 'Roadmap to Sustainability' that includes the following six steps:
 - Step 1: Develop a rating framework for the State of the Environment indicators and commission independent rating against these indicators by 2009;
 - Step 2: Develop an Interim Action Plan for Sustainability within Council (dealing with actions up to 2010/11 when a revised Action Plan would be developed), including interim sustainability indicators and trial performance reporting against these indicators within Council, commencing with resource efficiency;
 - Step 3: Develop sustainable future (planning scenarios) for the Redland community as part of and underpinning the new 'community plan';
 - Step 4: Embed community directions for sustainability (of the new Community Plan) in the new Corporate Plan and Operational Plan commencing 2010;
 - Step 5: Develop a new cross-council Sustainability Policy, and review and amend where necessary the Environment Policy POL 2644 by 2011;
 - Step 6: Review and expand the Action Plan for Sustainability within Council, including sustainability indicators and reporting; and
 4. Adopt the Melbourne Principles for Sustainable Cities to guide the development of:
-

- a) The Redlands community plan;
- b) The Council's Corporate Plan; and
- c) Council's Sustainable Policy and Strategy.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Ogilvie
Seconded by: Cr Elliott

That this item be deferred to a future Planning & Policy Committee meeting pending further discussion, including financial implications.

CARRIED

10.1.4 WAIVING FEES FOR DISPOSING NON COMMERCIAL HOUSEHOLD WASTE ON THE ISLANDS

Dataworks Filename: Waste Transfer Stations
Responsible Officer Name: Gary Photinos
Manager Environmental Management Group
Author Name: Gary Photinos
Manager Environmental Management Group

EXECUTIVE SUMMARY

The Council's Internal Audit Office conducted a review of Gatehouse Operations; Rates charging and servicing payments in October 2007.

The review identified an inconsistency in the application of a disposal fee waiver between the Southern Moreton Bay Island residents and North Stradbroke Island resident who dispose of car bodies at Island Waste Transfer Facilities.

This report recommends that Council waive fees for all Moreton Bay Island residents' non commercial household waste disposed of at Council Island Transfer Stations and that the revenue foregone be acknowledged as a Community Service Obligation.

PURPOSE

That Council resolve to waive fees for all Moreton Bay Islands (including North Stradbroke Island) residents who dispose the following non commercial household waste at the Moreton Bay Island Waste Transfer facilities:

- Refrigerators/freezers/air conditioners;
- Car bodies/caravans/metal boats;
- Car tyres; and
- Car tyres on rims.

BACKGROUND

- November 1999, Council by resolution decided to waive the disposal fee for disposal of car bodies on all the Bay Islands due to the large number of abandoned vehicles being illegally dumped on vacant land incurring disposal fees for the landowners.
- October 2007, Council's internal audit office reviewed the Gatehouse Operations and Rates Charging and Servicing Payments associated with the JJ Richards Waste Disposal Contract.
- The matter has now been reviewed and it recommended that the fee waiver remain for the Bay Islands and be extended to the island residents on North Stradbroke Island.

ISSUES

REVIEW OF GATEHOUSE OPERATIONS AND RATES CHARGING BY COUNCIL'S INTERNAL AUDIT OFFICE

The Review of Gatehouse Operations: Rates charging and servicing payments (JJ Richards Contract) was in accordance with the approved Internal Audit Plan for 2007/08.

The objective of the review was to identify opportunities for improvement in relation to the contract and cash management of the gatehouse operations and the rates charging and servicing payments (JJ Richards Contract).

As a consequence of this review it was identified that Bay Island residents currently have, since 1999, received a waiver of disposal fees for car bodies. It was found there was a need to determine whether the 1999 Council decision to waive the fee for car bodies on all Bay Islands as a community service obligation was intended to apply to North Stradbroke Island also.

HISTORY OF WASTE DISPOSAL CHARGES FOR THE BAY ISLANDS

Although residents of Redland City can dispose of most items of household waste free of charge, transfer station fees do apply to the disposal of car bodies, fridges, freezers, air conditioners and tyres.

Council decided in November 1999 to waive the fees for disposal of car bodies on all Bay Islands as a community service obligation; however the fee continues to be applied on North Stradbroke Island.

The decision to waive fees for residents disposing of car bodies was prompted by the high cost to Council of retrieving and disposing of car bodies indiscriminately dumped on the Southern Moreton Bay Islands.

INDISCRIMINATE DUMPING OF HOUSEHOLD ITEM NORTH STRADBROKE ISLAND

Car bodies are continuing to be dumped indiscriminately on all Moreton Bay islands including North Stradbroke Island. Chargeable items of household waste are being dumped at nearby roadsides or left overnight at the entrance to the waste transfer facility.

The Senior Conservation Officer and the North Stradbroke Island Coordinator have also indicated that the indiscriminate dumping of these items is a continuing problem and they are regularly raising purchase orders to have the items removed by contractors.

The cost to Council to remove such items irresponsibly dumped on the islands is very high compared to the loss of revenue if residents had been able to dispose of the items free of charge at the island transfer stations.

CONCLUSION

Council should consider the impact on the environment of the irresponsible disposal of chargeable items against the amount of revenue which is being collected from

Moreton Bay Island residents disposing of non commercial household waste at transfer stations.

The cost to Council to remove items indiscriminately dumped on the islands is very high compared to the loss of revenue if residents had been able to dispose of the items free of charge at the island transfer stations. Council may wish to accept the disposal of car bodies, refrigerators, freezers and tyres by residents at all island waste transfer stations as a Community Service Obligation.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority for essential services to provide and maintain waste and waste services as well as Council's strategic priority for the natural environment ensuring the protection of environmental values.

FINANCIAL IMPLICATIONS

Redland Water and Waste has advised that the total revenue that would be foregone from fee waiver for car bodies, refrigerators, freezers, air conditioners and tyres for all Islands would be approximately \$2000, which would need to be reflected as a Community Service Obligation.

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 been undertaken with the Operations and Maintenance Group and Redland Water and Waste who are in agreement with the fee waiver for all islands. The inappropriate dumping of car bodies, refrigerators, freezers and tyres near or around transfer stations on the islands also results in infrastructure damage to facilities.

The Internal Audit Officer has recommended that Environmental Management, in consultation with Waste Operations, put a proposal to Council to accept the disposal of car bodies and household waste by residents at all island waste transfer facilities, including the facility at North Stradbroke Island, as a Community Service Obligation.

OPTIONS

PREFERRED

That Council resolve as follows

1. To waive fees for all Moreton Bay Islands (including North Stradbroke Island) residents who dispose the following non commercial household waste at the Moreton Bay Island Waste Transfer facilities:

Refrigerators/freezers/air conditioners;

Car bodies/caravans/metal boats;

Car tyres; and

Car tyres on rims; and

2. Refer the Community Service Obligation budget matter to an ensuing budget meeting of Council.

ALTERNATIVE

That Council resolve **not** to waive fees for all Moreton Bay Islands (Including North Stradbroke Island) residents who dispose the following non commercial household waste at the Moreton Bay Island Waste Transfer facilities:

- Refrigerators/freezers/air conditioners;
- Car bodies/caravans/metal boats;
- Car tyres; and
- Car tyres on rims.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie

Seconded by: Cr Elliott

That Council resolve as follows

1. **To waive fees for all Moreton Bay Islands (including North Stradbroke Island) residents who dispose the following non commercial household waste at the Moreton Bay Island Waste Transfer facilities:**
 - a) **Refrigerators/freezers/air conditioners;**
 - b) **Car bodies/caravans/metal boats;**
 - c) **Car tyres; and**
 - d) **Car tyres on rims; and**
2. **Refer the Community Service Obligation budget matter to an ensuing budget meeting of Council.**

CARRIED

11 REDLAND WATER AND WASTE COMMITTEE 17/06/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Henry
Seconded by: Cr Boglary

That the Redland Water and Waste Committee Report of 17 June 2008 be received.

CARRIED

DECLARATION OF OPENING

Cr Henry declared the meeting open at 2.01pm.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCEMembers Present

Cr D Henry	Chair and Councillor Division 3
Cr M Hobson	Mayor – entered at 2.04pm
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2 – entered at 2.05pm
Cr P Dowling	Councillor Division 4
Cr B Townsend	Councillor Division 5 – entered at 2.07pm
Cr T Bowler	Mayor and Councillor Division 6 – entered at 2.04pm
Cr M Elliott	Councillor Division 7
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9
Cr H J Murray	Councillor Division 10

Committee Manager

Mr G Soutar General Manager Redland Water & Waste

Officers

Mr R Turner	Acting Chief Executive Officer
Mr B Taylor	Manager Treatment Operations
Mr K McGuire	A/Manager Customer Service & Business Performance

Minutes

Mrs J Parfitt Corporate Meetings & Registers Officer

PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

Cr Elliott left the meeting at 2.35pm during discussion on item 1.1.

Cr Ogilvie left the meeting at 2.43pm during discussion on item 1.1.

11.1 REDLAND WATER AND WASTE

11.1.1 REDLAND WATER & WASTE COUNCIL BUSINESS UNIT REPORT – MAY 2008

Dataworks Filename: WW Redland Water & Waste Committee
WM Redland Water & Waste Committee
WS Redland Water & Waste Committee

Attachments: [Business Unit Report – May 2008](#)
[Appendix A – Additional Water Quality Indicators](#)
[Appendix B – Wastewater Treatment Plants](#)
[Supplementary Performance Information](#)

Responsible Officer Name: Gary Soutar
General Manager, Redland Water & Waste

Author Name: Gary Soutar
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 May 2008 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 May 2008, 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 Henry
Seconded by: Cr Ogilvie

That Council resolve to accept the Redland Water & Waste Council Business Unit Report for May 2008, as presented in the attachment.

CARRIED

11.1.2 NOTICE OF INTENTION TO AMEND COUNCIL RESOLUTION OF 30 APRIL 2008

Datworks Filename: WM Tender RWW 55005-4
Responsible Officer Name: Gary Soutar
General Manager Redland Water & Waste
Author Name: Paula Kemplay
Service Manager Waste Operations

EXECUTIVE SUMMARY

At the General Meeting of 30 April 2008, Council accepted a tender and entered into a schedule of rates contract with the Pickwick Group Pty Ltd for operation of the gatehouses for the 3 mainland waste facilities, and allocated a 5% contingency amount of the contract value equivalent to \$39,600 including GST (item 11.2.1 of the meeting minutes refers).

The contingency amount allocated should have read as 5% of the estimated contract value excluding GST.

It is recommended that the General Meeting minutes of 30 April 2008 be amended in relation to item 11.2.1, resolution 3, to correct the GST status from inclusive to exclusive and clarify that the contract value is an estimated value.

PURPOSE

The purpose of this report is to amend a resolution of Council, in accordance with section 451 of the *Local Government Act 1993*, to rectify an administrative error.

BACKGROUND

The *Local Government Act 1993* states that any amendment to a resolution of Council can only be made if notice is given under section 451.

ISSUES

This contract will be administered in Contracts 5 and it is important that the GST status is correct and the contract value is an estimate based on the schedule of rates.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The budget is based around the GST exclusive prices and no amendment to budget is sought from the resolution.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The Manager Legal Services was consulted regarding the amendment of the resolution.

OPTIONS

PREFERRED

That Council resolve that the minutes of the General Meeting of 30 April 2008 in relation to item 11.2.1 – *Tender RWW 55005-4 Operation of Gatehouses at 3 waste handling facilities*– resolution 3, be amended to read as follows:

- (3) That a contingency amount of 5% of the estimated contract value equivalent to \$39,600 (excluding GST) be allocated for any variations approved by the Chief Executive Officer.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Ogilvie

That Council resolve that the minutes of the General Meeting of 30 April 2008 in relation to item 11.2.1 – *Tender RWW 55005-4 Operation of Gatehouses at 3 waste handling facilities*– resolution 3, be amended to read as follows:

- (3) That a contingency amount of 5% of the estimated contract value equivalent to \$39,600 (excluding GST) be allocated for any variations approved by the Chief Executive Officer.**

CARRIED

11.1.3 WASTEWATER SERVICES - APPLICATION OF CHARGES POL-3027

Dataworks Filename: WW – Wastewater charges

Attachment: [Corporate Policy POL-3027 Application of Wastewater Services – Application of charges Revised Policy POL-3027 – Wastewater Services – Application of charges](#)

Responsible Officer Name: Kevin McGuire
Acting Manager Customer Service & Business Performance

Author Name: Michelle Vanyai
Senior Project Officer

EXECUTIVE SUMMARY

Policy 3027 Wastewater Services – Application of Charges, approved by Council at its General Meeting of 27 July 2005, is due for review.

Two amendments are sought. The first clarifies charging for urinals and the second relates to trade waste charges by reducing the standard allowance volume for each pedestal from 136 kilolitres (kL) to 75kL per annum. No other amendments were made to the policy.

It is recommended that Council adopt the revised policy, Corporate POL-3027 Wastewater Services - Application of Charges, as attached.

PURPOSE

The purpose of this report is to propose a revised policy POL-3027 Wastewater Services – Application of Charges.

BACKGROUND

Policy 3027 Wastewater Services – Application of Charges, approved by Council at its General Meeting of 27 July 2005, is due for review. The objective of the policy is to establish the framework for applying the wastewater charges determined at the annual budget meeting.

No major changes are proposed to the policy, however, 2 small changes are proposed. The first relates to charging for urinals and defines exactly how the charge is applied. The amendment is required to remove any doubt in interpreting the policy for charging of wastewater for urinals.

The second change provides for a reduction in the standard allowance for trade waste. A reduction from 136kL per annum to 75kL per annum is sought. The reduction reflects the typical volume of water used in water efficient toilets and urinals.

ISSUES

The charging for urinals in the existing policy may be subject to interpretation as it doesn't explain what is meant by an 'equivalent pedestal (urinal) basis'. By defining one urinal as equivalent to one pedestal, the interpretation is clear, removing any doubt. The sewer charge, therefore, is the same irrespective of whether the urinal is a trough, wall hung or waterless.

The reduction in the standard allowance from 136kL to 75kL per pedestal recognises the widespread use of reduced flush toilets (6/3 litre) and urinals.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to provide and maintain wastewater and trade waste services and supports the provision of infrastructure to sustain our community.

FINANCIAL IMPLICATIONS

Based on the last quarter, a reduction in the standard pedestal allowance from 136kL to 75kL for trade waste means another 88 generators will receive trade waste charges for the first time. The average trade waste charge for these generators will be \$92 each quarter. A further 169 generators will receive an average increase in trade waste charges of \$210 each quarter.

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:

- Manager Customer Service & Business Performance;
- Manager Treatment Operations; and
- Manager Land Use Planning.

OPTIONS

PREFERRED

That Council resolves to adopt the revised policy, Corporate POL-3027 Wastewater Services - Application of Charges, as attached.

ALTERNATIVE

That Council resolve to not approve the change to the current policy POL-3027 Wastewater Services – Application of Charges.

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

Moved by: Cr Henry
Seconded by: Cr Ogilvie

That Council resolve to adopt the revised policy, Corporate POL-3027 Wastewater Services - Application of Charges, as attached.

CARRIED

11.1.4 WATER SERVICES - APPLICATION OF CHARGES – POL-3028

Datworks Filename: WS - Water Supply Charges

Attachments: [Current POL-3028 Application of Water Charges](#)
[Revised policy POL-3028 Application of Water Charges](#)

Responsible Officer Name: Kevin McGuire
Acting Manager Customer Service & Business Performance

Author Name: Michelle Vanyai
Senior Project Officer - CSBP

EXECUTIVE SUMMARY

Corporate policy POL-3028 Application of Water Charges, approved by Council at its General Meeting of 27 July 2005, is due for review.

The policy has been reviewed to cover:

1. legislation passed in November 2007 – *Water and Other Legislation Amendment Act 2007* - requiring:
 - for community title schemes (CTS) approved after 1 January 2008 — mandatory sub-metering with individual unit holders charged for the water they use;
 - for multiple occupancy single entity developments approved after 1 January 2008 — mandatory sub-metering with the property owner provided with water consumption advice for each sub-meter. The legislation provides for the owner to pass on the related cost to an occupier if a lease or other instrument allows.The legislation is not retrospective;
2. minor changes to create clarity and consistency;
3. inclusion of charging details for concessions as a result of Council's policy for leasing of Council land and facilities no longer detailing rating and utility charges for clubs and other non-profit organisations.

PURPOSE

The purpose of this report is to propose an amendment to Corporate policy POL-3028 Application of Water Charges.

BACKGROUND

Corporate policy POL-3028 Application of Water Charges, approved by Council at its General Meeting of 27 July 2005, is due for review. The object of the policy is to establish the frameworks for applying water access and consumption charges determined at the annual budget meeting.

The policy has been reviewed to cover:

1. legislation passed in November 2007 - *Water and Other Legislation Amendment Act 2007* - requiring:
 - for CTSs approved after 1 January 2008 — mandatory sub-metering with individual unit holders charged for the water they use;
 - for multiple occupancy single entity developments approved after 1 January 2008 — mandatory sub-metering with the property owner provided with water consumption advice for each sub-meter. The legislation provides for the owner to pass on the related cost to an occupier if a lease or other instrument allows.

The legislation is not retrospective.

2. minor changes to create clarity and consistency in terminology.
3. inclusion of charging details for concessions as a result of Council's policy for leasing of Council land and facilities no longer detailing rating and utility charges for clubs and other non-profit organisations.

ISSUES

The main issue relates to a change in direction for charging and identification of occupier usage.

CTSs WITH MANDATORY SUB-METERING

For CTSs with mandatory sub-metering after 1 January 2008, the main meters and sub-meters are read by Council with unit holders charged for actual consumption registered through their sub-meter. The difference between the volume of the main meter and the total of the sub-meters will be applied to the body corporate.

This is in contrast to existing CTS developments where the main meter is read and the charge for the development's total water consumption is split by lot entitlement.

MULTIPLE OCCUPANCY SINGLE ENTITY DEVELOPMENTS WITH MANDATORY SUB-METERING

In the case of the multiple occupancy single entity developments with mandatory sub-metering after 1 January 2008, the main meter and sub-meters will be read by Council.

The charge for the development's total water consumption is applied to the property owner as normal, however, the legislation requires that Council provide the property owner with a breakdown of water consumption for each sub-meter. The property owner may then choose to pass on water consumption costs to occupiers if their lease or tenancy arrangements allow.

For example – for a retirement village with mandatory sub-metering, the village's property owner would receive a water consumption charge for the site's total water usage. The village owner may then choose to pass on the cost of water actually supplied to the individual occupier (provided the lease or tenancy arrangement allows).

In both scenarios, Council will own the sub-meters and be responsible for maintaining them.

Access charges apply per meter or lot. For both CTS and multiple occupancy developments, the access charge for the main meter (boundary) still applies, however, it is not proposed to charge an access fee for the sub-meters.

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

Whilst Council owns the new sub-meters once in place, the purchase and installation of the sub-meters is arranged and paid for by the property owner.

Initial set-up cost to implement sub-metering requirements from Council's perspective is estimated at \$8,085 and covers IT development costs related to providing sub-meter details for the rates notice issue. These costs can be met by the RWW 2007/08 operational budget.

Ongoing costs for administering and reading the sub-meters is in the order of \$1,532 each quarter. No estimate has been made on costs associated with reviewing hydraulic plans or inspection of sub-meters prior to final plumbing certificates being issued.

The new charging arrangement does not provide any increased revenue to Council.

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 occurred with:

- Manager Customer Service & Business Performance;
- Manager Land Use Planning; and
- Council's external legal adviser Paul Smith, Barrister.

OPTIONS**PREFERRED**

That Council resolve to adopt amended policy Corporate POL-3028 Application of Water Charges, as attached.

ALTERNATIVE

That Council resolve not to approve amendments to the current policy Corporate POL-3028 Application of Water Charges.

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

Moved by: Cr Henry
Seconded by: Cr Ogilvie

That Council resolve to adopt amended policy Corporate POL-3028 Application of Water Charges, as attached.

CARRIED

12 PLANNING & POLICY COMMITTEE 18/06/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Ogilvie
 Seconded by: Cr Williams

That the Planning & Policy Committee Report of 18 June 2008 be received.

CARRIED

DECLARATION OF OPENING

Cr Ogilvie declared the meeting open at 9.01am.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Members Present

Cr C Ogilvie	Chair and Councillor Division 2
Cr M Hobson	Mayor
Cr W Boglary	Councillor Division 1
Cr D Henry	Councillor Division 3
Cr P Dowling	Councillor Division 4
Cr B Townsend	Councillor Division 5
Cr T Bowler	Deputy Mayor and Councillor Division 6
Cr M Elliott	Councillor Division 7
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9
Cr H Murray	Councillor Division 10 – entered at 9.19am

Committee Manager

Mr G Underwood	General Manager Planning and Policy
Mr M Goode	General Manager Customer Services

Officers

Mr W Dawson	Manager Land Use Planning
Mr M Beekhuyzen	Acting Principal Advisor Local Area & Strategic Planning
Ms R Bonnin	Manager Community and Social Planning
Ms J Spokes	Senior Advisor Cultural Services
Mr G Photinos	Manager Environmental Management
Mr D Carter	Senior Advisor Natural Environment
Mr D Elliott	Manager Infrastructure Planning

Minutes

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

Nil.

DECLARATION OF INTEREST

Cr Dowling declared a possible conflict of interest in Item 1.1 – *Revised Draft Local Growth Management Strategy (LGMS) for SEQ Regional Plan Review* – stating a conflict with s.246A (6) of the *Local Government Act 1993*. Cr Dowling remained in the Chamber for discussion and vote on this item. Cr Dowling voted in the affirmative.

MOTION TO ALTER THE ORDER OF BUSINESS

Moved by: Cr Elliott
Seconded by: Cr Bowler

That confidential Item 2.1(as listed on the agenda) - *Revised Draft Local Growth Management Strategy (LGMS) for SEQ Regional Plan Review* be brought forward and discussed as the first item of business and that it be discussed in open forum.

CARRIED

Moved by: Cr Elliott
Seconded by: Cr Bowler

That item 1.6 (as listed on the agenda) - *Education Queensland Application to Develop or Dispose of Koala Habitat* be brought forward and discussed before item 1.5 *Transport 2016 – Update*.

CARRIED

Committee Manager, Mr G Underwood, left the meeting at 10.54pm. Mr M Goode acted as Committee Manager for the remainder of the meeting.

Cr Boglary left the meeting at 12.06pm during discussion on item 1.5 and returned at 12.16pm during discussion on item 1.7.

Cr Bowler left the meeting at 12.52pm during discussion on item 1.8.

Cr Dowling left the meeting at 12.54pm during discussion on item 1.8.

Cr Townsend left the meeting at 1.01pm during discussion on item 1.8.

Cr Williams left the meeting at 1.10pm during discussion on item 1.8.

Cr Dowling declared a conflict of interest in the following Item - stating a conflict with s.246A (6) of the *Local Government Act 1993*. Cr Dowling remained in the Chamber for discussion and vote on this item, voting in the negative.

12.1 PLANNING AND POLICY

12.1.1 REVISED DRAFT LOCAL GROWTH MANAGEMENT STRATEGY (LGMS) FOR SEQ REGIONAL PLAN REVIEW

Dataworks Filename: Draft Redlands Local Growth Management Strategy

Attachments: [Draft Local Growth Management Strategy](#)
[Draft Schedule of Implementation Activities](#)

Responsible Officer Name: Wayne Dawson
Manager Land Use Planning Group

Author Name: Michael Beekhuyzen
Acting Principal Advisor Local Area & Strategic Planning

EXECUTIVE SUMMARY

The State Government announced on the 5th of May that the SEQ Regional Plan review was being brought forward by twelve months and has provided until the 26th of June [this date has subsequently been revised to 18th July, 2008] for comments from local governments on their growth strategies, settlement pattern and sequencing. The SEQ Regional Plan review Terms of Reference recognises that the local growth management strategy program will provide valuable input into the SEQ Regional Plan review in terms of identifying housing capacity and development timing within the Urban Footprint.

Shortly before the State Government announcement, Council at the General Meeting on the 30th of April 2008 resolved to withdraw from the first State interest check, the draft Redlands Local Growth Management Strategy [LGMS] and supporting documentation to review and reconsider the growth management strategies for the City to 2026. This decision of the new Council recognised that the local community during the recent local government election had raised concerns regarding the level of predicted population growth, identified new development areas and the sequencing/timing of this predicted growth in the City to 2026.

To meet the short timeframe provided by the State Government for input into the SEQ Regional Plan review, a Councillor Workshop was held on the 16th of May 2008 to review and revise the strategic direction of the draft Redlands LGMS. Key issues raised at the workshop have been considered and incorporated into a revised draft LGMS document. These include:

1. the removal of the Southern Redland Bay Investigation Area from draft LGMS population estimates and inclusion of the area within the Regional Landscape and Rural Production Area of the SEQ Regional Plan;
2. a reduction in the draft LGMS dwelling estimates for South East Thornlands and Kinross Road Major Development Areas [MDA];
3. the removal of dwelling estimates for the Point Lookout Emerging Urban Community [EUC] zoned lands;
4. a reduction in the draft LGMS dwelling estimates for mainland infill development; and
5. the identification of the Double Jump Road Area [included in the Urban Footprint] as a future land bank to accommodate medium to longer-term growth.

As a result, the dwelling estimates and population to 2026 has been revised. The revised draft LGMS contains a dwelling estimate of 19,565 new dwellings by 2026 comprised of 11,785 infill dwellings and 7,780 greenfield dwellings. These dwelling estimates include 2,390 dwellings on the Southern Moreton Bay Islands and North Stradbroke Island. This establishes a revised 2026 planning figure of 176,375 persons for the City.

The revised dwelling estimate satisfies the minimum target/estimates of the SEQ Plan of 17,500 new dwellings comprising of 8,100 infill dwellings by 2026. The population planning figure of 176, 375 is between the latest low and medium series population projections for the City produced by the State Government's Planning information Forecasting Unit [PIFU].

It is recommended that the revised draft Redlands LGMS be submitted to the Deputy Premier and Minister for Planning and Infrastructure for the purposes of the SEQ Regional Plan review as the best available information to meet the short timeframe for input into the SEQ Plan review. The draft Redlands LGMS will remain subject to a more detailed review by Council following finalisation of detailed structure planning processes and further investigations of infill capacity as a result of koala habitat investigations underway consistent with the adopted Redlands Koala Policy and Strategy 2007.

PURPOSE

The purpose of this report is to:

1. seek Council approval of the revised draft Redlands LGMS and supporting Schedule of Implementation Activities for the purpose of submission to the SEQ Regional Plan review 2009-2031.
2. identify priority actions for State consideration as part of the SEQ Regional Plan review; and
3. identify other issues for State consideration as part of the SEQ Plan review.

BACKGROUND

The State Government announced on the 5th of May 2008 that the review of the SEQ Regional Plan was being brought forward by twelve months to address emerging

regional growth issues such as continued high population growth, housing affordability, transport congestion and climate change.

The State Government released the SEQ Regional Plan Terms of Reference which sets out the process and timetable for the review and identifies the major issues to be considered. The timetable provided for comment into the SEQ Plan review had been unduly short with Council having until the 26th of June 2008 to respond. The Council of SEQ Mayors has subsequently raised with the State Governments concerns over the short timeframe provided for comment for the SEQ Regional Plan review and this time has been extended to 18th July, 2008.

The SEQ Regional Plan Terms of Reference recognise that the local growth management strategy program will provide valuable input into the SEQ Regional Plan review in terms of identifying housing capacity and development timing within the Urban Footprint.

Shortly before the State Government announcement, Council at the General Meeting on the 30th of April 2008 resolved to withdraw from the first State interest check, the draft Redlands Local Growth Management Strategy [LGMS] and supporting documentation to review and reconsider the growth management strategies for the city to 2026. This decision respected the local community raised concerns [through the local government election process] regarding the level of predicted population growth, identified new development areas and the sequencing/timing of this predicted growth in the City to 2026.

ISSUES

Draft Redlands LGMS revision

The draft Redlands LGMS has been revised based on advice received at the Councillor Workshop held on the 16th of May 2008. The key revisions to the draft LGMS in terms of housing capacity and development timing are as follows:

- removal of Southern Redlands Bay Investigation Area from the draft LGMS dwelling and population estimates on the basis:
 - establishment of a new urban community within the Investigation Area is not required to meet SEQ Regional Plan minimum dwelling targets/estimates for Redlands of 17,500 new dwellings by 2026;
 - the Investigation area lacks the infrastructure to service a new urban community and infrastructure upgrades have not been planned for through the SEQ Regional Infrastructure Plan and Program.
- the dwelling estimates for the South East Thornlands and Kinross Road Major Development Areas has been reduced by 10% in anticipation of expected amendments to be made to the current draft structure plans through Council review;
- the removal of the area included in the EUC zone on Point Lookout from the draft LGMS dwelling estimates; and

- a reduction in the infill dwelling estimates for the mainland by 10% to reflect anticipated amendments to RPS to address future Koala protection and enhancement controls in existing suburbs.

As a result of consideration of the above matters the dwelling estimates and population to 2026 has been revised. The revised draft LGMS contains a dwelling estimate of 19,565 new dwellings by 2026 comprised of 11,785 infill dwellings and 7,780 greenfield dwellings. These dwelling estimates include 2,390 dwellings on the Southern Moreton Bay Islands and North Stradbroke Island. The revised dwelling estimates for the City compares to the previous draft LGMS dwelling estimates of 24,800 new dwellings by 2026 comprised of 12,800 infill dwellings and 12,000 greenfield dwellings.

A revised population planning figure of 176,375 has also been calculated for the revised draft LGMS. This planning figure is between the latest low and medium series population projections for the City produced by the State Government’s Planning information Forecasting Unit [PIFU]. This compares to the previous population planning figure of 187,948 persons by 2026.

The revised dwelling estimate satisfies the minimum target/estimates of the SEQ Plan of 17,500 new dwellings comprising of 8,100 infill dwellings by 2026. It is important to note that these target/estimates are the minimum requirements and that the SEQ Regional Plan encourages local governments to exceed these target/estimates where local growth management strategies demonstrate this is achievable and is consistent with the policies and principles of the SEQ Regional Plan.

The sequencing of major greenfield growth areas within the City between now and 2026 will commence with development of South East Thornlands and Kinross Road Major Development Areas. These areas have been recognised as suitable for urban purposes through the RPS and SEQ Regional Plan with structure planning of both areas underway. A detailed planning process will be initiated for the Thornlands Integrated Enterprise Area in the short-term to investigate its suitability for integrated employment purposes, higher education and a regional sporting facility.

The Double Jump Road area included in the Urban Footprint and proposed to be declared a MDA is identified as a future land bank for medium to longer-term growth with the timing of structure planning and development determined by land supply monitoring activities [see table over page].

**REVISED DRAFT REDLANDS LOCAL GROWTH MANAGEMENT STRATEGY
PREFERRED SEQUENCE OF MAJOR GREENFIELD GROWTH AREAS IN
REDLAND CITY**

Location	Period 1 2006-2011	Period 2 2011-2016	Period 3 2016-2021	Period 4 2021-2026>
Kinross Road Area [Major Development Area]	✓	✓	✓	

South East Thornlands

**REVISED DRAFT REDLANDS LOCAL GROWTH MANAGEMENT STRATEGY
PREFERRED SEQUENCE OF MAJOR GREENFIELD GROWTH AREAS IN
REDLAND CITY**

Location	Period 1 2006-2011	Period 2 2011-2016	Period 3 2016-2021	Period 4 2021-2026>
Area [Major Development Area]	✓	✓	✓	
Double Jump Road Area [Proposed Major Development Area]				✓
Thornlands Integrated Enterprise Area – [Proposed Major Development Area]		✓	✓	✓

It is important to note that the revised draft LGMS represents the best available information at present and will remain subject to change following finalisation of detailed structure planning processes and finalisation of detailed investigations into infill development capacity on the Mainland.

Priority Actions for State Government Consideration

1. The Schedule of Implementation Activities has been revised in conjunction with the draft LGMS and provides a set of actions for State government consideration. The priority actions for State consideration identified within the Schedule include:
 - designation of both the Thornlands Integrated Enterprise Area and Double Jump Road Areas included within the Urban Footprint as Major Development Areas in accordance with the Regulatory Provisions of the SEQ Regional Plan to protect both areas from inappropriate forms of development prior to finalisation of a detailed structure planning process;
2. The previous Council submitted the Southern Redland Bay Investigation Area Planning Study Volumes 1 & 2 to the State Government in January 2008 in support of its inclusion with the SEQ Regional Plan review. The Planning Study has been subsequently withdrawn along with the draft LGMS.

Based on the removal of the Investigation Area from the revised draft LGMS dwelling and population estimates representation will be made to the State Government to consider the inclusion of the Investigation Area within the Regional Landscape and Rural Production Area designation of the SEQ Plan as part of the review process.

Other issues for State Consideration

1. reaffirming to the State the position of Thornlands Integrated Enterprise Area as a Major Development Area to be investigated for the purposes of integrated employment, higher education and regional sporting facilities; and
2. identification of the dwelling estimates [growth to 2026] on the Southern Moreton Bay Islands separately from the mainland infill dwelling estimates in the draft LGMS.

RELATIONSHIP TO CORPORATE PLAN

The LGMS is the vehicle through which Council sets out its strategy for achieving the urban development aspects of the SEQ Regional Plan at the local level. The revised Redlands LGMS is consistent with Council's strategic priorities regarding:

- Natural Environment;
- Land use character;
- Essential service;
- Community health and well being; and
- Economic prosperity.

FINANCIAL IMPLICATIONS

The draft LGMS has been prepared in accordance with Council's budgets.

PLANNING SCHEME IMPLICATIONS

No amendment to the Redlands Planning Scheme will result from submission of a revised draft LGMS for the purposes of the SEQ Regional Plan.

A number of amendments to the Redlands Planning Scheme will be required to facilitate the implementation of the Redlands LGMS once finalised. Key amendments to the Redlands Planning Scheme are documented in the draft Schedule of Implementation Activities.

CONSULTATION

The Land Use Planning Group has consulted with the Executive Leadership Group and Council through the Councillor Workshop held on the 16th of May 2008 in preparing the revised draft LGMS.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To adopt the revised draft Redlands LGMS and Schedule of Implementation Activities for the purpose of the SEQ Regional Plan review 2009-2031;

2. To submit the revised draft Redlands LGMS and Schedule of Implementation Activities to the Deputy Premier and Minister of the Department of Infrastructure and Planning for consideration as part of the SEQ Regional plan review;
3. To make representation to the State Government to include the Southern Redland Bay Investigation Area within the Regional Landscape and Rural Production designation of the SEQ Regional Plan as part of the review process.

ALTERNATIVE

1. That Council does not adopt the revised draft Redlands LGMS and Schedule of Implementation Activities for the purpose of the SEQ Regional Plan review 2009-2031;
2. That Council does not submit the revised draft Redlands LGMS and Schedule of Implementation Activities to the Deputy Premier and Minister of the Department of Infrastructure and Planning for consideration as part of the SEQ Regional plan review;
3. That Council does not make representation to the State Government to include the Southern Redland Bay Investigation Area within the Regional Landscape and Rural Production designation of the SEQ Regional Plan as part of the review process.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Adopt the revised draft Redlands LGMS and Schedule of Implementation Activities for the purpose of the SEQ Regional Plan review 2009-2031;
2. Submit the revised draft Redlands LGMS and Schedule of Implementation Activities to the Deputy Premier and Minister of the Department of Infrastructure and Planning for consideration as part of the SEQ Regional plan review; and
3. Make representation to the State Government to include the Southern Redland Bay Investigation Area within the Regional Landscape and Rural Production designation of the SEQ Regional Plan as part of the review process.

PROPOSED MOTION

That the Officer's Recommendation be adopted.

On being put to the vote the motion was LOST.

COMMITTEE RECOMMENDATION – 18 June 2008

That consideration of this item be deferred to the next General Meeting scheduled for 2 July 2008.

ADDENDUM – 26 June 2008

Following presentation of the Revised Draft Local Growth Management Strategy to the Planning and Policy Meeting of 18 June 2008, a further workshop was conducted with councillors.

Based on matters raised in the workshop, the LGMS has been amended and a revised Officer's Recommendation is presented to Council for consideration, with attached amended strategy.

REVISED OFFICER'S RECOMMENDATION

That Council resolve to:-

- a) Adopt the revised draft Redlands Local Growth Management Strategy and Schedule of Implementation Activities (attached) with the following amendments:
 - a) delete all references to Economic Investigation Area (Commonwealth Land at Birkdale)
 - b) delete all references to Rural Precinct Plan - Green Business Precinct
 - c) to include an additional statement in section 2.6 Economic Activity and Employment for the Thornlands Integrated Enterprise Area regarding ensuring landscape and high visual amenity values are protected and enhanced, consistent with statements made in Section 5 on this same area;
for the purposes of the SEQ Regional Plan review 2009-2031;
- b) Submit the revised draft Redlands LGMS and Schedule of Implementation Activities to the Deputy Premier and Minister of the Department of Infrastructure and Planning for consideration as part of the SEQ Regional Plan review; and
- c) Make representation to the State Government to include the Southern Redland Bay Investigation Area within the Regional Landscape and Rural Production Area designation of the SEQ Regional Plan as part of the review process.

COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Bowler

That Council resolve to:-

1. **Adopt the revised draft Redlands Local Growth Management Strategy and Schedule of Implementation Activities (attached) with the following amendments:**

- a) delete all references to Economic Investigation Area (Commonwealth Land at Birkdale)
- b) delete all references to Rural Precinct Plan - Green Business Precinct
- c) to include an additional statement in section 2.6 Economic Activity and Employment for the Thornlands Integrated Enterprise Area regarding ensuring landscape and high visual amenity values are protected and enhanced, consistent with statements made in Section 5 on this same area;

for the purposes of the SEQ Regional Plan review 2009-2031;

2. Submit the revised draft Redlands LGMS and Schedule of Implementation Activities to the Deputy Premier and Minister of the Department of Infrastructure and Planning for consideration as part of the SEQ Regional Plan review;
3. Make representation to the State Government to include the Southern Redland Bay Investigation Area within the Regional Landscape and Rural Production Area designation of the SEQ Regional Plan as part of the review process; and
4. Advise the State Government that dwelling targets are dependant on;
 - a) Further detailed studies addressing climate change, carrying capacity and peak oil; and
 - b) Provision of adequate and timely infrastructure.

CARRIED

A division was called for.

Crs Townsend, Reimers, Murray, Elliott, Bowler, Henry, Boglary and Hobson voted in the affirmative.

Crs Williams, Dowling and Ogilvie voted in the negative.

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

12.1.2 LIBRARY POLICY POL-2876

Datworks Filename	Library Policy
Attachments:	<u>Attach 1: Redland Library Service a 10 Year Plan</u> <u>Attach 2: POL-2876 Policy Document</u>
Responsible Officer Name:	Roberta Bonnin Manager Community and Social Planning
Author Name:	Judy Spokes Senior Advisor Cultural Services

EXECUTIVE SUMMARY

The Library Policy has been revised to reflect the 10 year plan for the Redland Library Services adopted in July 2007.

PURPOSE

The purpose of this report is to:

1. recommend a revised Library Policy that is aligned with the strategic directions and priorities of the approved Redland Library Services 10 year plan (attachment 1);
2. advise that the Library Local Law No. 4 – Libraries and the related Local Law Policy NO. 4 – Libraries are currently being reviewed as part of a wider evaluation of all Local Laws. Subject to the outcomes of the review, a recommendation to repeal these legal instruments is anticipated.

BACKGROUND

Following extensive research and consultation, Council approved a ten plan for its library services in 2007. The plan identified an action plan to achieve a two-fold vision for the library service:

- Connecting with a world of knowledge;
- Linking lively communities.

The six goals of the Plan are to:

1. **Encourage reading for pleasure and learning** for people at all states of their lives through practical, creative partnerships, especially with formal and informal education institutions including schools, tertiary institutions, museums, book clubs, local history groups and the University of the Third Age.
2. **Strengthen local democracy** by nurturing curious, informed, skilled and creative citizens who eagerly engage with ideas, with each other and with the issues affecting their locality.

3. **To foster a just and inclusive community** by providing free access to information in both traditional and new media formats to all Shire (sic) residents wherever they live and whatever their means.
4. **To strengthen social connections** between individuals, families, community groups and institutions in the Shire by developing programs and partnerships to extend and enrich community use of library facilities and resources.
5. **To encourage participation in the knowledge economy** and the rapidly growing creative industries by providing residents and businesses with access to technology, information resources and professional advice to develop their digital literacy and internet navigation skills.
6. **To improve the range and quality of information resources and tools** available to residents by working towards integrated approaches to public library services in south-east Queensland in partnership with neighbouring shires and with the State Library of Queensland.

ISSUES

The current review of Local Laws relating to the provision of library services will result in a report to Council within the next two to three months. Subject to detailed consideration during the review process, it is expected that evidence will confirm the view of staff that these laws are unnecessary and that current state and federal legislation is sufficient to regulate behaviour in public places (including libraries).

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 are no financial implications of this recommendation.

CONSULTATION

The Manager Library Services and the Library Leadership Team have been consulted during development of this revised policy.

OPTIONS

PREFERRED

That Council resolve to adopt the revised Library Policy POL-2876, as attached.

ALTERNATIVE

No alternative is suggested.

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

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That Council resolve to adopt the revised Library Policy POL-2876, as attached.

CARRIED

12.1.3 OUR CITY OUR CULTURE: A CULTURAL PLAN FOR THE REDLANDS

Dataworks Filename: R&C - Our City Our Culture

Attachments: [Our City Our Culture: a Cultural Plan for the Redlands 2008-2018 – \(Attachment 1\)](#)
[Culture in the Redlands; A discussion paper – \(Attachment 2\)](#)
[Report of Community Consultation – \(Attachment 3\)](#)
[Agenda 21 for Culture adopted by \(international\) United Cities and Local Governments \(UCLG\) – \(Attachment 4\)](#)
[Revised Redland City Council Cultural Policy – \(Attachment 5\)](#)

Responsible Officer Name: Roberta Bonnin
Manager Community and Social Planning

Author Name: Judy Spokes
Senior Advisor Cultural Services

EXECUTIVE SUMMARY

The Cultural Plan, *Our City Our Culture*, establishes the principles and priorities of Council's support for a broad range of cultural development activities in the City. It provides a strategic framework to guide the planning and delivery of cultural facilities and services during the next decade.

At the heart of the document is an integrated planning model that strengthens creative and practical linkages between cultural development and economic, social and environmental sustainability goals. This model acknowledges the arts and heritage as central drivers of local cultural vitality, while embracing a wider-than-arts perspective of culture to take account of other diverse expressions of community values.

PURPOSE

The purpose of this report is to present to Council for endorsement:

- Our City Our Culture: A Cultural Plan for the Redlands 2008-2018;
- Revised Cultural Policy POL 2706.

and for noting:

- Agenda 21 for Culture, an international policy framework developed by United Cities and Local Governments (UCLG)

BACKGROUND

In September 2007, a public discussion paper "*Culture in the Redlands*" (Part 2 of *Our City Our Culture*) was released and promoted to stimulate community discussion

about the scope and directions of a proposed Cultural Plan for the City. Strong community support for the ideas and directions of the paper (attachment 2) was demonstrated through surveys and focus groups conducted between September and December 2007. A report on the results of the consultation is attached (attachment 3).

The Plan is also informed by:

- *Treasures of the Redlands* 2005 (RSC cultural mapping report and extensive consultation with cultural sector organisations);
- *Arts and Cultural Development Issues Paper* 2005 (prepared to inform RCC current corporate plan);
- *Redland Shire Library Service 10 year Strategy*, July 2007;
- *Viewfinder* – DVD and Report RSC Youth Culture Research Project, August 2007;
- *Festivals and Events Audit Report*, August 2007;
- 'Agenda 21 for Culture' policy framework 2004 United Local Governments Association (ULGA) Working Group for Culture;
- "The Fourth Pillar of Sustainability: Culture's Essential Role in Public Planning" Hawkes. J. Cultural Development Network 2000;
- Agenda 21 for Culture RSC staff forum, August, 2007;
- RSC Indigenous Cultural Protocols Report, June 2007 (and subsequent community consultation in 2008);
- PLACE Project Research, 2007 and 2008;
- Australia Council for the Arts policy directions (Community Partnerships Unit);
- Arts QLD policy directions (Creative Communities);
- ALGA and LGAQ policies;
- Best practice research and public policy in municipal cultural development especially from Canada, New Zealand, and the UK;
- Meetings with key cultural agencies in Redlands notably: the Redland Arts Council, Museums and Festival organisers;
- Meetings with Cultural Development, RPAC and Library Services staff.

ISSUES

The key findings of research underpinning this Plan are that:

- the living culture of the people of Quandamooka, the local traditional owners of the Redlands area, is a fundamental element of Redlands unique cultural heritage and continues to enrich both Indigenous and other communities.

- cultural programs which are integrated across the full spectrum of civic responsibilities can help to improve ecological sustainability and community wellbeing.
- culture reflects and shapes community values and outcomes across all four “bottom lines” and is relevant to economic, environmental and governance priorities as well as those in its traditional realm of the “social”.
- the arts and heritage are at the heart of culture; their processes and products play a special role in illuminating community values and aspirations and play a primary role in cultural development alongside other cultural forms such as sport, urban design, community education etc.
- the arts and heritage are highly valued by communities (and policy makers) for their own sake - as engine drivers of creativity, ingenuity and knowledge; and for their role in promoting a sense of place, identity and meaning for individuals and their communities.
- support for diverse creative practices from within local communities is vital to sustaining the distinctiveness of local spirit, lifestyle and character.
- professional arts programs from outside the Redlands are important to ensure continuing development of local creative practitioners and audiences.
- communities require access to quality cultural facilities, resources and opportunities to support a rich creative and intellectual life just as they do for sporting and recreational facilities to support a healthy and active life.
- the Redlands has many cultural assets; these should be harnessed towards creative exploration of key civic challenges as well as for celebrations and recreation.
- partnerships between organisations and across sectors are important in expanding and enriching community participation in cultural programs and venues.

The purpose of the Cultural Plan is to:

- Articulate the nature and scope of Council’s role in local cultural development to balance RCC responsibilities with those of the community.
 - Align cultural services provided by Council with strategic priorities identified in the corporate plan.
 - Sharpen the focus of Council’s support for community-based cultural service providers to: improve the quality and diversity of their programs; engage broader community participation; and promote long term civic and sector development.
 - Improve the effectiveness and efficiency of cultural and community development programs through coordinated cross program approaches.
 - Promote creative approaches to Council’s community engagement and education objectives.
-

- Invest in the 'heart and soul' dimension of civic life to foster a productive partnership between community and Council to identify and tackle complex local challenges.
- Create a fertile environment for community debate and discussion to be facilitated during Community Planning processes.

Council's mission is to embrace the cultural dimension of the Redlands' sustainability challenge to enhance its:

- Strong community;
- Viable economy;
- Healthy environment;
- Engaged democracy.

The Plan identifies ten goals to focus planning and delivery of services in the next decade to achieve Council's vision for a "robust living culture that reflects and stimulates all Redlands residents". The goals are:

A firm platform for cultural development

1. Embrace a wide view of culture and affirm its role in protecting and developing the strengths of Redlands' places and communities.
2. Acknowledge and support the living culture of the Traditional Owners, elders and other Indigenous residents of the Redlands, the people of Quandamooka.
3. Acknowledge the central role of creative arts and heritage activities as drivers of cultural vitality in the Redlands.

Building on local cultural assets and strengths

4. Protect and promote expressions of local heritage in place management and community development.
5. Present the work of professional artists in all art forms to inspire diverse audiences and develop the skills and ideas of local artists.
6. Target support for community-based cultural activities to those that best demonstrate exciting and innovative approaches to creative development, community participation and skills development, and which foster strong local partnerships.

Focussing on the future

7. Invest in 'human capital' by providing facilities and programs that develop creativity, innovation, skills and knowledge in individuals, groups and enterprises.
8. Foster creative partnerships between advocates of cultural and natural heritage, and between the arts and sciences.

9. Encourage newcomers to the Redlands to contribute to the cultural life of the City as decision makers, creative practitioners, volunteers and participants in local events and organisations.
10. Nurture the next generation of cultural creators and custodians by supporting the creative ideas, skills and capacities of children, teenagers and young adults.

Key Priorities for Support are identified as:

1. Enhanced consideration of cultural values in major planning instruments including: the Redlands Planning Scheme, the Local Growth Management Strategy, the Social Infrastructure Plan, site master-plans and neighbourhood structure plans;
2. Indigenous community efforts to protect and promote the unique living culture of the Quandamooka region;
3. Creative approaches to civic engagement that enrich public exploration of pressing local issues and challenges;
4. Renewal and animation of existing community facilities;
5. Cultural development in communities facing locational, or other disadvantages especially the Southern Moreton Bay Islands;
6. Local and regional partnerships between the arts, heritage, environment, media, and education sectors;
7. Investment in digital literacy as a major driver of cultural development, education and enterprise development in the new century;
8. Succession planning for cultural organisations to engage newcomers, young people, and cross-sector partnerships;
9. Emerging communities' access to cultural facilities and services especially in the south of the city.

The following indicators will be used to evaluate the overall success of the plan and measure progress during its implementation:

- Consistency with the outcomes of the Redland City community plan;
- Inclusion of cultural considerations in place planning and management;
- Profile of Quandamooka cultural heritage;
- Degree of participation in local cultural events and activities;
- Diversity of cultural opportunities available for all age groups;
- Reflection of local issues, debates and aspirations in public cultural development programs;

- Sustainability of local cultural facilities, events and organisations;
- Engagement of young people in cultural development and expression;
- New partnerships formed that foster local cultural vitality and harness its strengths in the wider sustainability agenda.

Agenda 21 for Culture

“Agenda 21 for Culture” (attachment 4) is a policy framework adopted by the international local government organisation, United Cities and Local Governments (UCLG) in 2004. It encourages local governments across the world to play a leadership role in integrated approaches to cultural development in their own communities, and seeks to build national and international connections between public institutions and governments that adhere to its stated principles and undertakings.

Agenda 21 for Culture is informed by key international policy instruments such as: the Universal Declaration of Human Rights (1948), the International Covenant on Economic, Social and Cultural Rights (1966) and the UNESCO Universal Declaration on Cultural Diversity (2001).

Agenda 21 for Culture reflects the leading edge of public cultural policy development internationally. Its principles and undertakings, have informed the development of the Cultural Plan, whose goals and actions are aligned with its objectives and spirit. Redland City Council has an opportunity to demonstrate leadership in public policy innovation by promoting discussion about the implications of Agenda 21 for Culture among local government planners, researchers and cultural advocates in our region.

RELATIONSHIP TO CORPORATE PLAN

The recommendation addresses all strategic priorities of Council but primarily supports the 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

Many of the recommended actions in the Cultural Plan will not incur additional cost to Council; however the 2008/09 budget identifies \$71,000 for salary and associated costs of a new cultural development officer in Customer and Community Services. This officer will play a key role in implementing aspects of the cultural plan that are beyond the remit of Council’s dedicated cultural facilities (RPAC, Redland Art Gallery and Libraries).

CONSULTATION

Internal stakeholders consulted during the project included:

- Manager Community and Customer Services;

- Manager Land Use Planning;*
- Cultural Services Manager and staff;
- Community and Social Planning Manager and team;
- Community Development staff;
- Performing Arts Centre Manager;
- Environmental Management staff;
- Facilities and Services
- Mayor and Councillors;

* Manager Land Use Planning expressed concern about the practical implications of clause 25 of Agenda 21 for Culture.

A report of external consultation is attached to this report (attachment 3).

OPTIONS

PREFERRED

That Council resolve as follows:

1. To adopt Our City Our Culture: A Cultural Plan for the Redlands 2008-2018 for budgetary planning and implementation through business plans and SLAs;
2. To adopt the revised Cultural Policy POL 2706; and
3. To note the principles and undertakings of Agenda 21 for Culture as a guide for enhancing integrated approaches to local cultural development

ALTERNATIVE

That Council resolve as follows:

1. To reconsider Our City Our Culture: A Cultural Plan for the Redlands 2008-2018; and
2. The revised Cultural Policy POL 2706, following further research on specific issues; and
3. To note the principles and undertakings Agenda 21 for Culture.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That Council resolve as follows:

- 1. To adopt Our City Our Culture: A Cultural Plan for the Redlands 2008-2018 for budgetary planning and implementation through business plans and SLAs;**
- 2. To adopt the revised Cultural Policy POL 2706; and**

3. To note the principles and undertakings of Agenda 21 for Culture as a guide for enhancing integrated approaches to local cultural development.

12.1.4 PETITION (DIVISION 3) CONTROL TRAFFIC SPEED IN CLIFFORD PERSKE DRIVE, THORNLANDS

Dataworks Filename: RTT Complaints – Traffic
GOV Petitions

Responsible Officer Name: David Elliott
Manager Infrastructure Planning

Author Name: Abdish Athwal
Senior Advisor Traffic and Transportation

EXECUTIVE SUMMARY

At the General Meeting of 30 January 2008, it was resolved as follows:

That the petition be received and referred to the appropriate area of Council for consideration and a report to Council.

The petition reads as follows:

“We the undersigned, request that Council investigate means of controlling traffic speeds in Clifford Perske Drive so as to avoid further wildlife fatalities; the increasing threat to the safety of resident and pedestrians; and the accompanying decline in amenity and quality of life”.

PURPOSE

To prepare a response to a petition from local residents requesting Council investigate means of controlling traffic speeds in Clifford Perske Drive, Thornlands, to avoid further wildlife fatalities; the increasing threat to the safety of resident and pedestrians; and the accompanying decline in amenity and quality of life” and to respond to Council resolution dated 30 January 2008.

BACKGROUND

On 10 December 2007, residents of Clifford Perske Drive and the adjoining street submitted a petition requesting Council investigate means of controlling traffic speeds in Clifford Perske Drive, Thornlands to address wildlife fatalities, the safety concern of resident and pedestrians and the accompanying decline in amenity and quality of life. This petition was tabled at the General Meeting of 30 January 2008 and Council resolved to consider the request and report back to Council.

Clifford Perske Drive is designated as a Trunk Collector in accordance with Council Road Hierarchy and has a signed speed limit of 60km/h at both ends of the roadway. It is a single lane roadway in both directions with a turning lane at its intersections to adjoining residential streets. It has edge and double-centre line marking with painted and concrete islands along its entire length, defining the correct driving paths and preventing overtaking and thus providing a safe driving environment.

Clifford Perske Drive has an average 4.5 metre verge with a 2.5 metre wide pedestrian or shared pedestrian/cycle path on both sides. Streetlighting is also provided to the current standards. During the site inspection, cyclists were observed using both the off road shared path and the on road edge line lane.

Fauna fencing is also in place to safeguard wildlife at appropriate sections along Clifford Perske Drive.

ISSUES

The petition Council received on 10 December 2007, requested Council investigate means of controlling traffic speeds in Clifford Perske Drive, Thornlands to address *wildlife fatalities*, safety concerning resident and pedestrians and the accompanying decline in amenity and quality of life.

In April 2008, Council undertook a 7 day traffic survey for volume and speeds on Clifford Perske Drive. The results obtained were compared to the acceptable speed distributions for a 60km/h speed zone in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), where the 85th percentile speed or the 15km/h pace should have an upper limit of 69 km/h. The annual average daily (AADT) volume should be up to 10,000 vehicles/day for a Trunk Collector road.

The results of data collected in Clifford Perske Drive indicated the mean (average) speed was 55.8km/h which is below the 60 km/h speed zone. The 85th percentiles speed is 63.0 km/h which is again below the upper limit of 69 km/h and the average daily volumes were 2,166 vehicles, which are well below the 10,000 vehicles per day expected for this class of roadway.

This data is in line with the traffic survey data collected in March 2007 and shows that there has been slight improvement in the traffic conditions along Clifford Perske Drive in the past year with the 85th percentiles speed dropping from 68km/h to 63km/h and the average daily volume has also declined from 2,233 vehicles to 2,166 vehicles.

Given that Clifford Perske Drive is classified a Trunk Collector in accordance with Council's road hierarchy, the measured speeds and associated data listed above generally satisfy the criteria set out in the Manual of Uniform Traffic Control Devices.

Research of the reported wildlife fatalities records has revealed that there has been no fatalities (road-kill) reported, since recording started in 1997.

The data collected above and site inspections do not support any threat to the safety of residents, pedestrians and wildlife and showing an improvement to the amenity and quality of life along the Clifford Perske Drive with the reduction in volume and speeds of vehicles. However, repeater 60km/h speed signs should be placed to align with MUTCD standards.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to provide and maintain water, waste services, roads, drainage and support the provision of transport and waterways infrastructure.

FINANCIAL IMPLICATIONS

The estimated cost of installing 60km/h repeater signs is \$500.

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

The Divisional Councillor has been consulted regarding the recommendation contained in this report.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To take no further action on the requested provision of traffic calming devices in Clifford Perske Drive, Thornlands;
2. To install repeater 60km/h speed signs to align with MUTCD standards; and
3. That the principal petitioner be advised of Council's resolution in this matter and requested to advise all signatories to the petition of Council's decision in this matter.

ALTERNATIVE

No alternative suggested.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. To take no further action on the requested provision of traffic calming devices in Clifford Perske Drive, Thornlands;
2. To install repeater 60km/h speed signs to align with MUTCD standards; and
3. That the principal petitioner be advised of Council's resolution in this matter and requested to advise all signatories to the petition of Council's decision in this matter.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That this item be deferred to a future Planning & Policy Committee meeting to allow further investigation by officers.

CARRIED

12.1.5 PETITION (DIV 9) TRAFFIC CALMING ON WILLARD ROAD, CAPALABA

Dataworks Filename: RTT: Traffic Calming
Responsible Officer Name: David Elliott
Manager Infrastructure Planning
Author Name: Abdish Athwal
Senior Advisor Traffic and Transportation

EXECUTIVE SUMMARY

At the General Meeting of 27 February 2008, it was resolved as follows:

That the petition be received and referred to the appropriate area of Council for consideration and a report to Council.

The petition reads as follows:

“We, the majority of residents in Willard Road, Capalaba, request some form of traffic calming device, i.e. speed humps, to be placed on our road and in addition footpaths for our sidewalks”

The report recommends noting of the inclusion of Willard Road traffic calming works in the 2008/09 capital budget and the listing of footpath works between Finucane Road and Elwyn Street for consideration in the 2009/10 budget.

PURPOSE

To prepare a response to a petition from local residents requesting that Council install Local Area Traffic Management devices and footpaths in Willard Road, Capalaba and to respond to Council resolution dated 27 February 2008.

BACKGROUND

On 23 January 2008, residents of the Willard Road submitted a petition requesting traffic calming devices and footpaths along their road and sidewalks to address excessive speeding and rat-running. The petition was tabled at the General Meeting of 27 February 2008 and Council resolved to consider the request and report back to Council.

Willard Road is designated as a Residential Collector in accordance with Council Road Hierarchy with a default unsigned speed limit of 50km/h. It has a roadway width of 13 metres with a centre line. Splitter islands are installed on both ends of this road defining the correct driving paths. The footpath/verges on both sides of the roadway are 3.6 metres in width.

The issues raised in the recent petition were identified some two years ago and following investigation, funds were provided in the 10 year capital program in 2008/09 to install traffic calming measures.

ISSUES

In April 2008 Council updated its vehicle count data, conducting a 7 day traffic survey for volume and speeds on Willard Road.

The results obtained were compared to the acceptable speed distributions for a 50km/h speed zone in accordance with the Manual of Uniform Traffic Control Devices, where the 85th percentile speed or the 15km/h pace should have an upper limit of 59 km/h. The annual average daily (AADT) volume should be up to 3000 vehicles/day for a residential collector road.

The results of data collected in Willard Road indicated an average speed of 56.9 km/h which is above the 50 km/h speed limit. The 85th percentile speed recorded was 67.0 km/h which is again above the recommended upper limit of 59 km/h. The average daily volume of 815 vehicles is well below the 3000 vehicles per day expected for this class of road.

Given that Willard Road is classified a Residential Collector in accordance with Council's road hierarchy, the measured speeds and associated data listed above are significantly outside the criteria set out in the Manual of Uniform Traffic Control Devices .

Research of the reported accident history revealed no accidents during the latest five year period.

A visual inspection of Willard Road revealed that the road surface on the whole is in fair condition, however, certain locations are in need of repair. Further investigation have shown that Willard Road is programmed for resurfacing in the coming year (2008/09)

The Priority Infrastructure Plan lists Willard Road on the trunk cycleway schedule. Due to the narrow footpaths and the presence of power poles in the centre of the eastern footpath, it is not feasible to construct an off road bikeway or a concrete path on the eastern side. It is proposed to linemark on-road bikeways as part of the traffic calming measures.

While it is considered that the provision of a full length concrete path on the western side of Willard Road (estimated cost \$120,000) cannot be justified at this point in time given other priorities in the city, the construction of a portion linking Finucane and Elwyn (estimated cost \$12,000) will benefit the residents of Elwyn, Hemmo and Willard. This section of path is recommended for listing in the 2009/10 financial year.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to provide and maintain water, waste services, roads, drainage and support the provision of transport and waterways infrastructure.

FINANCIAL IMPLICATIONS

Funding is allocated for the proposed traffic calming works in Willard Road in the 2008/09 budget.

PLANNING SCHEME IMPLICATIONS

The recommendations in this report will not require any amendments to the Redlands Planning Scheme.

CONSULTATION

The Divisional Councillor has been consulted regarding the recommendation contained in this report.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To note the inclusion of traffic calming works in Willard Road, Capalaba in the 2008/09 capital budget;
2. To list the section of concrete footpath in Willard Road between Finucane Road and Elwyn Street, estimated to cost \$12,000, for consideration in the 2009/10 capital program; and
3. That the principal petitioner be advised of Council's resolution in this matter and requested to advise all signatories of Council's decision.

ALTERNATIVE

That Council resolve as follows:

1. To note the inclusion of traffic calming works in Willard Road, Capalaba in the 2008/09 capital budget; and
2. That the principal petitioner be advised of Council's resolution in this matter and requested to advise all signatories of Council's decision.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That Council resolve as follows:

1. **To note the inclusion of traffic calming works in Willard Road, Capalaba in the 2008/09 capital budget;**

2. To list the section of concrete footpath in Willard Road between Finucane Road and Elwyn Street, estimated to cost \$12,000, for consideration in the 2009/10 capital program; and
3. That the principal petitioner be advised of Council's resolution in this matter and requested to advise all signatories of Council's decision.

CARRIED

12.1.6 EDUCATION QUEENSLAND APPLICATION TO DEVELOP OR DISPOSE OF KOALA HABITAT

Dataworks Filename: EM Native Animal Protection - Koala
Attachment: [Aerial Photo of Windemere Road Property](#)
Responsible Officer Name: Gary Photinos
Manager of Environmental Management
Author Name: Dan Carter
Senior Advisor Natural Environment

EXECUTIVE SUMMARY

Council received a letter from Department of Natural Resources and Water (DNRW) on behalf of Education Queensland dated 7th May 2008 regarding Lot 2 and Lot 177 on SP204522 Parish of Capalaba located at Windemere Rd, Alexandra Hills. The letter requests Council to reconsider its previous refusal of preliminary development approval for residential development and park.

The DNRW advises that should Council still not support the proposal then a second option that they will pursue will be the amalgamation of Lots 2 and 177 on SP204522 which will then be offered for sale on the open market as a school site under its current zoning – Community purposes CP3 (Education Facilities). Council should acknowledge that this prior notification of their intentions is appreciated.

Council has been given till the 20th of June 2008 to reply to DNRW before they proceed with disposal of the land.

In 2002 the Department of Natural Resources and Mines considered that the subject land was excess to their requirements and subsequently made an application to Council for Preliminary approval to rezone the land and reconfigure it for urban purposes. As part of the assessment of the application, Council considered a number of environmental reports detailing the high environmental value of the land. As a direct result on the 4th of November 2003 Council refused the Department of Education's development proposal.

This property was originally proposed to be zoned 'Conservation' in the draft Redlands Planning Scheme in 2004, however after the first State interest check, Council was instructed to zone it 'Community Purposes'.

On the 9th of November 2006 Council resolved to apply to the State Government to have all or a portion of the land considered surplus to its needs situated at 48-68 Windemere Road, Alexandra Hills described as lot 177 on SP104021 made into a reserve for "Environment Purposes".

It is recommended that Council reiterate its position to the State Government that the subject site has high environmental value and should therefore be made into a reserve for "Environmental Purposes".

PURPOSE

That Council consider

- Its position in relation to the DNRW's request to permit the development of Lots 2 and 177 on SP204522 on Windermere Rd, Alexandra Hills
- Its options should DNRW decide to proceed with the proposed sale of the land;
- An appropriate response to DNRW in relation to the proposed disposal of the land.

BACKGROUND

- Original long term planning, prior to 1999 by the State Government identified that the land situated at 48 - 68 Windemere Road, Alexandra Hills be set aside for future school purposes.
- In 2002 the Department of Natural Resources and Mines considered that the subject land was excess to their requirements and subsequently made an application to Council for Preliminary approval to rezone the land and reconfigure it for urban purposes.
- November 2003 Council refuses the application for preliminary approval under section 3.1.6 of IPA to amend the scheme to include this land in residential A and open space zones.
- In 2004, this property was proposed to be zoned Conservation Purposes in the draft Redlands Planning Scheme. After the first state interest check, however Council was instructed, by the State Government, to include the land in the proposed Community Purposes zone.
- Council amended the draft planning scheme in accordance to the direction of the State Minister but maintained the Habitat Protection overlay (Bushland habitat map) over the property.
- November 2006 Council resolved to apply to the state government to have all or a portion of the land considered surplus to its needs and make it into reserve for environmental purposes.
- In 2007 part of Lot 177 was subdivided into two (Lots 2 and 177 of SP204522) with the intention of constructing a fire station on Lot 2 SP204522.
- The option of building the fire station was not taken up by Emergency Services. In April 2008, Council had requested that if this option did occur then the balance of land be reserved for environmental purposes Lot 177 SP204522.
- The land has been assessed to have significant environmental and conservation values and would make an important significant contribution to the habitat and biodiversity preservation and conservation in this locality.

- May 2008, Council has been requested by DNRW to reconsider its previous refused preliminary approval for residential development and park. Should Council decide not to reconsider its earlier position on the development of the site, then DNRW advises it will amalgamate Lots 2 and 177 on SP204522 and offer the new lot for sale on the open market as a school site under its current zoning – Community Purpose (CP3 Educational Facility).

ISSUES

REQUEST FROM DEPARTMENT OF EDUCATION

On the 7th of May 2008 Council received a letter from the Department of Natural Resources and Water on behalf Department of Education. The letter identifies the original intention of Department of Education to sell the reserved school site (Lot 177 on SL8558) for residential development and park.

The Department of Education is requesting Council in its most recent letter to reconsider its previous refusal of the preliminary approval for residential development and park or consider with the Department's second option of amalgamating Lots 2 and 177 on SP204522 and offering the land for sale on the open market as a school site under its current zoning.

Council was requested to have a response back to the Department of Natural Resources and Water by end of May 2008. Council officers contacted the DNRW and requested a further month to allow Council time to prepare a response. DNRW has advised that as the Education Department is "keen" to dispose of the site they have a short time frame for disposal and so have only provided us with a further 3 weeks to reply, ending about the 20th of June 2008.

DESCRIPTION OF THE LAND

The area of the land is: 5.6350Ha and the Redlands Planning Scheme details are:

Land Number:	332200
Lot on Plan:	Lot 2 &177 on SP204522
Address:	48-68 Windemere Road, Alexandra Hills 4161
Zone:	Community Purposes
Zone sub-area:	CP3 - Educational Facility
Designated Community Infrastructure:	No
Acid Sulphate Soils Overlay:	No
Airspace and Aviation Facilities Overlay:	No
Bushfire Hazard Overlay:	Yes
Electricity Infrastructure Overlay:	No
Extractive Resources Overlay:	No
Flood Prone, Storm Tide and Drainage Constrained Overlay:	No
Habitat Protection - Bushland Habitat	Yes

Overlay:	
Habitat Protection - State Koala Policy:	No
Heritage Place and Character Precinct Overlay:	No
Protection of the Poultry Industry Overlay:	No
Road and Rail Noise Impacts Overlay:	Yes
Waterways, Wetlands and Moreton Bay Overlay:	No
Water Supply Catchments Overlay:	No

VEGETATION COMMUNITY TYPE:

The vegetation community is not identified as a remnant ecosystem in the Queensland Herbarium's vegetation mapping. The vegetation must meet the strict criteria for defining a remnant based upon, among other things, its regrowth character and/or disturbed condition. It is, however, considered that the vegetation could achieve remnant status within 5 to 10 years. Given the opportunity, the vegetation community could be classified as;

- 12.9-10.4 Open Forest to woodland with *Eucalyptus racemosa* locally prominent on cainozoic to mesozoic sediments; and
- 12.5.3 *Eucalyptus tindaliae*, *Corymbia intermedia* *E. seiderophloia*, *E. racemosa* tall shrubby forest open forest +- *E resinifera*, *E.pilularis*, *E microcorys* on complex of remnant tertiary surfaces and cainozoic to proterozoic sediments (12.5.3 is presently classified as 'endangered dominant').

The present lack of remnant status does not diminish its significance as a connection and wildlife refuge node with connectivity to other patches of bushland in the area.

CLEARING AND BURNING:

The uniform age of the canopy trees indicates a past history of clearing and the present vegetation exhibits signs of regular burning. Council is aware of at least two fires in the last 10 years on this land, as well as additional smaller fires attributed to arson.

SIGNIFICANT FAUNA SPECIES:

Informal observation indicates that many species occur in, and use, the area. A full fauna inventory of likely and present species needs to be undertaken.

The rainbow bee-eater (another species listed under the *EPBC Act* was sighted in the area during the Wildlife Preservation Society Queensland Bayside Branch survey of 2002.

Sugar Gliders are considered to be present in the area. Although not listed in *EPBC* and *NCA*, the range of this species is quickly being reduced through clearing and habitat fragmentation. For this reason this species is listed as locally significant in the amended Redlands Planning Scheme.

LINKAGE SIGNIFICANCE:

The land provides an important linkage to three significant conservation areas:

- a. Greater Glider Conservation Area;
- b. Scribbly Gums Conservation Area; and
- c. Cleveland Sewage Treatment Plant. (Council has made application in 2007 to the DRNW to excise approx. 100 hectares of the special lease for sewage purposes into a reserve for open space)

To a lesser extent, the land has some connectivity with the Squirrel Glider Conservation Area. While containing a small tributary of Coolnwynpin Creek, the land is on hilltop. This position makes it unusual in an urban area and increases its conservation value.

CURRENT MANAGEMENT PRACTICES

At present, there are indications of ongoing unsocial practices; the incidence of fire setting has already been noted above and there are signs of recreational drug use.

There are a number of informal tracks and evidence of illegal tree removal, particularly where the bush is close to the adjoining skate bowl.

Some weeds are present on the land and the opportunity for them to increase in number and impact will continue over time. Similarly, fire access tracks are being maintained in the area while fuel reduction zones are showing no management at all.

An effective and obvious management regime will greatly reduce the negative impacts described above.

BIODIVERSITY POLICY 2008

The retention of this land in its vegetated state will contribute to achieving Council's Biodiversity Policy and Strategy 2008 objective to enhance habitat on the mainland by increasing cover of remnant vegetation by at least 1600Ha (8%) by 2031 to address SEQ NRM resource condition targets, through protection of existing non-remnant vegetation re-growth and new plantings

REDLANDS KOALA POLICY AND STRATEGY 2008

The retention of this land in its vegetated state will also contribute to Council's koala policy objective is "to provide a new vision and to meet community expectations to stop the rapid continuing decline of koalas by 2011 and take immediate action to recover the existing population to more than 5000 koalas in the Koala Coast by 2014".

The need to protect and maintain this site needs to be acknowledged by Education Queensland that Redlands habitat and its koalas are special, unique and integral to the environmental social, cultural and economic well being of our community.

Council has an obligation under this policy to lobby the State Government to ensure that this unique and rare parcel of urban land is maintained for koala habitat as:

- Koala use is apparent and preferred feed tree species occur on the land.
- The koala is listed as vulnerable by the *Nature Conservation Act*
- The area is mapped as koala living area.
- Multiple koala observations have been made on this block through the Council Koala Watch Program.
- Koala Action Groups annual phone in survey has identified koalas in adjoining lots.

The recent koala population data released by the State Government identified a 27% decline in the Redlands. If this habitat was lost due to development there will be significant impacts on the long term viability of the species due to:

- Loss of food and habitat trees
- Increase in vehicles along Windermere Rd
- In last 10 years 5 koalas have been killed on the roads within a 400m radius of this block of land.
- Increase likelihood of disease in those koalas that utilise this area,
- Increase in dog activity in the area.
- Koala use of the vegetation on this lot is significant; loss of such habitat within the urban footprint would have significant impact on long term viability of the koala and increasing the associated threats with any development (i.e. dogs, disease and vehicles) in this area.

THE MINISTER FOR SUSTAINABILITY, CLIMATE CHANGE & INNOVATION SHOULD SAY NO!

Considering the speech by the Honourable Andrew McNamara Minister for Sustainability Climate Change and Innovation at the Koala Summit in September 2007 identified the biggest threat is “human encroachment on their (koala) habitat areas and the greatest declines have been those associated with the urban footprint”. He also stated that “Council should ensure urban development does not impact on koala populations, through both clever design and being prepared to say no”.

In this case the State needs to recognize the significance of such a large piece of habitat and the impact of the loss of this would have on the koala population and say “no” to the sale of this land.

Either option Council has been requested to consider will see the destruction of almost all vegetation on this property. Replacing a lot of this size within the urban footprint in particular Alexandra Hills would be impossible. A intact piece of vegetation on top of a hill in this part of Redlands is extremely unique and irreplaceable.

The Environmental Protection Agency’s own Nature Conservation (Koala) Conservation Plan 20006 and Management program 2006 -2016 section 4.2 recognises the greatest impact on koalas is habitat loss. This plan states protection and vegetation retention is of critical long term survival of the species.

OPTIONS AVAILABLE

Option	Description	Advantages	Disadvantages
1. Management transfer to Council.	Make request to Education Queensland for Council to become trustees of the land as an environmental reserve.	Little or no cost to Council. Protection and management by Council. No development. Full enjoyment & use by the community.	Option unlikely to succeed given no response previously. No financial gain for the State.
2. Work with EPA on looking at solution for protection and retention of the area.	State protects the land through offset options for habitat loss required for upgrade of existing roads in the Redlands. The land is offered to Council to take trusteeship of the land for Environmental Purposes. Area re-zoned as CN2.	No initial cost to Council. Estimated management cost of \$120 000 for 10 years. State protects the environmental value of the land protected through zoning, Council ownership and management. Significant win for a range of state agencies.	Number of state agencies involved. Would required Education Queensland approval. Cooperation between state departments to achieve this outcome maybe feasible.
3. Purchase and re-zone – urban development.	Seek State support to re-zone a small section of land to 'Urban Residential' with the remaining area re-zoned as CN2. Negotiate sale to Council. Council on-sells urban lots.	Majority of land protected through zoning, Council ownership and management. Net zero expenditure for Council. State benefits from financial gain.	Number of urban lots to offset cost of purchase may diminish size of environmental reserve. Value of land estimated at \$5.5 million and redevelopment value of \$1.5million. Council to incur significant costs of development & purchase of land. Cost to Council around \$4 million.

Option	Description	Advantages	Disadvantages
4. Allow sale of land for school purposes	State would put land on market for sale as a private school site	State would gain funds for the land.	Almost all habitat value will be lost. Will increase traffic and dogs in the areas therefore increasing threats to koalas.

DISPOSAL OF OTHER EDUCATION LAND

The Department of Education has recently identified a block of land on Ziegunfusz Road Thornlands for a consortium between state and private companies to build and run a school. This lot is 5.9ha in size with scattered vegetation and also contains good koala habitat. Council would appear to have little ability to guide or advise on best outcomes for this land and may see further habitat loss of koala habitat within the urban footprint.

Another block of land is the Department of Education land on Long Street Cleveland Lot 1 SL813180 which is zoned CN1. We have written to the Department of Education previously in accordance to Council resolution requesting they hand the land back to DNRW for the land to be reserved for "Environmental Purposes". No response has been received back in regards to this Lot.

State and Council need to urgently undertake a program of identification of all state owned land within Redlands not protected through appropriate reserve mechanisms and identify the significance of these for koala and other biodiversity conservation purposes. The State and Council then need to discuss the most appropriate methods for protection and long term future of these lands.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports 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.

Further the corporate objectives under this priority refer to protecting, maintaining and rehabilitating environmental values and biodiversity and ensuring the sustainability of the shires koala population and native wildlife.

The recommendation also supports another key strategic priority relating to Community Health and Wellbeing where this parcel of land provides local residents with an area to recreate in an informal manner. Children and adults can enjoy the

ability to interact with nature close to home. This has shown to have significant benefits for the health and well being of the community.

FINANCIAL IMPLICATIONS

Should the State Government discontinue with its proposal to develop or dispose of this site and should the land become a Reserve for Environmental Purposes with Council becoming the trustee for this land it is estimated that with initial site establishment costs and ongoing maintenance would incur a cost of \$120 000 over the next 10 years. These costs will be funded from the Environment Charge.

An alternative is that Council acquires this land on the open market should the State Government (Education Queensland) continue with its proposal to dispose of the land. Estimates to purchase the land are approximately \$5.5 million with an ongoing maintenance cost. These funds will need to be allocated from the Environment Charge and have not been budgeted for in the upcoming 08/09 budget.

If Council wishes to recover some of these funds there is an opportunity, subject to amendments being made to the Planning Scheme, to develop 5 x 700square metre lots of the property. The revenue would be in the order of \$1.5 million leaving a total cost of \$4 million to Council. The current Environmental levy estimated expenditure for land purchase, as part of the approved acquisition program, for next year is approximately \$4.5 million.

In the recently released State budget an income of \$9.3million was identified through the sale of training assets for Education Queensland. Unless this site is classified as a training asset, there is no mention of the sale of this site in the state budget papers made available to the public.

This alternative is cost prohibitive and unfair on Council given the Minister's stated position to assist Council with koala sustainability issues.

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 possible rezoning of the land to Conservation.

CONSULTATION

Due to the relative short time to undertake consultation on this matter the following groups have made contributions to the preparation of this report:

- Land Use Planning Group have provided all the advice regarding the development application and the how Council should advise the DRNW regarding their request.
- Environmental Education Unit has provided important data relating to the koala activity on the site and has also provided the koala mortality information and koala sighting information.

- Parks and Conservation Unit have provided the costs estimates in relation to the ongoing management, maintenance and site establishment.
- Property Services have provided the information on the independent valuation and options for recovering funds through a partial low impact development on the site.
- Environmental Protection Agency has been advised of Education Queensland's intentions and given undertakings that they will initiate interdepartmental communication on this matter.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To respond to the Department of Natural Resources and Water that:
 - a) Council's previous decision cannot be changed as a Decision Notice has been issued under the provision of Integrated Planning Act
 - b) Council cannot provide a fresh decision regarding development on the land without a new development application being made;
 - c) Considering the high environmental significance of the site in regard to koala protection within the Redlands, a fresh application for residential development over the site would be unlikely to be supported by Council
 - d) Council objects to the public disposal of the land and will be seeking Ministerial direction to protect the site for environmental purposes;
 - e) Any further action on the possible public disposal of the land should be halted.
2. Write to the Honourable Andrew McNamara Minister for Sustainability Climate Change and Innovation in regards to:

Requesting he investigate opportunities with Council for the protection and retention of Lots 2 & 177 SP204522 for koala habitat, biodiversity, and community health and wellbeing purposes, and

Requesting EPA and Council officers to investigate all State owned land within Redland City not protected through appropriate reserve mechanisms and identify the significance of these for koala and other biodiversity conservation purposes then discuss most appropriate methods for protection and long term future of these lands.
3. Write to Minister of Department of Natural Resources and Water and Minister for Education in regards to the environmental significance for the Redlands koala population and request the whole of the land be retained in either State or Council ownership as environmental reserve, where Council is willing to accept the trusteeship of the reserve;

4. Contact is made with the local State Members on the matter, with the purpose of enlisting their support in the protection of these properties for environmental purposes.

ALTERNATIVE

No alternative is recommended as it is cost prohibitive and unfair on Council given the Minister's stated position to assist Council with koala sustainability issues.

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

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That Council resolve as follows:

1. **To respond to the Department of Natural Resources and Water that:**
 - a) **Council's previous decision cannot be changed as a Decision Notice has been issued under the provision of Integrated Planning Act**
 - b) **Council cannot provide a fresh decision regarding development on the land without a new development application being made;**
 - c) **Considering the high environmental significance of the site in regard to koala protection within the Redlands, a fresh application for residential development over the site would be unlikely to be supported by Council**
 - d) **Council objects to the public disposal of the land and will be seeking Ministerial direction to protect the site for environmental purposes;**
 - e) **Any further action on the possible public disposal of the land should be halted.**
 2. **Write to the Honourable Andrew McNamara Minister for Sustainability Climate Change and Innovation in regards to:**
 - a) **Requesting he investigate opportunities with Council for the protection and retention of Lots 2 & 177 SP204522 for koala habitat, biodiversity, and community health and wellbeing purposes, and**
 - b) **Requesting EPA and Council officers to investigate all State owned land within Redland City not protected through appropriate reserve mechanisms and identify the significance of these for koala and other biodiversity conservation purposes. Then discuss most appropriate methods for protection and long term future of these lands.**
 3. **Write to Minister of Department of Natural Resources and Water and Minister for Education in regards to the environmental significance for the**
-

Redlands koala population and request the whole of the land be retained in either State or Council ownership as environmental reserve, where Council is willing to accept the trusteeship of the reserve;

- 4. Contact is made with the local State Members on the matter, with the purpose of enlisting their support in the protection of these properties for environmental purposes.**

CARRIED

12.1.7 TRANSPORT 2016 - UPDATE

Dataworks Filename: RTT: Roads Traffic and Transport
Attachments: [List of Actions - Transport 2016](#)
Responsible Officer Name: David Elliott
Manager Infrastructure Planning
Author Name: Crawford Connell
Advisor Transport Planning

EXECUTIVE SUMMARY

Council's Integrated Local Transport Plan, Transport 2016 was reviewed mid-term in February 2007. Council resolved that a review of progress be brought to Council annually.

This report provides an update on progress and implementation issues relating to the new ten highest priority actions.

PURPOSE

To update progress regarding the Transport 2016 action implementation, primarily the ten new High Priority Actions.

BACKGROUND

Transport 2016 is Council's Integrated Local Transport Plan. This document provides strategic direction for alternative forms of transport and contains specific actions led by RCC, TransLink, Queensland Transport and the Department of Main Roads.

In 2007, the document went through a Mid-term review whereby all actions were reviewed for wording, feasibility and relevancy by each lead agency. As a part of this process a new set of High Priority Actions (HPA's) was created. These were endorsed by Council in February 2007 and it was resolved that reporting of progress on these actions be done annually.

A schedule of progress (to the best of Infrastructure Planning knowledge) on all Transport 2016 actions is attached for further information.

ISSUES

A summary of the ten High Priority Actions and their progress is outlined below.

Action Number	Action	Progress Update
HPA1	Develop Council's position on integrated public transport solution for Redlands including for Bay Islands.	Draft position paper has been developed and reviewed. To be taken to GM P&P June 08.

Action Number	Action	Progress Update
HPA2	Undertake SWOT (Strength, Weakness, Opportunities and Threats) analysis on the Capalaba – Victoria Point – Redland Bay Marina transport corridor for developing line haul bus infrastructure (busway).	SWOT analysis has not been undertaken; however Council's position on public transport is continually being developed and advocated to the State government. It is proposed to undertake this analysis in 2008/09.
HPA3	Develop Council's position on HOV (T2/T3) lanes and bus priority measures in state and council controlled roads for use in future road planning works in the Shire.	Stage 3 (final) report to be reviewed by project partners and finalised by the consultant by mid June 08. Councillor Workshop to be conducted end of June 08.
HPA4	Develop Council's position on marine transport infrastructure.	Position paper on management, ownership and financial responsibility for marine infrastructure has been completed.
HPA5	Develop Council's position on the delivery of travel demand management (TDM) projects.	Delay in TDM officer commencement. Preliminary discussions on some projects have been undertaken and a priority program developed.
HPA6	Investigate holiday parking management in Point Lookout.	The Point Lookout holiday shuttle bus service has been continued again this year. A parking management plan will be commenced in 2008/09.
HPA7	Monitor traffic in East Coast Road (Point Lookout) during holiday periods on regular basis	Ongoing action. Counts to be undertaken if Council resources are available within the holiday periods.
HPA8	Implement short term measures for improving traffic flow in Redland Bay Road, Capalaba (recommendations from Capalaba CBD Traffic Improvement Study).	Capalaba Traffic Study is being undertaken in conjunction with Main Roads and TransLink. The study is to model the options for the potential closure of Redland Bay Road and identification of the mitigation measures required. Scheduled to be completed by the end of June 2008.
HPA9	In cooperation with Main Roads, investigate and gradually implement long term solution for traffic flow improvement in the road network around Capalaba Centre.	Discussions on future possibilities are expected pending outcomes of HPA8.
HPA10	Undertake discussion with state	Regular on-going meetings /

Action Number	Action	Progress Update
	transport agencies (DMR, TL, QT) to seek agreement on Council's position on integrated transport solution for Redlands including for Bay Islands.	discussions with TransLink and QT have been held. Translink has upgraded its bus services to Weinam Creek during the past 12 months and further improvements have been foreshadowed for October 08. Public transport has also been raised as an issue associated with the SMBI PLACE Project.

Other Council led actions have also been progressing via projects such as structure plans, Local Growth Management Strategy, road safety audits and the Redland Priority Infrastructure Plan.

The next scheduled mid-term review of Transport 2016 is 2009/10.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to provide and maintain water, waste services, roads, drainage and support the provision of transport and waterways infrastructure.

FINANCIAL IMPLICATIONS

This progress update has no specific financial implications.

Both HPA actions requiring further funding and specific actions relating to projects will be considered in future budgeting periods where applicable.

PLANNING SCHEME IMPLICATIONS

The contents of this report are in accordance with the Redland Planning Scheme.

CONSULTATION

Council maintains ongoing consultation with TransLink, Queensland Transport and Department of Main Roads through the Redlands Transport Working Group (RTWG) set up specifically to assist in the implementation of Transport 2016.

OPTIONS

PREFERRED

Council resolve to note the progress in relation to the Transport 2016 High Priority Actions.

ALTERNATIVE

No alternative suggested.

OFFICER'S RECOMMENDATION

That Council resolve to note the progress in relation to the Transport 2016 High Priority Actions.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That Council resolve to note the progress in relation to the Transport 2016 High Priority Actions and hold a workshop to further discuss this matter.

CARRIED

12.1.8 PROCEED TO MAKE LOCAL LAW 18 (CONTROL OF RESIDENTIAL NUISANCES)

Dataworks Filename: L & E Local Law 18

Attachments: [Local Law 18 \(Control of Residential Nuisances\) 2008](#)
[Subordinate Local Law 18 \(Control of Residential Nuisances\) 2008](#)

Responsible Officer Name: Warren Mortlock
Senior Adviser Environmental Protection

Author Name: Karina Spence
Adviser Environmental Performance

EXECUTIVE SUMMARY

The current Local Law 18 (Control of Nuisances) was adopted by Council in 1997 and amended in 1999. Council resolved in 2004 make a new Local Law 18 (Control of Residential Nuisances), in line with powers devolved to Council under the Environmental Protection Regulation 1998 to regulate nuisance emissions from residential land. Council also resolved to make a new Local Law 23 (Fire Hazards and Waste Burning) to separately regulate these matters.

Local Law 18 and 23 were drafted and underwent State Interest Checks (SIC). Matters covered in the separate Local Law 23 were subsequently incorporated into a Subordinate Local Law 18 as "Other nuisances" and the new LL23 was discontinued. LL18 public notification stage has been completed, with few substantive issues raised. It is now proposed that Council resolve to proceed further to make Local Law 18 (Control of Residential Nuisances) 2008; and Subordinate Local Law 18 (Control of Residential Nuisances) 2008, as amended.

The new Local Law 18 to cover nuisances from residential premises only (not commercial nuisances) such as noise, light, smoke and dust, accumulation and deposition of objects or materials, fire hazards and burning of waste materials.

PURPOSE

1. To inform Council of the results of the public notification period for Local Law 18 and Subordinate Local law 18;
2. To propose that Council now proceed to further make Local Law 18 (Control of Residential Nuisances) 2008 and Subordinate Local Law 18 (Control of Residential Nuisances) 2008, as amended, and submit the local law to a second State Interest Check.
3. To withdraw Council's previous resolution (GM August 2005) to make a separate Local Law 23 (Fire Hazards and Waste Burning)

BACKGROUND

- The current Local Law 18 (Control of Nuisances) was adopted by Council in 1997 with subsequent amendments in 1999. It covers nuisances such as smoke and other atmospheric pollutants, noise, light spillage, visual pollution, overgrown vegetation, fire hazards and the prohibition of the lighting of fires in the open.
- In December 1999 the Environmental Protection Agency (EPA) introduced the nuisance provisions within the *Environmental Protection Regulation 1998* (EP Regulation). This included the devolution of powers to local governments in relation to the regulation of nuisance emissions from residential land. Section 60 of the EP Regulation states that, Council can use its Local Laws if it considers that a Local Law would be more appropriate to resolve/deal with the issue.
- In 2000, (GM February) Council adopted a policy of using Local Law 18 as the preferred enforcement tool to deal with all nuisance regulation, because the noise criteria in the EP Regulation were considered inappropriate for enforcement within the City.
- In 2004, a review of Local Law 18 commenced and in 2005 (GM August) Council resolved to make a new Local Law 18 and subsequently submit it to the Minister for State Interest Check. Council delegated powers to the Chief Executive Officer to satisfy any conditions imposed by the Minister and proceed to public notification.
- Local Law 18 and Subordinate Local Law 18 were submitted to the Minister for Local Government and Planning for a State Interest Check (SIC) on 31 August 2005. In March 2006 Council received notification from the Minister to proceed with the making of Local Law 18 subject to a Schedule of Conditions relating mainly to definitions and clarification of inclusions.
- In June 2007, Environmental Management, in liaison with Legal Services and Compliance Services, decided to withdraw the making of a separate Local Law 23 and to incorporate the provisions of Local Law 23, specifically fire hazards (including associated overgrown vegetation issues) and burning of waste materials into Local Law 18 through *Part 2 section 5* of Subordinate Local Law 18. Legal Services advised that the changes remained consistent with the SIC conditions and there was no need to return the revised local law to the Minister prior to public notification.
- In April 2008, public notification under Section 867 of the Local Government Act 1993 was completed (May 2) after the Chief Executive Officer, under delegated authority, approved the changes made and conditions imposed by the Minister.

ISSUES

AMENDMENT OF THE ENVIRONMENTAL PROTECTION REGULATION

The amendment to the Environmental Protection Act (EP Act) and Environmental Protection Regulation (EP Reg) are significant to Council as the responsibility for all environmental nuisance matters under the EP Act and EP Reg (apart from some exceptions which will be outlined in the EP Reg) is being devolved to local government. This includes commercial nuisance and minor water pollution. Without going into detail here on this major legislative amendment (currently being drafted by the EPA), some matters have bearing on the current local law.

- Material environmental harm and Serious environmental harm will now clearly be the domain of State controls (under the Act) and this principle is being extended across other state legislation.
- The regulation will include extended powers for enforcement of environmental nuisance by Councils including all the tools currently available under the Act and some new tools.
- Model local laws may be developed to cover specific local issues in variation to the approach of the Regulation should Councils need them.

NUISANCES COVERED BY LOCAL LAW 18

The following nuisances are covered under the proposed LL18 and its subordinate local law:

- Noise nuisance
- Light nuisance such as light spillage
- Air nuisance such as smoke, ash and dust
- Accumulation and deposition of objects or materials
- Fire hazards, including materials or vegetation which has potential to endanger in the event of a fire.
- Burning of waste materials
- Any other nuisance prescribed by the subordinate local law.

WITHDRAWAL OF LOCAL LAW 23

The making of a separate Local Law 23 and incorporation of fire hazards (including associated overgrown vegetation issues) and burning of waste materials into Subordinate Local Law 18 responds to several issues:

- The draft LL18 and separate LL23 were very similar and duplicated investigation, enforcement, evidentiary and other process provisions.
- The separate draft LL23 was developed to widen scope in regard to fire hazards and went beyond controlling them as a nuisance. Fire hazards are risk management issues broader than just residential land and overlap the responsibilities of the State under the Queensland Fire and Rescue Services

Act 1990. Council's current proactive surveys of overgrown allotments and the issue of notices to remove fire hazards is not widespread practice in local government in Southeast Queensland. Indeed in consultations it emerged that QFRS is delighted with Council's initiative here because it relieves them of pressure to move to a system of hazard removal notices. Hence the major mechanism retained from the separate draft LL23 was to respond to nuisance (or minor) complaints about fire hazards (overgrown allotments) on 'residential land'. In future, fire hazard (major) complaints received by Council should be forwarded to QFRS for attention. Council should withdraw from proactive survey of overgrown allotments and respond only on a complaint basis.

- Council has received previous legal advice that provisions of a Local Law cannot prohibit and permit the lighting of fires, but that we can regulate the type of materials burnt – hence restriction on the burning of waste materials. Currently the QFRS Act covers all fires greater than 2m² with Council only responsible for fire hazards less than 2m². If a fire on residential land causes a smoke nuisance the local government may still take action under proposed Local Law 18.
- Where overgrown land has vermin nuisance/infestation and poses a risk to health the provision of the Health Act 1937 should be applied.
- Where overgrown land includes pest plants, Local Law 13 Control of Pests or the Lands Protection (Pest and Stock Route Management) Act 2002 would be the most suitable tools for dealing with the issue.

Following this decision, Legal Services advised that the fire hazard and burning of waste provisions could be incorporated into Local Law 18 as an "other residential nuisance" under *section 7f*) and *Part 2 section 5* of Subordinate Local Law 18 without the need to re-start the local law making process.

MODEL LOCAL LAW

The Department of Local Government is currently drafting a series of model local laws. Model Local Law 3 (Community and Environmental Management) 2008 will provide control over declared pests, overgrown and unsightly allotments and fires and fire hazards. Council may in the future choose to adopt Model Local Law 3 in addition to Local Law 18 to address concerns with overgrown vegetation and fire hazards.

Model Local Law 3 will not be available for adoption until October 2008. Council may give consideration to this local law prior to making Local Law 18 once it returns from the second SIC.

STATE INTEREST CHECK

The proposed Local Law 18 was submitted to the Minister for Local Government and Planning on 31 August 2005 for the State Interest Check (SIC). Council received notification on 27 March 2006 to "*proceed further in making the proposed local law subject to a Schedule of (nine) Conditions*". The proposed Local Law 18 was revised

to reflect the changes and the Chief Executive Officer, under delegated authority, agreed to satisfy the SIC conditions to proceed with public notification on 13 December 2007.required by the SIC.

PUBLIC NOTIFICATION

Public notification of the proposed Local Law occurred between 4 April and 2 May 2008. One properly made submission was received during the public notification period. The following statements were made within the submission.

STATEMENT 1

“...Redland Shire Council Local Law No. 13 (Control of Pests) should be repealed and its policy included under Local Law 18.”

The submitter’s reasoning was to minimise costs and resources used in dealing with overgrown vegetation, which is quite often a pest species. An example of Barner Grass becoming overgrown on the Southern Moreton Bay Islands and how this particular species is a pest and also contributes to overgrown vegetation issues covered by differing local laws was provided.

Response

Local Law 13 responds to the management of declared pest plants and animals on **all land** throughout the City. Local Law 18 deals specifically with the control of nuisances on **residential land** such as air, noise, fire hazards, light spillage and excessive deposition of materials on land. Overgrown vegetation is dealt with in part in both of these local laws, specifically relating to pest species in Local Law 13 and fire hazard in Local Law 18. Local Law 13 and the *Land Protection (Pest and Stock Route Management) Act 2002* are deemed the most suitable tools for dealing with overgrown land containing pest plants. The devolution of powers under the Environmental Protection Regulation does not extend to declared pests as a nuisance. As such it is recommended not to repeal Local Law 13 as requested.

STATEMENT 2

The submission recommends that the words “or declared pests” be inserted in section 7 (c) after the word “material” so it reads
7(c) an accumulation or deposit of objects or materials or declared pests which are not incidental to and necessarily associated with the lawful use of residential land.

Response

This statement is a continuation of Statement 1. The comments provided for Statement 1 are also applicable here.

STATEMENT 3

The submission questions the definition of residential land provided in Dictionary Section 4. Specifically why the size limit considered is 1000m²

Response

The definition of residential land has been taken from the definition provided in Section 40B of the EP Regulation, Devolution of powers – residential land. This has been defined by the EPA and not by Council. It is recommended that the definition remain unchanged.

OFFICER'S RECOMMENDATION REGARDING SUBMISSION

It is recommended that requests made within this submission not be incorporated.

HEALTH AND ENVIRONMENT SERVICES CONSULTATION

Health and Environment Services have advised of the following issues and concerns with regards to Local Law 18 (LL18) and its subordinate (SubLL18) as they currently stand.

ADDITION TO FIRE HAZARDS

H& E Services would like to incorporate *section 12* from the current Local Law 18 which deals with keeping land free of fire hazards at all times into the proposed local law.

"The occupier of land must keep the land free from fire hazards"

The clause relates to a continuing commitment from the offender to maintain the land in a reasonable state. This also means that the Local Laws Team are not required to re-issue compliance notices when a landholder fails to maintain the land, rather it can be dealt with on the one compliance notice.

Response

The proposed local law no longer targets all fire hazards and is entirely based on response to complaints. The clause identified above would catch a wide array of fire hazards and introduce responses other than to complaints – both of which are not appropriate to the purpose of this local law. Under section 19 subs. 2(c) an authorised person may issue a compliance notice to “*prevent the residential nuisance from re-occurring*”. This is the preferred response as it targets the nuisance, not just the “maintaining of land”. This is considered sufficient to cover the requirement to continually maintain land, therefore no amendment is proposed to address this issue.

LACK OF INCLUSION OF OVERGROWN VEGETATION ISSUES

H&E Services would like to see overgrown vegetation included as a nuisance for the following reasons:

- Management and proactive response to vermin control
- Provision of proactive surveys, rather than responding to complaints. The Local Laws team state that they undertake around 3000 surveys per year with notice issued and of those only around 20% come from complaints. H&E Services argue that without proactive survey the number of complaints would rise.

- Ability to require offenders to continually maintain the property, rather than continually issuing written compliance notices.

H&E Services have requested that all of *section 16* from the current local law be incorporated into the proposed Local Law 18.

Response

The management of vermin is considered to be a public health issue rather than environmental nuisance. Proactive survey is not adequately covered within the Local Law, as per devolution of power under the Environmental Protection Regulation, responding to an environmental nuisance can only take place after a complaint is made. The opportunity is available to add a clause at *section 14* stating that other residential nuisances as defined under SubLL18 are excluded from requiring a complaint and can be dealt with through proactive survey. However, proactive survey of overgrown vegetation and fire hazards is a responsibility of Queensland Fire and Rescue under the Queensland Fire and Rescue Services Act. As such any inclusion within Local Law 18 for proactive survey would result in a continuing duplication of process. Climate change is expected to exacerbate this problem (more hot days) and responsibility should now be placed firmly with the State to respond rather than Council. Therefore it is recommended that complaints regarding overgrown vegetation and fire hazards are directed to Queensland Fire and Rescue and that no pre-emptive survey be included within proposed Local Law 18. As noted earlier within this report, it may be more appropriate to consider Model Local Law 3, when it becomes available, to carry out this function.

The requirement to prevent the nuisance re-occurring is provided in *section 19 subs. 2c*), as such there is no need to add the requested clause for this purpose.

ADDITIONAL REQUIREMENT TO STOP NUISANCE

H&E Services would like to add oral direction as well as the issues of written compliance notices to section 19 of the proposed local law. This would allow an immediate directive to be made rather than waiting for the issue of a written compliance notice. This is also important with regards to fire hazard and burning of waste materials as the potential exists for harm to persons or property. This verbal notice would also include a directive to stop the nuisance immediately.

Response

Environmental Management agrees with the need to add a verbal residential nuisance compliance notice, particularly with regard to ensuring safety of personal, natural or cultural assets and minimising harm. This provision has been added to the proposed LL18.

BURNING OF WASTE MATERIALS

H&E Services would like to see the word “waste” removed from the nuisance definition as it restricts the type of material that can be burnt without prosecution.

The definition of a waste material within the Local Law is

“a) i) *anything that is –*

A) leftover, or an unwanted by-product, from an industrial, commercial, domestic or other activity; and

B) surplus to the industrial, commercial, domestic or other activity generating the waste;

b) waste can be a gas, liquid, solid or energy, or a combination of any of them;

c) a thing can be waste whether or not it is of value”

Response

The current definition covers all materials that are likely to be burnt, other than for the purposes of heating or cooking, as they would all be considered surplus or leftover. No change is recommended.

PROPOSED AMENDMENTS

As a result of the consultative process the following amendment is recommended for Local Law 18:

- *Part 7 Division 1, section 19 subsection 2* additional clause stating that an authorised person may issue the responsible person a **verbal directive** to stop, remove, reduce or prevent the nuisance or to comply with a provision of the local law immediately or within a specified time period.

This has been incorporated into the proposed Local Law 18 (refer Attachment).

PUBLIC INTEREST TEST

Legal Services advised that a Public Interest Test was not required for either Local Law 18 or Subordinate Local Law 18 as they relate solely to residential property and therefore do not contain any anti-competitive provisions. The Department of Local Government and Planning also confirmed that there were no anti-competitive provisions at the time of the first SIC.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports 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

The recommendations within this report are not envisaged to establish any short to long term financial implications to Council.

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 taken place during the development of the proposed local law with the following parties:

- General public
- Legal Services
- Service Manager Health and Environmental Services
- Team Leaders Local Laws and Health and Environmental Services
- RCC Parks and Conservation Unit, Natural Area Management Unit, and Environmental Protection Unit.
- Queensland Fire and Rescue Services
- Managers Environmental Management and Legal Services
- Department of Local Government, Planning, Recreation and Sport.
- EPA Southern Regional Office
- Councillor's Workshop July 2005
- McDonnell Solicitors

Continued consultation is occurring with Health and Environment Services to address overgrown vegetation and fire hazards. Environmental Management has an opportunity to review the suitability of Model Local Law 3 to address the concerns of Health and Environment Services during the second SIC process. Environmental Management is continuing this consultation.

Once Council resolves to make the local law it must again consult with the Minister through a second State Interest Check. The Minister will advise Council if it can make the proposed law if the Minister considers:

- State interests are satisfactorily dealt with by the proposed laws; and
- The proposed laws are drafted substantially in accordance with prescribed drafting standards.

Alternatively, the Minister may impose further conditions on Council that it must consider before proceeding in making the law. It is proposed Council delegate its authority to consider any conditions imposed by the Minister to the Chief Executive Officer to ensure streamline of the local law making process. The alternative would be that Council would need to agree to the Minister's condition by resolution.

Following amendments as a result of conditions of the second SIC and agreement by the Chief Executive Officer, Local Law 18 will be presented to Council for resolution to “make the local law”. Once the local law is Gazetted it will come into force.

OPTIONS

PREFERRED

1. To propose to proceed further with the making of Local Law No 18 (Control of Residential Nuisances) 2008 and Subordinate Local Law No 18 (Control of Residential Nuisances) 2008, as amended, in accordance with section 871 of the *Local Government Act 1993*; and
2. To forward the relevant material to the Minister of Local Government and Planning for the purpose of second State Interest Review in accordance with section 872 of the *Local Government Act 1993*.
3. To withdraw the making of proposed Local Law 23 (Fire Hazards and Waste Burning) and Subordinate Local Law 23.
4. Delegate to the Chief Executive Officer its powers under section 872(5) of the *Local Government Act 1993* to agree to satisfy any conditions imposed by the Minister.

ALTERNATIVES

That Council resolves not to proceed at this point with the making of Local Law No 18 (Control of Residential Nuisances) 2008 and Subordinate Local Law No 18 (Control of Residential Nuisances) 2008 and provides specific conditions to be met by the drafting team before it is brought back to Council again.

OFFICER’S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That Council resolve as follows:

1. **To propose to proceed further with the making of Local Law No 18 (Control of Residential Nuisances) 2008 and Subordinate Local Law No 18 (Control of Residential Nuisances) 2008, as amended, in accordance with section 871 of the *Local Government Act 1993*;**
2. **To forward the relevant material to the Minister of Local Government and Planning for the purpose of second State Interest Review in accordance with section 872 of the *Local Government Act 1993*;**
3. **To withdraw the making of Local Law 23 and Subordinate Local Law 23; and**

4. Delegate to the Chief Executive Officer its powers under section 872(2) of the Local Government Act 1993 to agree to satisfy any conditions imposed by the Minister.

CARRIED

12.1.9 RABY BAY FORESHORE PARK - MASTHEAD DRIVE, CLEVELAND

Dataworks Filename: P&R Planning - Raby Bay Foreshore Park

Attachments: [Draft Landscape Master Plan](#)
[Final - Raby Bay Foreshore Park Landscape Master Plan 2008-2018](#)

Responsible Officer Name: Gary Photinos
Manager Environmental Management

Author Name: Jennifer Newland
Project Officer - Landscape Architect

EXECUTIVE SUMMARY

A master plan has been developed for Raby Bay Foreshore Park, Masthead Drive, Cleveland.

Extensive stakeholder and community engagement has been undertaken as part of the development of the master plan including consultation with State Government representatives, park surveys, key stakeholder workshops and a public review period.

Following the public display period, a number of minor amendments were made to the plan taking into consideration comments received.

It is recommended that Council adopt the Raby Bay Foreshore Park Landscape Master Plan 2008 -2018.

PURPOSE

The purpose of this report is to present the final master plan of the Raby Bay Foreshore Park, following the public engagement on the plan, to Council for adoption.

BACKGROUND

The following processes occurred during the project:

1. Consultation phase commenced late 2004 and continued until completion of project. A detailed outline is provided on the consultation phase under the Consultation section of this report.
2. Preliminary master plan developed in 2006.
3. Public display period from 4 December 2006 to 22 December 2006.
4. Feedback collated.
5. An amended master plan was developed based on the feedback received.
6. Petition signed by 325 residents received by Council 5 March 2007 requesting that Council bring forward the expenditure on implementing the Masthead Drive parks master plan.

7. Council at its meeting 28 March 2007 resolved that the petition be acknowledged and that Council consider this petition as part of budget deliberations.
8. Following budget deliberations, \$140,000 operational budget allocated to 2007/2008 financial year to improvement works, such as turf improvement, tree planting and soft landscaping, edging and pathway renovation. This work is currently underway.

ISSUES

LANDSCAPE MASTER PLAN OBJECTIVES:

A number of surveys were conducted (see consultation section of this report) prior to the development of a draft landscape master plan. The main issues identified from these surveys included the following:

Issue	Objective
<ul style="list-style-type: none"> • Not enough facilities or in poor condition • Views/outlook/environment/open space are important • Place to relax/leisure time/family time/meeting others is important • Don't remove/change the facilities • Don't change open space/landscaping/view. 	<p>Upgrade, enhance and expand the picnic facilities taking into consideration recreation areas, resident's views and accessibility to the toilets and beach.</p>
<ul style="list-style-type: none"> • More/better facilities (more seating/tables, improve the landscaping and improve/upgrade the play equipment were the highest scoring suggestions). 	<p>Improve and expand the play area to provide for children of different ages and abilities.</p>
<ul style="list-style-type: none"> • Increase shade 	<p>Provide shade to sit and play under, particularly in the children's play area.</p>
<ul style="list-style-type: none"> • The reserve is an important place to exercise/walk dog 	<p>Improve pathways and accessibility to the beach, toilets and play areas.</p>
<ul style="list-style-type: none"> • Lack of maintenance/vandalism issues 	<p>Develop maintenance program to ensure the ongoing care and maintenance of the park to a regional park standard.</p>
<ul style="list-style-type: none"> • Improve maintenance/repair degraded areas. 	<p>Improve landscape areas.</p>

COMMUNITY FEEDBACK ON DRAFT PLAN:

SUMMARY OF RESULTS AND GENERAL SUPPORT OR OTHERWISE FOR THE MASTER PLAN

A total of 114 responses were received during the public display period.

- 28 % of responders advised that they supported the master plan as is.
- 48% supported the intent of the master plan but would like to see some minor changes.
- 14% supported some aspects of the master plan but would like to see some major changes.
- 10 % chose not to indicate whether they supported or didn't support the master plan on this part of the feedback form.

NB: Where respondents indicated that they supported the master plan and did not provide any further comments on the elements of the plan, it was assumed that they liked all the elements and the results were collated as such. Where respondents indicated that they supported the master plan but then only indicated their support for a few elements, only those items marked were noted.

Specific plan elements:

The majority of respondents (70-83%) supported the following:

- New picnic shelters;
- Pathway circuit;
- New playground (shade was raised as an issue);
- More shade trees in the reserve. Several comments were made relating to residents views;
- Upgrade of beach area. This work proposed the planting of low dune vegetation of the two eastern beaches to protect against erosion and assist in stabilisation of the banks;
- Refurbishment of the existing toilets at the reserve. Safety and vandalism in relation to the existing toilets was raised by several respondents;
- Upgrade to the gardens with maintenance of the reserve being a frequently raised concern;
- The fitness circuit.

The following responses were received on other issues. Percentages below are based on the total responses received.

- 61% of respondents supported the trial dog off-leash area. 22% did not support the trial and raised concerns in relation to its suitability to the park, health issues and enforcement.
- 56% of respondents supported the trial dog off-leash **beach** area. 28% did not support it and raised concerns in relation to its suitability to the park, health issues and enforcement.

- 54% of respondents supported the trial sailing boat access proposed via the driveway to the existing sewer pump station at the eastern end of the reserve. 13% did not support the proposal and made comments relating to traffic and parking concerns.
- 60% of respondents supported the proposed wedding gazebo. Suggested comments included making such a gazebo multifunctional.
- 66% of respondents supported the kids' bike track. 3% did not support it suggesting that it was a waste of money. Comments relating to the proposed track included "good for learning".

State Agency feedback on the draft plan:

Following the development of the draft plan, submissions were received from:

- Department of Primary Industries and Fisheries;
- Department of Natural Resources and Water;
- Department of Environmental Protection;
- Department of Environmental Protection – Queensland Parks and Wildlife Service;
- Queensland Transport.

The above Departments provided statutory advice within their jurisdiction. There was no objection to the draft master plan from the above Departments. Issues relating to sailing boat access were raised by Department of Primary Industries and Fisheries. This advice was taken into consideration during the development of the amended plan.

Raby Bay Foreshore Park – amended draft: comparison of difference with draft plan

Features	Existing	Public Display plan	Amended final plan
New Picnic Shelters	Existing double shelter (3) Existing single shelters (2)	New shelters (9) with BBQ's (6)	Existing shelters refurbished. New Double shelters with BBQ's (2) New singles shelters(8) with BBQ's (4)
Pathway circuit	Existing bitumen pathway circuit throughout reserve. Pathway does not meet Australian standards and is in poor condition	New concrete pathway circuit. Pathway location has been amended to provide pathway links to the foreshore and beach areas	Pathway as per public display plan

Features	Existing	Public Display plan	Amended final plan
New playground	Existing small playground with no shade	New playground designed for all ability play. Shade provided over playground	As per public display plan but with kids bike circuit being incorporated into the playground pathway system
More shade trees	Existing Norfolk trees and palms provide limited shade throughout the reserve. The soil is also poor quality.	Shade trees throughout the reserve	Shade trees throughout the reserve, location adjusted to maintain views from resident's houses.
Upgrade of beach area	Beach sand with little vegetation. Beach replenishment undertaken as required.	Low dune vegetation with access pathways through to the beach to protect the area from erosion.	As per draft plan.
Refurbished toilets	Existing toilets do not meet CPTED (Crime Prevention Through Environmental Design) standards.	Toilets refurbished to meet CPTED standards	As per draft plan.
New/upgraded gardens	Existing garden beds	Garden beds remulched. Some garden beds removed and others expanded to frame new pathways. Entry garden to the reserve refurbished include pathways through gardens for access.	As per draft plan.
Trial fenced Dog off-leash area	No trial area in park	Trial fenced Dog off-leash area for small dogs only (does not meet standard size requirements). Proposed in response to park survey conducted 2006 which indicated that park is used extensively for dog walking.	Following responses and further investigation, the trial fenced area was removed to avoid conflict between small and large dogs.
Trial dog off-leash beach	No trial area in park	Located on plan to correspond with	As per draft plan and Council approved trial.

Features area	Existing	Public Display plan	Amended final plan
Trial sailing boat access	No formal sailing boat access but informally people can lift small craft over bollards and launch from the beaches.	Council's previous decision to run a trial in this area resolved 12 October 2005 here. Trial sail boat access from existing sewer pump station driveway	Currently underway. Trial sail boat access on limited permit basis. Similar conditions to boat launching permits (recreational) for Home and Cylinder Beaches North Stradbroke Island). Key access to permit holders only.
Wedding gazebo	No formal gazebo	Wedding gazebo proposed in the western portion of the reserve	Multi-functional gazebo recommended in the western portion of the reserve
Fitness circuit	No formal fitness circuit	Fitness circuit in the western portion of the reserve	As per draft plan
Kids bike circuit	No formal kids bike circuit	Kids bike circuit as part of main pathway in western area	Kids circuit pathway included as part of the playground in the centre of the play area where supervision would be better.

OTHER ISSUES RELATING TO THE RESERVE:

SOIL ISSUES:

The soil in the reserve is poor quality comprising of marine clays. This means that a limited amount of species are suitable for the growing in the reserve and some management treatments such as mounding garden beds may be required to be applied.

Typical issues relating to the soil include poor drainage and ponding of water. Such ponding leads to scouring of some turf areas. Recent works at the reserve have included aeration of the soil to ensure better infiltration and drainage. Additional site levelling, soil conditioning and selection of appropriate species will also be included in the improvement works proposed for the reserve.

DOG OFF LEASH AREA:

The master plan indicates a dog off-leash beach area for the most eastern beach area.

Council had previously approved the trial for this dog off-leash beach area at its meeting of 12 October 2005 following consultation with Queensland Parks and

Wildlife. Amendments were required to be made to Local Law No. 2 (Animal Management) before the trial could commence. The trial commenced in December 2007 following the approval of the amendments and will finish in December 2008. Any community feedback received during the trial period will be considered as part of the decision on whether the area is to be permanent.

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

Preliminary costings have not been undertaken for the project yet.

The implementation of the landscape master plan will be subject to Council's 10 year capital and operational planning processes. The Parks and Conservation operational works budget could provide for the replacement of existing parks infrastructure and landscaping.

\$140,000 was allocated in the 2007/2008 Operational budget for improvement works to the reserve following a petition from local residents on the condition of the reserve. The monies are currently being spent on turf improvement, tree planting and soft landscaping and new pathways and replacement of edging around the entrance to the main car park.

Given the regional significance of the reserve and that Council is currently developing master plans for its regional parks across the city, Council may also be eligible for State Government funding, e.g. Safety Improvement Program funding for the refurbishment of the toilet block, lighting and landscaping.

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

Extensive consultation has been undertaken with a large and varied number of internal and external stakeholders. Consultation was conducted through letter box drops, workshops and meetings with the following groups:

Internal Council officers from

- Parks and Conservation;
- Land Use Planning staff;
- Infrastructure Development;

- Community and Social Planning.

State Government Representatives:

- Department of Primary Industries and Fisheries;
- Department of Natural Resources and Water;
- Department of Environmental Protection;
- Department of Environmental Protection – Queensland Parks and Wildlife Service;
- Queensland Transport;
- Queensland Police – Officer in charge Cleveland.

Quandamooka Land Council;
Minjerribah Moorgumpin – Elders in Council.

The community consultation component of the project can be summarised in the following table:

Date	Consultation	Who	No. Attending/sent to
27 Oct 2004	Workshop	Internal officers and State Departments	11
Nov 2004	Parks intercept survey – IOSS	Parks Users	104 surveyed
Feb 2006	Letter	Quandamooka Land Council and Minjerribah Moorgumpin Elders in Council	1 response received
13 February 2006	Parks survey sent to households RSC and people that previously booked the park for an event	Residents and Owners	Approx. 700 survey sent out (254 responses)
14 February 2006	Community workshop & survey	Seniors at Donald Simpson Centre	6
20 Feb 2006	Presentation and discussion at meeting	Redlands Youth Network	11
7 March 2006	Presentation at meeting and discussion	Y-talk meeting	8
15 March 2006	Presentation and survey at meeting	MOPS (mothers of preschoolers)	31 responses received

Date	Consultation	Who	No. Attending/sent to
3 April 2006	Presentation and discussion at meeting	Disability Network members	
4 December – 22 December 2006	Public Display period	Notification sent to workshop attendees, original letter box drop area, notification in paper and Council web site.	114 responses received.
10 July 2007	Letter advising that Council resolved to bring forward \$140,000 to undertake landscape improvements at the reserve	Raby Bay Ratepayers Association	2
26 March 2008	Letter to Raby Bay Ratepayers Association advising monies and work spent to date	Raby Bay Ratepayers Association	1
21 April 2006	Meeting to discuss the master plan and site issues	Raby Bay Rate Payers Assoc sub-committee	5

FURTHER CONSULTATION

Following Council's acceptance of the plan, it is proposed that the following be undertaken to ensure that the community is made aware of Council's decision:

1. Development of a newsletter which is to be posted to residents and owners in the area and mailed to key stakeholders/submitters advising of Council's resolution;
2. A media release advising of Council's decisions; and
3. Information on Council's web site.

OPTIONS

1. That Council resolve to adopt the Raby Bay Foreshore Park Landscape Master Plan 2008 -2018 and:
2. Proceed with the development of preliminary drawings and estimates for inclusion in a future 10 year capital works program; and
3. Advise the participants of the Raby Bay Foreshore Park master plan consultation process of Council's decision.

ALTERNATIVE

To not adopt the Raby Bay Foreshore Park Landscape Master Plan 2008 -2018 and make further alterations to the landscape master plan and present the new master plan at a subsequent Council meeting.

OFFICER'S/COMMITTEE RECOMMENDATION

That Council resolve to adopt the Raby Bay Foreshore Park Landscape Master Plan 2008 – 2018 and:

1. Proceed with the development of preliminary drawings and estimates for inclusion in a future 10 year capital works program; and
2. Advise the participants of the Raby Bay Foreshore Park Master Plan consultation process of Council's decision.

COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Murray

That Council resolve to adopt the Raby Bay Foreshore Park Landscape Master Plan 2008 – 2018 and:

- 1. Proceed with the development of preliminary drawings with a minor change reflecting the removal of keyed gates that generates the requirement of a permit but limits vehicle entry to other areas of the Raby Bay Foreshore Park;**
- 2. Advise the participants of the Raby Bay Foreshore Park Master Plan consultation process of Council's decision.**

CARRIED

12.2 GENERAL BUSINESS

Permission was granted for Cr Murray to raise the following item of General Business.

12.2.1 REQUEST FOR REPORT – UPGRADE OF FORESHORE TRAILS**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That a report be presented to a future Planning & Policy Committee meeting on the upgrade of the foreshore trails in Birkdale and Thorneside to Australian Standards.

CARRIED

13 FINANCE AND CORPORATE MANAGEMENT COMMITTEE 25/06/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Townsend
Seconded by: Cr Reimers

That the Finance and Corporate Management Committee Report be received.

CARRIED

DECLARATION OF OPENING

Cr Townsend declared the meeting open at 2.00pm.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Members Present

Cr B Townsend	Chair and Councillor Division 5
Cr M Hobson	Mayor
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2 – entered at 2.01pm
Cr D Henry	Councillor Division 3
Cr P Dowling	Councillor Division 4
Cr T Bowler	Deputy Mayor and Councillor Division 6 – entered at 2.01pm
Cr M Elliott	Councillor Division 7 – entered at 2.01pm
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9
Cr H Murray	Councillor Division 10 – entered at 2.01pm

Committee Manager

Mr R Turner	Acting Chief Executive Officer
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Officers

Mr M Goode	General Manager Customer Services
Mr G Underwood	General Manager Planning and Policy
Mr G Soutar	General Manager Redland Water & Waste
Mr P Bucknell	Acting General Manager Corporate Services
Mrs K Phillips	Manager Financial Services
Mr A Ross	Acting Manager Legal Services
Mr A Burgess	Manager Economic Development
Ms J Sommer	Tourism Development Coordinator
Mr G Jensen	Manager Customer and Community Services
Mr R Cook	Leisure & Recreation Services Manager

Minutes

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

Nil

DECLARATION OF INTEREST

Cr Dowling declared a conflict of interest in Items 6.1 and 6.2 stating that persons involved in each of the tenders were friends of his and these parties had separately submitted tenders for these items and that there were references to these persons recorded in the 'Gifts' Register. Cr Dowling remained in the meeting for discussion and decision on these items, voting in the affirmative in both instances.

Cr Hobson declared that there may be a perception of a conflict of interest in Item 6.1 – *Visitor Information Centre Services* - as having in the past held a position in office of a tourism board and that she had information, being a tourism operator, on how the current VIC works. Cr Hobson remained in the meeting for discussion and decision on this item, voting in the negative.

ORDER OF BUSINESS**PROCEDURAL MOTION 1**

Moved by: Cr Williams
Seconded by: Cr Dowling

That the order of business be altered to discuss an item of General Business before the items listed on the Agenda.

CARRIED

PROCEDURAL MOTION 2

Moved by: Cr Hobson
Seconded by: Cr Murray

That before discussion on items listed for closed session, General Business resume.

CARRIED

PROCEDURAL MOTION 3

Moved by: Cr Dowling
Seconded by: Cr Hobson

That the order of business be altered to discuss items 6.1 and 6.2 before closed session and that these items be discussed in open forum.

On being put to the vote the motion was LOST.

13.1 OFFICE OF CEO

13.1.1 COUNCILLORS EXPENSES REIMBURSEMENT POLICY

Datworks Filename: GOV Councillors - Expenses Reimbursement Policy

Attachments: [Policy POL-3076](#)

Responsible Officer Name: Ray Turner
Acting Chief Executive Officer

Author Name: Ray Turner
Acting Chief Executive Officer

EXECUTIVE SUMMARY

Under changes to the *Local Government Act 1993* that took effect from 15 March 2008, Council must develop and implement an expenses reimbursement policy for councillors.

A draft policy was formulated by councillors and forwarded to the Director General of the Department of Local Government, Sport and Recreation on 22 May 2008 for approval.

The Director General has responded that he has approved the draft policy subject to four minor changes;

1. Sections 250AR to 250AU and 534 of the *Local Government Act 1993* are to be referenced under the Head of Power section of the policy.
2. The Reporting Requirements section to include providing a copy of any section 236B resolutions, a copy of Council's Expenses Reimbursement Policy (ERP) and particulars about expenses and facilities provided to councillors under Council's ERP.
3. Section 2.2 Newsletters is to be removed. The Director General has stated that "a local government cannot reimburse a councillor for expenses associated with the publication and posting of a newsletter".
4. The daily allowance for international travel under section 15.2 is to be amended from \$114.20 to \$94.20 to reflect the State Guidelines.

Council must now formally adopt the approved ERP as amended and then issue a public notice about the ERP in accordance with section 250AT of the *Local Government Act*.

PURPOSE

The purpose of this report is to formally adopt the Councillor Expenses Reimbursement Policy.

BACKGROUND

Under changes to the *Local Government Act* that took effect from 15 March 2008, Council must develop and implement an expenses reimbursement policy for Councillors.

A draft policy was formulated by councillors and forwarded to the Director General of the Department of Local Government, Sport and Recreation on 22 May 2008 for approval.

ISSUES

The Councillor Expenses Reimbursement Policy submitted for adoption includes the capacity for councillors to claim for any council business related usage of their private motor vehicle. The councillors have decided to not apply that section of the Policy at this time. This means that councillors will not seek reimbursement for business use of their private motor vehicles.

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

Costs for reimbursement of councillor expenses have been allocated in the 2007/08 and 2008/09 budgets. Actual costs will depend on expenses incurred and will be in accordance with any limits detailed in the ERP.

CONSULTATION

All councillors have been involved in the development of the Councillor Expenses Reimbursement Policy. The Department of Local Government, Sport and Recreation has been consulted to ensure compliance with appropriate legislation.

OFFICER'S RECOMMENDATION

That Council resolve to adopt the Councillors Expenses Reimbursement Policy, POL-3076, as attached.

COMMITTEE RECOMMENDATION

That Council resolve as follows:

1. To adopt the Councillors' Expenses Reimbursement Policy, POL-3076, as attached; and
2. That the policy be amended by removing the first two paragraphs of section 2.5 on page 10 of 20 – Vehicles Fuel and Parking and also remove 2.2 and resubmit it to the Department of Local Government, Sport and Recreation for further approval.

COUNCIL RESOLUTION

Moved by: Cr Townsend

Seconded by: Cr Williams

That Council resolve as follows:

1. To adopt the Councillors' Expenses Reimbursement Policy, POL-3076, as attached;
2. That the policy be amended by removing the first two paragraphs of section 2.5 on page 10 of 20 – Vehicles Fuel and Parking and also remove 2.2 and resubmit it to the Department of Local Government, Sport and Recreation for further approval; and
3. That the Councillors' Entitlements Guideline, GL-0248-002 and Councillor Vehicles Guideline, GL-0248-004 and Procedure PR-0248-004-001 be declared obsolete with the adoption of new policy, POL-3076.

CARRIED

13.2 CORPORATE SERVICES

13.2.1 MAY 2008 - MONTHLY FINANCIAL REPORTS

Datworks Filename: FM Monthly Financial Reports to Committee
Attachments: [Financial Report](#)
Responsible Officer Name: Kerry Phillips
Manager Financial Services
Author Name: Deborah Hall
Finance Officer

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 May 2008 financial statement of accounts to Council and provide detailed analytical commentary.

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

- level of dependence on general rate revenue;
- ability to pay our bills – current ratio;
- ability to repay our debt – debt servicing ratio;
- cash balance;
- cash balances – 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 \$6.4 million, with operating expenditure favourable by \$6.2 million and operating revenue favourable by \$0.2 million.

Capital expenditure is \$2.7 million behind budget expenditure levels at the end of May.

The cash flow position for the year is ahead of forecast levels by \$9.0 million at the end of May 2008 and the cash balance is ahead of the target range at \$63.2 million.

PURPOSE

The purpose is to present the May 2008 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 Redland City 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 End of Month Financial Reports for May 2008:

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.

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

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority 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 \$39.4 million (\$6.4 million ahead of budget). This result is due to total operating revenue of \$148.8 million (\$0.2 million ahead of budget) and total operating costs of \$109.4 million (favourable variance of \$6.2 million).

The capital expenditure program is \$2.7 million behind targeted expenditure levels at the end of May 2008.

The investment of surplus funds for the month returned a weighted average rate of return of 7.32% that compares favourably to the benchmark UBS Australia Bank Bill Index of 7.26%. 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 balance exceeds the target range of \$32 million to \$42 million at \$63.2 million, equivalent to 6.2 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 May 2008 and explanations as presented in the attachments.

ALTERNATIVE

That Council requests additional information.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve to note the End of Month Financial Reports for May 2008 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. Operational Statement by Strategic Priority;
6. Balance Sheet;
7. Investment Summary;
8. Statement of Cash Flows;
9. Financial Stability Ratios Report and a
10. Community Benefit Fund Report.

CARRIED

13.2.2 COMMUNITY SERVICE OBLIGATION - POLICY REVIEW POL-2658

Dataworks Filename: FM Policy – FM National Competition Policy (NCP)

Attachments: [POL-2658](#)

Responsible Officer Name: Ray Turner
General Manager Corporate Services

Author Name: Kerry Phillips
Manager Financial Services

EXECUTIVE SUMMARY

Community Service Obligations (CSOs) of commercial business units are defined under s.577 of the *Local Government Act 1993* (the Act). Part 10 Division 2 of the *Local Government Finance Standard 2005* (the Finance Standard) specifies the treatment of CSOs. Division 3, s.67 specifies matters that must be included in the Annual Performance Plan for a commercialised business unit including the nature and extent of CSO and the costing of and funding for CSO.

Community Service Obligation Policy POL-2658 has been due for review for sometime. Historically, Community Service Obligations have largely arisen in relation to Council's water business, hence the impact of water reforms required consideration prior to submitting a revised policy.

The impacts of the water reforms through to 2010 are now largely understood. It is with some certainty that we can propose changes to the policy.

Predominantly, it is anticipated that CSOs associated with the water business will continue.

In addition, there have been a number of legislative changes that impact on this policy. The review has identified these and addressed them where relevant.

It is recommended that Council adopt the revised Community Service Obligation Policy POL-2658, as attached.

PURPOSE

To consider and adopt proposed policy changes to the Community Service Obligation policy POL-2658 to ensure currency with legislative and operational requirements.

BACKGROUND

Community Service Obligations (CSOs) of commercial business units are defined under s577 of the *Local Government Act 1993* (the Act).

community service obligations, of a commercial business unit of a local government, means the obligations to do anything the local government is satisfied—

- a) are not in the unit's commercial interests to perform; and
- b) arise because of a direction by the local government; and
- c) do not arise because of the application of the following key principles of commercialisation and their elements—

- (i) principle 3—accountability for performance;

(S575 (4) The elements of principle 3 are that—

- a) performance of the commercial business unit will be monitored by the local government against performance targets specified in its annual performance plan; and
 - b) commercial business units will generally be subject to the basic management framework of the local government and will comply with the requirements of laws applying to local governments.)

- (ii) principle 4—competitive neutrality.

(s575 (5) The elements of principle 4 are that—

- a) the efficiency of overall resource use is promoted by ensuring markets are not unnecessarily distorted; and
 - b) wherever possible and appropriate, advantages and disadvantages accruing to a commercial business unit because it is part of)

Part 10 Division 2 of the *Local Government Finance Standard 2005* (the Finance Standard) specifies the treatment of CSOs. Division 3, S67 specifies matters that must be included in the Annual Performance Plan for a commercialised business unit including the nature and extent of CSO and the costing of and funding for CSO.

In respect to Water and Sewerage business activities, Part 12 Division 4 of the Finance Standard specifies the treatment of CSOs, the extra cost for the CSO to be treated as revenue. Division 6 provides for disclosure requirements for inclusion in the annual report.

In respect to business activities to which the Code of Competitive Conduct are applied, Part 11 Division 2 of the Finance Standards specifies the treatment of CSO. Part 11 Division 4, s76(2) (d) and (3) (c) specifies the disclosure requirements for the budget. s78(2)(i) and (3)(c) specifies the disclosure requirement for inclusion in the annual financial statements.

ISSUES

Community Service Obligation Policy POL-2658 has been due for review for sometime. Historically, Community Service Obligations have largely arisen in relation to Council's water business, hence the impact of water reforms required consideration prior to submitting a revised policy.

In addition, there have been a number of legislative changes that impact on this policy. The review has identified these and addressed them where relevant.

The impacts of the water reforms through to 2010 are now largely understood. It is with some certainty that we can propose changes to the policy.

Predominantly, it is anticipated that Community Service Obligations associated with the water business will continue. The following table provides information pertaining to Councils Annual Report 2006/2007 with respect to CSOs.

Activities	CSO description	Actual \$ (year ended 30 June 2007)
Water and Wastewater	Water not for profit	95,713
Water and Wastewater	Wastewater not for profit	120,008
Water and Wastewater	RPAC connections	40,871
Waste management	Clean up Australia Day	3,132
Waste management	Sanitary landfill	842,984

With the addition of new business activities reporting under the Code of Competitive Conduct, it is also anticipated that additional Community Service Obligations may be identified with the establishment of these type 3 business activities. In particular, some activities associated with the running of the Redlands Performing Art Centre may require consideration under this policy.

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

The financial impact across Council is cost neutral; however, the funding currently is sourced corporately and distributed to business activities as internal revenue

CONSULTATION

General Manager Corporate Services, General Manager Customer Services, Acting General Manager Redland Water and Waste and Senior Financial Advisor Customer Services were consulted for review and input in relation to the proposed revision.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve to adopt Community Service Obligation Policy POL-2658, as attached.

CARRIED

13.3 CUSTOMER SERVICES

13.3.1 SUBMISSION FROM SURF LIFE SAVING QUEENSLAND FOR NEW LIFEGUARD CONTRACT FOR NSI

Datworks Filename: Surf Life Saving Qld
Responsible Officer Name: Greg Jensen
Manager Customer & Community Services
Author Name: Gene Rodgers
Recreation Officer

EXECUTIVE SUMMARY

Redland City Council has contracted Surf Life Saving Queensland to provide lifeguard services for the surf beaches on North Stradbroke Island since 2001. Their existing contract is due to expire on 30 June 2008 and this report is to consider their submission for a new, three-year contract for this service from 1 July 2008.

PURPOSE

The purpose of this report is to consider the submission of Surf Life Saving Qld for a new, three-year contract to provide surf life saving services Cylinder, Main and Adder Rock beaches at Point Lookout on North Stradbroke Island and resolve that Council is satisfied that there is only one supplier reasonably available to it to provide lifeguard services on the beaches of North Stradbroke Island, namely Surf Life Saving Queensland.

BACKGROUND

At the General Meeting of 22 September 2004 Council entered into a three-year agreement with SLSQ – the contract term was from 1 November 2004 to 31 October 2007. The CEO approved an extension of this agreement to 30 June 2008 to bring it in line with the financial year. As the present agreement expires at 30 June it is proposed that a new contract be entered into for the three year period 1 July 2008 through 30 June 2011.

SLSQ has been identified by council as the sole provider of contract surf life saving services in Queensland. They have provided professional services under agreement with council on NSI since November 2001.

The submission for the 2008-11 contract is for an annual fee of \$286,473 plus GST. This is an increase of \$30,572 on the fee of \$255,901 from 2007-08. The reasons provided for the increase by the Chief Lifeguard from SLSQ are: annual CPI increase, the inclusion of the cost of a vehicle for the Adder Rock service (previously absorbed by SLSQ), the inclusion of a contribution towards lifeguard training costs (previously absorbed by SLSQ), the inclusion of all travel related costs (previously provided for free by Stradbroke Ferries) and the addition of one lifeguard during June-July school holidays.

Ongoing annual rise and fall of costs will be primarily CPI increases and variation in industrial awards for lifeguards.

The budget submission for this service was under-subscribed and a quarterly submission will need to be made for \$19,000 during 2008-09 to bring budget into alignment with the payments, if approved.

Leisure & Recreation Services supports the submission from Surf Life Saving Qld for this service agreement. The Recreation Officer meets monthly with the Chief Lifeguard from SLSQ, monitors the lifeguard services, receives monthly and annual statistics and reports from SLSQ and arranges monthly payment of invoices for lifeguard services as per a set schedule for that year.

ISSUES

Council resolved in Item No 12.2.1 of the General Meeting of 22 September 2004 that it is satisfied that there is only one supplier reasonably available to it to provide lifeguard services on the beaches of North Stradbroke Island, namely Surf Life Saving Queensland. This is still the case for the provision of this service, the only exception being employment of the lifeguards by the council directly as is done on the Gold Coast, for example. Even then the lifeguards are members of an accredited by SLSQ.

To not provide this service of full-time, fully paid professional surf lifeguards the public will be reliant solely on the patrols provided by volunteers of the Point Lookout Surf Life Saving Club on weekends only during the period from September school holidays through Easter.

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

The submission for the 2008-11 contract is for an annual fee of \$286,473 plus GST. This is an increase of \$30,572 on the fee of \$255,901 from 2007-08. The reasons provided for the increase by SLSQ are: annual CPI increase, the inclusion of the cost of a vehicle for the Adder Rock service (previously absorbed by SLSQ), the inclusion of a contribution towards lifeguard training costs (previously absorbed by SLSQ), the inclusion of all travel related costs (previously provided for free by Stradbroke Ferries) and the addition of one lifeguard during June-July school holidays.

Ongoing annual rise and fall of costs will be primarily CPI increases and variation in industrial awards for lifeguards.

The budget submission for this service was under-subscribed and a quarterly submission will need to be made for \$19,000 during 2008-09 to bring budget into alignment with the payments, if approved.

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 been primarily within Customer & Community Services and has included:

- Glenys Ismail, Acting Manager Customer & Community Services
- Russell Cook, Leisure & Recreation Services Manager.

Consultation has occurred on a regular basis with Greg Cahill, the Chief Lifeguard of Surf Life Saving Queensland, with whom the Recreation Officer meets on a monthly basis.

Additional discussions have been held with;

- Paul Mayes, Senior Advisor Sport & Recreation
- Angela Ritchie, Supervisor North Stradbroke Island.

OPTIONS

PREFERRED

1. That Council resolves that it is satisfied that there is only one supplier reasonably available to it to provide lifeguard services on the beaches of North Stradbroke Island, namely Surf Life Saving Queensland;
2. That the Chief Executive Officer be delegated authority–
 - a. to negotiate directly with Surf Life Saving Queensland for a new three (3) year contract for the provision of surf life saving services for beaches on North Stradbroke Island; and
 - b. to make, vary and discharge the above contract under section 483(1) and section 486(1) of the *Local Government Act 1993*.

ALTERNATIVE

That Council refuse this submission for professional surf life saving services on North Stradbroke Island and continue with seasonal weekend volunteer patrols only by Point Lookout Surf Life Saving Club.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Bowler

1. That Council resolves that it is satisfied that there is only one supplier reasonably available to it to provide lifeguard services on the beaches of North Stradbroke Island, namely Surf Life Saving Queensland;

2. That the Chief Executive Officer be delegated authority –
- a. to negotiate directly with Surf Life Saving Queensland for a new three (3) year contract for the provision of surf life saving services for beaches on North Stradbroke Island; and
 - b. to make, vary and discharge the above contract under section 483(1) and section 486(1) of the *Local Government Act 1993*.

CARRIED

13.4 PLANNING AND POLICY

13.4.1 SHORTLISTING EXPRESSIONS OF INTEREST PROPONENTS - DELEGATION OF AUTHORITY TO CHIEF EXECUTIVE OFFICER

Datworks Filename: WM Planning Report – Integrated Waste Management Facility

Responsible Officer Name: David Elliott
Manager Infrastructure Planning

Author Name: Steven Cantrill
Senior Waste Planner

EXECUTIVE SUMMARY

At its General Meeting of 28 May 2008, item no. 11.1.2, Council resolved that it was in the public interest to call expressions of interest (EOI) for the design, construction and operation of an integrated waste management facility.

Section 489 subsection (4) of the *Local Government Act 1993* states that a local government may prepare a shortlist from the persons who responded to the invitation and invite tenders from the persons on the shortlist.

Section 472 of the *Local Government Act 1993* allows a local government to delegate its powers under the *Local Government Act 1993*.

This report seeks a resolution from Council to delegate authority to the Chief Executive Officer to prepare a shortlist from persons responding to the EOI for the design, construction and operation of an integrated waste management facility.

PURPOSE

This report seeks a resolution from Council, under the provisions of Section 472 of the *Local Government Act 1993*, to delegate authority to the Chief Executive Officer to prepare a shortlist from persons responding to the EOI for the design, construction and operation of an integrated waste management facility.

BACKGROUND

At its General Meeting of 28 May 2008, item no. 11.1.2, Council resolved that it was in the public interest to call expressions of interest (EOI) for the design, construction and operation of an integrated waste management facility.

EOI documents are currently being developed and are expected to be released to the market on or about the 19 June 2008. It is proposed to invite tenders from persons shortlisted following the EOI process.

Given the compressed timeframes to deliver this project and that the findings of any future tender will be presented to Council for its later determination, it is considered

appropriate that the Chief Executive Officer be delegated authority to deal with matters related to the calling of Expressions of Interest.

Section 489 subsection (4) of the *Local Government Act 1993* states that a local government may prepare a shortlist from the persons who responded to the invitation and invite tenders from the persons on the shortlist.

Section 472 of the LGA allows a local government to delegate its powers under a LGA.

This report seeks a resolution from Council to delegate authority to the Chief Executive Officer to prepare a shortlist from persons responding to the EOI for the design, construction and operation of an integrated waste management facility.

ISSUES

Project Scheduling and Critical Timeline Horizon

Given a target commissioning date (to suit the Birkdale landfill closure) for a new integrated waste management facility is 1 July 2010, project scheduling has identified a benefit if Council can compress certain procurement tasks and/or run several tasks simultaneously.

Delegating authority to the Chief Executive Officer to short list EOI submissions reduces the timeline along the project critical path by approximately three weeks, which will in turn provide for an extended tender release period.

It is considered that by extending the tender period, tendering organisations will provide more comprehensive and detailed submissions adding value to the overall procurement process.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to provide and maintain water, waste services, roads, drainage and support the provision of transport and waterways infrastructure.

FINANCIAL IMPLICATIONS

No financial implications are identified as a direct result of Council delegating authority.

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

The Acting Manager Legal Services has confirmed that delegated authority is in accordance with the provisions of the *Local Government Act 1993*.

OPTIONS

PREFERRED

That Council resolve to delegate authority to the Chief Executive Officer to prepare a shortlist from persons who responded to the Expression of Interest for the design, construction and operation of Council's integrated waste management facility and invite tenders from the persons on the short list in accordance with the provisions of section 489 of the *Local Government Act 1993*.

ALTERNATIVE

That Council resolve not to delegate authority to the Chief Executive Officer and have Council prepare a shortlist from persons who respond to the Expression of Interest for the design, construction and operation of Council's integrated waste management facility in accordance with the provision of section 489 of the *Local Government Act 1993*.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve to delegate authority to the Chief Executive Officer, under section 472 of the *Local Government Act 1993*, to prepare a short-list from persons who responded to the Expression of Interest for the design, construction and operation of Council's integrated waste management facility, and invite tenders from the persons on the short-list, in accordance with the provisions of section 489 of the *Local Government Act 1993*.

CARRIED

13.4.2 APPOINTMENT OF FREEDOM OF INFORMATION OFFICER

Dataworks Filename: GOV Delegations - Freedom of Information (FOI)
Responsible Officer Name: Warren van Wyk
Manager Corporate Planning & Performance
Author Name: Grant Bennett
Service Manager, Corporate Planning & Performance

EXECUTIVE SUMMARY

The *Freedom of Information Act 1992* requires any applications for access to documents which are made to Council under this Act to be dealt with by the Chief Executive Officer or an officer appointed by Council.

The established practice is for Council to appoint officers to undertake the roles of Freedom of Information (FOI) decision makers and FOI internal review officers.

The FOI function was integrated into the Corporate Planning Performance & Risk Group late in 2006. To ensure that a number of staff gain FOI experience, FOI applications are now dealt with by several team members depending on the size, complexity and sensitivity of the application. As a result, this report recommends that an additional appointment be made as a FOI decision maker.

PURPOSE

The purpose of this report is to recommend the appointment of the Projects Advisor (position CPP006), Corporate Planning & Performance as an FOI decision maker.

BACKGROUND

The *Freedom of Information Act 1992* (the Act) requires Council to deal with all applications under the Act for access to documents in its custody. The Act provides the processes and rationale for dealing with these applications, including a process for reviewing decisions.

Section 33(1) of the Act states that applications to access a local government's documents are to be dealt with by the Chief Executive Officer or an officer specifically appointed by Council resolution.

Council currently has three officers appointed to deal with FOI applications – the Manager Corporate Planning Performance & Risk, the Service Manager Corporate Planning and Performance and the Manager Legal Services.

Council also has appointed three officers to conduct internal reviews of FOI decisions as provided in Sections 52 and 60 of the Act – these are the Manager Legal Services, Manager Corporate Planning Performance and Risk and Manager Performance Audit. The Act provides that the reviewer must not be the original

decision maker, and these officers perform these internal review roles in addition to their normal duties.

A thorough review of Council's approach to and procedures for dealing with FOI requests identified a number of opportunities for improvement and these have been progressively implemented since the FOI function was transferred to Corporate Planning Performance & Risk in late 2006. The process is now far more customer friendly, streamlined and efficient than in the past. As a result, many requests are now completely resolved within the 2 weeks that is allowed under the Act for the first stage in processing applications – the acknowledgement of receipt of the application stage. This is well within the total of 45 days that are permitted to make a final assessment of an application.

The Corporate Planning and Performance team operates in a highly collaborative way and this will help to ensure that FOI matters are handled professionally and quickly if this delegation is approved.

One of the keys to achieving this excellent result is that the FOI role is now shared between three staff members who have all gained a good knowledge of FOI, rather than relying on one specialist FOI decision maker.

ISSUES

Officers appointed to determine FOI applications should be familiar with the requirements of the Act and possess the necessary knowledge and skills to make proper determinations

At this stage there are two FOI decision makers in the Group, and appointment of a third decision maker will ensure the workload is effectively distributed and continuity is ensured during times of absence or high workload.

The Projects Advisor (Joanne Costin), previously undertook the position of Project Coordinator within the Group, and was involved in the internal review of the FOI function which identified opportunities for improvement. Since the FOI function was transferred to this Group she has been assisting with the FOI applications and successfully completed FOI training provided by the Department of Justice & Attorney General including:

- Processing FOI Applications and Fees & Charges
- FOI Exemption Provisions

One of the requirements of the position of Projects Advisor is to contribute to the team's responsibilities in the area of FOI decision making on behalf of Council.

It is therefore recommended that the Projects Advisor (position number CPP006) be appointed to make FOI decisions under the Act.

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

No financial implications 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 require any amendments to the Redlands Planning Scheme.

CONSULTATION

Consultation was undertaken with the Manager Legal Services and the Manager Corporate Planning Performance & Risk.

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

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve, under section 33(1)(b)(ii) of the *Freedom of Information Act 1992*, to appoint the Projects Advisor (position CPP005) to make decisions on FOI applications under the Act.

CARRIED

13.4.3 CORPORATE BALANCED SCORECARD REPORT MAY 2008

Dataworks Filename: GOV Corporate BSC Monthly Reporting to Committee

Attachments: [Corporate Balanced Scorecard Report May 2008](#)

Responsible Officer Name: Warren van Wyk
Manager, Corporate Planning Performance & Risk

Author Name: Grant Bennett
Service Manager, Corporate Planning & Performance

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 May 2008. Performance is shown in one of four ranges: Outstanding (green), Above Standard (yellow), Satisfactory (orange) and Unsatisfactory (red). The overall rating for each perspective is determined by the relative weightings of each KPI it includes.

The overall rating for Redland City Council for the month of May 2008 is Above Standard.

PURPOSE

To provide Council with the Corporate Balanced Scorecard Report for the month of May 2008.

BACKGROUND

The performance management framework for Redland City 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 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

May Rating: Above Standard

Proved Earnings Before Interest Tax & Depreciation (EBITD) Savings to Budget (weighting 20%) rated at the outstanding level, with a budget of \$33.0 million and an actual of \$39.4 million. Full details are provided in the monthly finance report.

Cash Levels within Targets (weighting 8%) rated unsatisfactory due to seasonal high rate payments.

Capital Works Program Financial Performance (weighting 12%) compares expenditure on finalised projects with budget. The current result is a 1.53% saving. PDG projects continue to be delivered with savings, with a budget of \$12,385,980 and actual expenditure of \$12,147,291.

Customer Perspective

May Rating: Outstanding

Capital Works Program Practical Completion (weighting 15%) reports on the percentage of capital project milestones achieved compared to plan. PDG is currently managing 391 capital works projects and have achieved 708 milestones. 182 projects have reached practical completion. Redland Water & Waste had no milestones planned for the month. Information Management achieved 4 milestones this month with the implementation of the BCP completed ahead of time. Corporate Assets, Fleet achieved 1 milestone early with one remaining milestone completed for May.

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%) currently rates as above standard, with no non-conformances during May at Capalaba WWTP.

Development Application Assessment Performance Index Timeframes (weighting 10%) achieved a satisfactory rating. This index reflects the performance of each of the 3 categories of applications – Integrated Commercial, Land Development and Development Assessment. 117/131 applications were processed within IPA timeframes, however Land Development and Development Assessment experienced resourcing issues together with the finalising of significant long standing applications which also affected their timeframes.

Internal Perspective

May 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

May Rating: Above Standard

% of Funded Workplace Health and Safety Management Plan Actions (weighting 10%) rated as satisfactory. All actions are on target.

The Lost Time Injury Frequency Rate (weighting 5%) is expressed as a rolling 12 month average and rates as above standard. There were three injuries during May with all employees returning to work.

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 components in this 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 May, 2008 as attached.

ALTERNATIVE

That Council resolve to note the Corporate Balanced Scorecard for May 2008 and request additional information.

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

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve to note the Corporate Balanced Scorecard for the month of May 2008, as attached.

CARRIED

13.5 CLOSED SESSION AT COMMITTEE

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

5.1 Edgarange Land Appeal Court

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

"(f) starting or defending legal proceedings involving it"

5.2 Proposed Acquisition of Land – Lamb Island

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."

6.1 Tender – Visitor Information Centre Services

6.2 Tender – Cleveland Aquatic Centre

CARRIED

MOTION TO REOPEN MEETING AT COMMITTEE

That the meeting be again opened to the public.

CARRIED

13.5.1 EDGARANGE LAND APPEAL COURT

Datworks Filename: LUP- 2006/0103 & 0102
Responsible Officer Name: Phil Bucknell
Acting General Manager Corporate Services
Author Name: Andrew Ross
Acting Manager Legal Services

EXECUTIVE SUMMARY

On 30 May 2008 the Land Appeal Court dismissed Council's Appeal against compensation awarded to Edgarange Pty Ltd for Council's resumption of land at Capalaba.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve as follows:

1. To instruct Council lawyers to file an Appeal against the decision made by the Land Appeal Court on 30 May 2008 in this matter;
2. To delegate authority to the Chief Executive Officer to continue settlement negotiations and to make or accept any settlement offers for compensation and or costs up to the amount as awarded by the Land Court and Land Appeal Court;
3. To authorise the Chief Executive Officer to sign all relevant documents;
and
4. That this report remain confidential until this matter is settled.

CARRIED

13.5.2 PROPOSED AQUISITION OF LAND - LAMB ISLAND

Dataworks Filename: 45313
Responsible Officer Name: Michelle Pipia
Acting Manager Project Delivery
Author Name: Jason Masters
Survey Services Manager

EXECUTIVE SUMMARY

As part of the 08/09 Seal Gravel Roads Roadworks Program, the gravel road section of Crest Haven, Lamb Island (Job No 45313) from Lucas Drive to Lavender Street is to be sealed. The roadworks design has identified the need to acquire land for drainage purposes. The area of acquisition is on privately owned property, Lot 18 on RP121713 between Pier Haven and Lucas Drive, Lamb Island.

To facilitate the drainage requirements, the minimum acquisition that Council will require is an easement for stormwater drainage, overland flow and discharge over approximately 178m² as per drawing number A2-P168-01B (Rev A). However, if the land owner is agreeable the preferable option would be to acquire the strip of approximately 782m² from Pier Haven to Lucas Drive to be dedicated as road as per drawing number A2-P168-01C (Rev A). This would eliminate a planning anomaly from when the surrounding land was subdivided and would allow Council greater access to this area for future community infrastructure.

PURPOSE

1. To seek Council approval to acquire by negotiation approximately 782m² from privately owned Lot 18 on RP121713 for drainage purposes as per drawing A2-P168-01C (Rev A) and dedicate as road under Section 51 of *The Land Title Act 1994*;
2. If negotiations are unsuccessful to acquire the land as per Officer's Recommendation 1, then seek Council approval to acquire by negotiation approximately 178m² from part of Lot 18 on RP121713 for a Drainage Easement as per drawing A2-P168-01B (Rev A);
3. That the Chief Executive Officer be delegated authority to negotiate the purchase of part of Lot 18 on RP121713, pursuant to Section 36(2)(b) of the *Local Government Act 1993*; and
4. If negotiations are unsuccessful to acquire the land from Lot 18 on RP 121713 as per Officer's Recommendation 1 or 2, that the Chief Executive Officer be delegated authority to proceed with resumption action under Section 5(1)(b) of the *Acquisition of Land Act 1967* for approximately 178m² as per drawing A2-P168-01B (Rev A). The acquired land is then dedicated as a Drainage Easement.

BACKGROUND

It has been identified during the road design for the upgrade of Crest Haven, Lamb Island that the natural sag in the existing road concentrates stormwater runoff and diverts the water on to part of Lot 18 on RP121713. This is the strip of land between Pier Haven and Crest Haven. To ensure that this natural overland flow path remains unhindered and to allow for new stormwater drainage for the road upgrade, Council needs to acquire part of Lot 18.

This part of Lot 18 on RP121713 is already encumbered with an easement in the favour of Council for Water Supply purposes running from Pier Haven to Lucas Drive. The reticulated water in this area is the only supply between Macleay and Lamb Island.

ISSUES

To facilitate the drainage requirements, the minimum acquisition that Council will require is a drainage easement, over approximately 178m² as per drawing number A2-P168-01B (Rev A). However, if the land owner is agreeable the preferable option would be to acquire the strip of approximately 782m² from Pier Haven to Lucas Drive to be dedicated as road as per drawing number A2-P168-01C (Rev A). This would eliminate a planning anomaly from when the surrounding land was subdivided and would allow Council greater access to this area for future community infrastructure.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to provide and maintain water, waste services, roads, drainage and support the provision of transport and waterways infrastructure.

FINANCIAL IMPLICATIONS

The total costs associated with the proposed acquisition for drainage purposes including the valuation of land, survey and legal fees and compensation will be allocated from the Capital Works Project funding.

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 the following officers:

- Manager Land Use Planning
- Manager Environmental Management
- Manager Infrastructure Planning
- Land Development Services Manager
- Property Services Manager

- Manager Operations & Maintenance
- Roads & Drainage Service Manager
- Design Services Manager
- Service Manager Project Management
- Manager Project Delivery Group
- Stormwater Management Engineer
- Manager Treatment Operations for Redland Water & Waste
- Manager Customer Service & Business Performance
- Manager Technical Support for Redland Water & Waste
- The Department of Natural Resources & Water

OPTIONS

PREFERRED

That Council resolves as follows:

1. To acquire by negotiation approximately 782m² from privately owned Lot 18 on RP121713 for drainage purposes as per drawing A2-P168-01C (Rev A) and dedicate as road under Section 51 of *The Land Title Act 1994*;
2. If negotiations are unsuccessful to acquire the land as per Officer's Recommendation 1, then acquire by negotiation approximately 178m² from part of Lot 18 on RP121713 for a Drainage Easement as per drawing A2-P168-01B (Rev A);
3. That the Chief Executive Officer be delegated authority to negotiate the purchase of part of Lot 18 on RP121713, pursuant to Section 36(2)(b) of *the Local Government Act 1993*; and
4. If negotiations are unsuccessful to acquire the land from Lot 18 on RP 121713 as per Officer's Recommendation 1 or 2, that the Chief Executive Officer be delegated authority to proceed with resumption action under Section 5(1)(b) of the *Acquisition of Land Act 1967* for approximately 178m² as per drawing A2-P168-01B (Rev A) and the acquired land to be dedicated as a Drainage Easement.

ALTERNATIVE

That Council resolve not to acquire part of Lot 18 on RP121713 for drainage purposes and the issues of flooding, water build up and decreased safety for residents still remain.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve as follows:

1. To acquire by negotiation approximately 782m² from privately owned Lot 18 on RP121713 for drainage purposes as per drawing A2-P168-01C (Rev A) and dedicate as road under Section 51 of *The Land Title Act 1994*;

2. If negotiations are unsuccessful to acquire the land as per Officer's Recommendation 1, then acquire by negotiation approximately 178m² from part of Lot 18 on RP121713 for a Drainage Easement as per drawing A2-P168-01B (Rev A);
3. That the Chief Executive Officer be delegated authority to negotiate the purchase of part of Lot 18 on RP121713, pursuant to Section 36(2)(b) of *the Local Government Act 1993*; and
4. If negotiations are unsuccessful to acquire the land from Lot 18 on RP 121713 as per Officer's Recommendation 1 or 2, that the Chief Executive Officer be delegated authority to proceed with resumption action under Section 5(1)(b) of the *Acquisition of Land Act 1967* for approximately 178m² as per drawing A2-P168-01B (Rev A) and the acquired land to be dedicated as a Drainage Easement.

CARRIED

Cr Dowling declared a conflict of interest in Items 6.1 and 6.2 at Committee stating that persons involved in each of the tenders were friends of his and these parties had separately submitted tenders for these items and that there were references to these persons recorded in the 'Gifts' Register. Cr Dowling remained in the meeting for discussion and decision on these items, voting in the affirmative in both instances.

Cr Hobson declared that there may be a perception of a conflict of interest in Item 6.1 at Committee – *Visitor Information Centre Services* - as having in the past held a position in office of a tourism board and that she had information, being a tourism operator, on how the current VIC works. Cr Hobson remained in the meeting for discussion and decision on this item, voting in the negative.

Cr Dowling declared a conflict of interest in the following Item 13.6.1 – *Visitor Information Services* - stating a conflict with s.246A (6) of the *Local Government Act 1993*. Cr Dowling remained in the Chamber for discussion and vote on this item, voting in the affirmative.

Cr Hobson declared that there may be a perception of a conflict of interest in the following Item 6.1 – *Visitor Information Centre Services* – as she was previously Deputy Chair of one of the organisations that was part of the tender process. Cr Hobson remained in the chamber for discussion and vote on this item, voting in the negative.

13.6 TENDERS FOR CONSIDERATION

13.6.1 TENDER FOR THE DELIVERY OF VISITOR INFORMATION SERVICES FOR REDLAND CITY

Dataworks Filename: Redland Shire Visitor Information Centre
Responsible Officer Name: Alan Burgess
Manager Economic Development
Author Name: Jan Sommer
Tourism Development Coordinator

EXECUTIVE SUMMARY

The Visitor Services Strategy recommended the establishment of a primary accredited Visitor Information Centre for Redland City on a long term contractual basis, supported by non accredited supplementary centres on the islands and mainland. This direction in the delivery of visitor services was endorsed by the Tourism Industry Working Party and recommended in several reports to Redland City Council in 2008.

COMMITTEE DISCUSSION

The Acting Chief Executive Officer advised that after three (3) years of the fixed term contract, the matter of any options to extend would come back to Council for discussion and decision.

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

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve as follows:

- 1. To award the tender for the delivery of visitor information services to Stradbroke Island Holidays for a fixed term of three (3) years, with the option for the parties to agree to extend for a further three (3) additional periods of one (1) year each, not exceeding a maximum term of six (6) years;**
- 2. To delegate authority to the Chief Executive Officer –**
 - a. To make, vary and discharge the contract with Stradbroke Island Holidays; and**
 - b. To sign all relevant documentation; and**
- 3. That this report remain confidential.**

CARRIED

A division was called for.

Crs Townsend, Reimers, Murray, Bowler, Dowling, Henry and Bolgary voted in the affirmative.

Crs Williams, Ogilvie and Hobson voted in the negative.

Cr Elliott was not present when this motion was put.

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

13.6.2 TENDER FOR LEASE OF CLEVELAND AQUATIC CENTRE LRS -006

Dataworks Filename: R & C Contract, Cleveland Aquatic Centre
Responsible Officer Name: Greg Jensen
Manager Customer & Community Services
Author Name: Russell Cook
Leisure & Recreation Services Manager

EXECUTIVE SUMMARY

At the General Meeting of Council on 26 September 2007, it was resolved as follows:

1. That the Chief Executive Officer be delegated authority:
 - a. To invite tenders 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 a (1) month period, 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 matter.

Invitations to tender for the lease of the Cleveland Aquatic Centre from 31 July 2008 for a period of up to 20 years were subsequently advertised and closed on Friday 2 May 2008.

PURPOSE

That Council resolve to accept the Cleveland Aquatic Centre lease tender from Belgravia Leisure P/L and award them a 6 year lease.

BACKGROUND

Council resolved on 26 September 2007 to advertise for Invitations to tender for the lease of the Cleveland Aquatic Centre from 31 July 2008 for a period of up to 20 years. Invitations were subsequently advertised and closed on Friday 2 May 2008.

A total of 21 sets of documents were requested by prospective tenders however only 4 tenders were received as follows:

1. The Young Men's Christian Association of Brisbane (YMCA)
2. Belgravia Health & Leisure Group P/L
3. Urquhart's Bayside Swimming P/L

4. Air Bubbles P/L

ISSUESEvaluation of Tenders

A detailed assessment of the tenders was undertaken by a panel, including the Leisure and Recreation Services Manager, Senior Waste Planner, Acting Senior Advisor Sport and Recreation and, Procurement Officer, Procurement Services.

The evaluation criteria used to assess the tenders included:

- Previous experience in the Aquatic Industry;
- Formal qualifications
- Quality of personnel
- Range of programs to be offered
- Experience in food services and merchandising
- Workplace Health and Safety procedures
- Community benefits they would bring to the City
- Proposed 5 year Business plan
- Financial viability (mandatory)
- Capital contribution towards improvements at the venue
- Management fee required to be paid by Council

In addition to the panel's assessment, an independent Capability Assessment was commissioned and undertaken by the DMS Group P/L.

Air Bubbles P/L provided 3 options however all required significant variations to the tender specifications in regard to maintenance responsibilities and their tender was considered Non Conforming and was not assessed further.

All evaluated tenders scored from good to excellent in regard to previous history, quality of personnel and range of programs offered. However Urquhart Bayside Swimming P/L only provided limited information on Workplace Health and Safety practices, Community Benefits and their 5 year Business Plan, while again both the YMCA and Belgravia provided excellent information on these criteria.

Financial Summary

The following are the financial offers and lease term provided by each tenderer:

TENDERER	MANAGEMENT FEE	CAPITAL CONTRIBUTION	LEASE TERM
YMCA	\$340K Yr 1, \$330K Yr 2, \$300K Yr 3-4, CPI 4% Yr 5-20 Total Mgt fee \$6,665,000	\$920K over Yr's 1-5 (plus \$340K based on approval of grant as non-profit body)	20 years

TENDERER	MANAGEMENT FEE	CAPITAL CONTRIBUTION	LEASE TERM
Belgravia Health & Leisure Group P/L	<p><u>Option A.</u> \$236K Yr's 1-3, \$245.4K Yr's 4-6. Total Mgt fee \$1,444,000</p> <p><u>Option B.</u> \$256K Yr's 1-3, \$266.2K Yr's 4-6 Total Mgt fee \$1,566,000</p>	<p><u>Stage 1.</u> \$200K</p> <p><u>Stage 2.</u> \$800K (subject to feasibility study)</p>	<p><u>Stage 1.</u> 6 years <u>Stage 2.</u> 14 years <u>Total</u> 20 years</p>
Urquhart Bayside Swimming P/L	<p><u>Option A.</u> \$290K Yr 1.+ 5% increase each year, Total Mgt fee \$6,258,000</p> <p><u>Option B.</u> \$316Yr 1. + 5% increase each year Total Mgt fee \$6,819,000</p>	\$300K in year 1 and \$200K over years 2-4	15 years
Air Bubbles P/L	3 options were provided however all required variations to the tender specifications in regard to maintenance responsibilities and their tender was considered Non Conforming and was not assessed further	\$300k over term of the lease	10 Years with option for extra 5 years

Over a 6 year period the Management fee payable by Council would be YMCA - \$1,906,000, Belgravia Health and Leisure Group P/L - \$1,444,000 and Urquhart Bayside Swimming P/L - \$ 1,973,000

General Assessment comments

The assessment of the financial offers was complicated as Council did not stipulate a term for the lease other than a maximum period of 20 years but left it up to the tenderer to nominate the lease period.

While all applicants expressed a desire to fund capital improvements at the venue the Evaluation Panel took into consideration that the venue had recently undergone major improvements with the construction of the Leisure Water area and refurbishment of the amenities, gym, 50m pool, grandstand and shade areas, and plant rooms. Hence the venue does not require any extensive upgrade/enhancement in the short to medium term.

The DMS Group P/L were asked to undertake a Analytical Report of both the YMCA and Belgravia Health & Leisure P/L. Both parties scored a rating of Good (apparently healthy, with adequate working capital to meet normal commitments).

The YMCA Capital contribution was initially tendered as \$1.26M over the first 5 year period. However this was subject to third party contributions by the way of grants. They were asked to clarify their capital contribution not subject to third part grants. This subsequent amount of \$920k was used by the Evaluation panel.

Belgravia Health & Leisure P/L initially provided two lease terms in both their options. The second 14 year term (Stage Two) was subject to them undertaking a feasibility study during the initial (Stage One), 6 year period. They were advised that Council could not accept a term of lease option and they subsequently agreed to Council only assessing their Stage One proposal.

Referees Checks

Referees checks were undertaken on both Belgravia Health & Leisure and the YMCA.

Belgravia was highly regarded by the two groups contacted and scored very high marks on each of the criteria.

The YMCA did not score as high as the two referees contacted had not had dealings with them in regard to aquatic facilities. However they have the management contract for the Russell Island pool with Council and are performing all aspects of that contract efficiently.

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 proposed management fee budgeted for the Cleveland Aquatic Centre in the 08/09 budget is \$214,000, therefore should the tender of Belgravia Health & Leisure P/L be accepted Council will need to approve an additional \$22,000 for the management fee in a Quarterly Review of the 08/09 Budget.

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 the Project Officer Community and Social Planning, Leisure and Recreation Services Manager, Acting Contracts Manager, the Evaluation Panel, Customer and Community Services Finance Officer, Legal Services and an external financial assessment group.

OPTIONS

PREFERRED

That Council resolves as follows:

1. To accept the Cleveland Aquatic Centre tender LRS - 006 from Belgravia Health & Leisure P/L who tendered the following;
 - a. A management fee paid by Council of \$236,000 per year for the first 3 years and then \$245,440 for the remaining 3 years of the lease,
 - b. A capital contribution of \$200,000 over the 6 years of the lease
 - c. To lease the Cleveland Aquatic Centre to Belgravia Health & Leisure P/L for a period of 6 years;
2. To delegate authority to the Chief Executive Officer –
 - a. to negotiate, make, vary and discharge the above contract in accordance with Section 483(1) of the Local Government Act 1993;
 - b. to sign all relevant documentation; and
3. That the evaluation details summary attachment remain confidential.

OFFICER'S/COMMITTEE RECOMMENDATION COUNCIL RESOLUTION

Moved by: Cr Townsend

Seconded by: Cr Bowler

That Council resolves as follows:

1. To accept the Cleveland Aquatic Centre tender LRS - 006 from Belgravia Health & Leisure P/L who tendered the following:
 - a) A management fee paid by Council of \$236,000 per year for the first 3 years and then \$245,440 for the remaining 3 years of the lease;
 - b) A capital contribution of \$200,000 over the 6 years of the lease;
2. To lease the Cleveland Aquatic Centre to Belgravia Health & Leisure P/L for a period of 6 years;

3. To delegate authority to the Chief Executive Officer –

- c) to negotiate, make, vary and discharge the above contract in accordance with Section 483(1) of the *Local Government Act 1993*;**
- d) to sign all relevant documentation; and**

4. That the evaluation details summary attachment remain confidential.

CARRIED

13.7 GENERAL BUSINESS

Permission was granted for the following items of business to be brought forward:

13.7.1 SPECIAL CIRCUMSTANCE APPLICATION FOR PENSIONER CONCESSION RATE**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve to apply the pensioner concession rate in this special circumstance for property no 12570 Unit 9, 17-19 Almara Street, Capalaba for the April to June 2009 rating period as both owners are pensioners.

CARRIED

13.7.2 DIVISIONAL NEWSLETTERS POLICY (ALSO REFER ITEM 15.1.2)**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Townsend
Seconded by: Cr Bowler

That a Divisional Newsletter Policy be developed and presented to the next General Meeting.

CARRIED

14 MAYORAL MINUTES

14.1 MEMBERSHIP LGAQ REFERENCE GROUPS

Background

Local Government Association of Queensland Inc (LGAQ) is undertaking its normal quadrennial review of membership on LGAQ Reference Groups and have contacted all Queensland Councils inviting nominations. The Association's reference groups are a source of information for LGAQ in identifying emerging local government policy issues and act as a mechanism to advise on the determination of a local government position on new policies.

In addition to statutory duties associated with ordinary meetings and standing committees, Councillors are required to participate in regional forums, taskforces and perform on various boards representing Council's interests on local government matters.

As part of a Councillor's role to ensure that the policies, strategies and objectives are formulated at the regional level to best serve the interest of Redland City, representation on taskforces and external groups is required.

Councillors will only take the role of agents of Council when attending these various taskforces and/or external group meetings. As individuals, Councillors have no legal power to assume any executive or operation role purporting to represent Council and are limited to raising relevant issues and viewpoints for consideration when in attendance at these forums. Council officers will be nominated to assist Councillors, and to ensure effective liaison that information which is obtained is communicated between officers and Councillors.

Moved by: Cr Hobson

That Council resolve to nominate the following councillors for consideration by the Local Government Association of Queensland Inc (LGAQ) as representatives of the LGAQ reference groups listed below, and that the CEO be authorised to nominate council officer representatives for nomination to appropriate LGAQ reference groups.

Environmental Health	Cr Kathy Reimers
Natural Resources & Climate Change	Cr Helen Murray; Cr Peter Dowling; Cr Kathy Reimers, Cr Debra Henry
Planning and Development	Cr Peter Dowling; Cr Murray Elliott; Cr Toni Bowler
Regional Development & Relationships	Cr Barbara Townsend

Roads, Transport and Infrastructure

**Cr Helen Murray;
Cr Barbara Townsend;
Cr Murray Elliott**

Social Policy

**Cr Helen Murray;
Cr Karen Williams**

CARRIED

14.2 REDLAND CITY COUNCIL REPRESENTATION ON EXTERNAL COMMITTEES

Background

Council of Mayors invited all member Councils to submit nominations to external committees outlined above.

In addition to statutory duties associated with ordinary meetings and standing committees, Councillors are required to participate in regional forums, taskforces and perform on various boards representing Council's interests on local government matters.

As part of a Councillor's role to ensure that the policies, strategies and objectives are formulated at the regional level to best serve the interest of Redland City, representation on taskforces and external groups is required.

Councillors will only take the role of agents of Council when attending these various taskforces and/or external group meetings. As individuals, Councillors have no legal power to assume any executive or operation role purporting to represent Council and are limited to raising relevant issues and viewpoints for consideration when in attendance at these forums. Council officers will be nominated to assist Councillors, and to ensure effective liaison that information which is obtained is communicated between officers and Councillors.

COUNCIL RESOLUTION

Moved by: Cr Hobson

That Council resolve to nominate, through the Council of Mayors secretariat, the following Councillors to represent Redland City Council on the external committees listed:

- a. Mayor Melva Hobson
Natural Resources Management South East Queensland Inc**
- b. Cr Toni Bowler
Rural Futures Committee**
- c. Cr Debra Henry
Regional Landscape and Open Space Advisory Committee**

CARRIED

15 DIRECT TO COUNCIL REPORTS

15.1 OFFICE OF CEO

15.1.1 APPOINTMENT OF BRISBANE SHOW HOLIDAY IN THE REDLANDS - 2009

Datworks Filename: HRM Gazetted Public Holidays

Attachments: [Letter dated 19th May 2008 from Minister for Transport, Trade, Employment and Industrial Relations](#)

Responsible Officer Name: Greg Underwood
Acting Chief Executive Officer

Author Name: Lynda Clarke
Acting Executive Officer

EXECUTIVE SUMMARY

The Minister for Transport, Trade, Employment and Industrial Relations has written to Council (19th May 2008) seeking its application for the appointment of a show holiday for the district in the year 2009. In the past, Council has considered this matter in relation to the Brisbane Show holiday and maintained the status quo by applying for the holiday on the Monday of the week the Brisbane Show holiday is declared.

The Brisbane Show holiday is proposed to be held on Wednesday, 12th August 2009. To maintain the status quo Council will need to apply for the 'Brisbane Show Holiday in Redlands' on Monday, 10th August 2009. Council's application for the district holiday must be made with the Minister before Thursday, 31st July 2008.

PURPOSE

That Council resolve to make a request to the Minister for Transport, Trade, Employment and Industrial Relations under section 4 of *the Holidays Act 1983* for the 'Brisbane Show Holiday in Redlands' to be appointed on Monday 10th August 2009.

BACKGROUND

Each year Council receives a request from the Minister responsible for administration of the *Holiday Act 1983* to provide details to appoint a show holiday.

In 2000 Council sought community feedback on the show holiday prior to making a decision. The community response clearly indicated a preference to maintain the status quo. In 2001, Council resolved to maintain the status quo for the date of the show holiday, but requested that the name be changed to 'Brisbane Show Holiday in Redlands'. Community feedback on this matter was not sought.

ISSUES

BUSINESS ISSUES

The Brisbane Show holiday in the Redlands has always been provided on a different day from the Brisbane Show holiday as, among other reasons, it provides benefits to business.

COMMUNITY ISSUES

Council has previously placed a public notice in the local paper seeking feedback to the date of the show holiday. The majority of responses were to maintain the status quo. A separate holiday allows Redland City residents a more enjoyable visit to the Brisbane Show with the option to attend on the Monday and avoid the big crowds.

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 unbudgeted financial implications for Council as the costs of the Show holiday have been considered and funded in the current budget.

CONSULTATION

No consultation is necessary as this is consistent with all previous reports and decisions in this matter.

OPTIONS

PREFERRED

That Council resolve to request (in writing) to the Minister for Transport, Trade, Employment and Industrial Relations, to appoint a 'Brisbane Show Holiday in Redlands' on Monday, 10th August 2009; prior to deadline of Thursday, 31st July 2008.

ALTERNATIVE

That Council resolve not to make a request to the Minister for the appointment of a Brisbane Show Holiday in Redlands.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Dowling
Seconded by: Cr Bowler

That Council resolve to request (in writing) to the Minister for Transport, Trade, Employment and Industrial Relations, to appoint a 'Brisbane Show Holiday in

Redlands' on Monday, 10th August 2009; prior to deadline of Thursday, 31st July 2008.

CARRIED

15.1.2 DIVISIONAL NEWSLETTERS POLICY

Dataworks Filename: GOV Councillors
Attachments: [Policy POL-3079](#)
Responsible Officer Name: Ray Turner
Acting Chief Executive Officer
Author Name: Thorbjorg Dunn
Acting Executive Officer to CEO

EXECUTIVE SUMMARY

Council at its General Meeting on 2 July 2008 is proposing to adopt an Expenses Reimbursement and Provision of Facilities for Councillors Policy, which includes as its attachments Guidelines for Councillor Expenses and Facilities and Procedure for Councillor Travel and Accommodation.

This policy was sent to the Director-General of the Department of Local Government, Sport and Recreation for approval prior to being presented to Council for adoption.

The Director-General approved the policy subject to Council making some changes, including the removal of the section which relates to Newsletters.

Council considers it appropriate that the community should continue to be objectively and accurately informed about Council decisions, activities and services.

Therefore, a Divisional Newsletters Policy has now been developed and is presented to Council for adoption.

PURPOSE

The purpose of this report is to recommend that Council adopt the attached policy.

BACKGROUND

1. On 22 May 2008 a letter was sent to the Director-General, Department of Local Government, Sport and Recreation, requesting approval of Redland City Council's expenses reimbursement policy;
2. Letter dated 2 June 2008 from the Director-General was received by Council advising approval of the policy subject to some minor changes, including the removal of the section relating to Newsletters;
3. Council considers that the community should continue to be informed about Council decisions, activities and services on a divisional basis and, therefore, has requested that a Divisional Newsletters Policy be developed for Council adoption.

ISSUES

On 2 June 2008, the Director-General of Department of Local Government, Sport and Recreation approved Redland City Council's expenses reimbursement policy, subject to Council making the following minor changes as follows:

- *Head of Power – page 1: Please include sections 250AR to 250AU and 534 of the Local Government Act 1993 in this section;*
- *Reporting Requirements – page 3: Please include in this section additional annual reporting requirements which include providing a copy of any section 236B resolutions, a copy of Council's expenses reimbursement policy and particulars about expenses and facilities provided to councillors under Council's expenses reimbursement policy;*
- *2.2 Newsletters – page 10: Please remove this section. Under the Guidelines for Councils: Reimbursement of Expenses and Provision of Facilities for Mayors and Councillors (Guidelines), a local government cannot reimburse a councillor to contribute articles to official newsletters published by Council;*
- *15.2 International Travel – page 18: Please amend the amount of \$114.20 to \$94.20. The total allowance for meals as provided in the Guidelines is \$74.20 and the incidental allowance is \$20.00 unless actual amounts are reimbursed.*

With the removal of the Newsletters section of the guidelines, Council has requested that a Corporate Divisional Newsletters Policy be developed to ensure that the community continues to be objectively and accurately informed about Council decisions, activities and services.

Corporate Policy, POL-3079, Divisional Newsletters is now presented to Council for consideration.

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

Funding for the provision of periodic Divisional Newsletters has been adequately allowed for in the 2008/09 budget

CONSULTATION

This policy has been developed by direction of the Council.

OPTIONS

PREFERRED

That Council resolve to adopt the attached Divisional Newsletters Policy, POL-3079.

ALTERNATIVE

1. That Council resolve to adopt the attached Divisional Newsletters Policy with amendments; or
2. That Council, after consideration of this matter, resolve not to adopt a Divisional Newsletters Policy.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Williams
Seconded by: Cr Henry

That Council resolve to adopt the attached Divisional Newsletters Policy, POL-3079.

CARRIED

15.2 CUSTOMER SERVICES

15.2.1 PROPOSED COMPLIANCE SYSTEMATIC INSPECTION PROGRAM 2008-2009

Dataworks Filename: L&E Declared Plants & Overgrown Vegetation
Systematic Inspection Program

Attachment: [Systematic Inspection Program](#)

Responsible Officer Name: Tim Donovan
Manager Assessment Services

Author Name: Gary Kirby
Regulatory & Health Services Manager

EXECUTIVE SUMMARY

Section 1098 of the *Local Government Act 1993*, requires Council to approve Systematic Inspection Programs.

“A local government may by resolution approve a program (an “approved inspection program”) under which authorised persons may enter places to monitor compliance with a local government Act or an aspect of a local government Act”.

Council conducts Systematic Inspection Programs (surveys) to enforce the provisions of *Local Law 18 (Control of Nuisances)*, *Local Law 13 (Control of Pests)*, *Land Protection (Pest & Stock Route Management) Act 2002* and all subordinate legislation.

During the surveys, properties within the City will be inspected for possible breaches of Local Laws and State Legislation. In order to conduct the inspections, in a proactive and effective manner, Council requires the approval of the Systematic Inspection Programs to enable Council Officers to enter properties and carry out the inspections. Approval of this report will enable Council Officers to fulfil State Government requirements to carry out the inspections under the *Local Government Act 1993*.

PURPOSE

In accordance with Section 1098 of the *Local Government Act 1993*, the purpose of this report is to recommend that Council conduct four (4) Systematic Inspection Programs for overgrown land, fire hazards, and declared plants.

BACKGROUND

Local Law 18 (Control of Nuisances) and the subordinate local law (Local Law Policy No 18), Local Law 13 (Control of Pests) and the subordinate local law (Local Law Policy No 13), Land Protection (Pest & Stock Route Management) Act 2002, and Land Protection (Pest & Stock Route Management) Regulation 2003, require landowners to keep their properties free of overgrown vegetation, fire hazards, and declared plants.

To ensure properties are being maintained in accordance with legislative requirements, Council (through its Regulatory and Health Services Unit) proposes to carry out four Systematic Inspection Programs (Surveys) to allow Council officers to inspect properties within the City.

As specified within Chapter 15, Part 5 Division 7 of the Local Government Act 1993, the carrying out of a Systematic Inspection Program must be approved by Council resolution.

ISSUES

The systematic inspection programs, if approved, will commence on 21 July, 2008 and continue until 30 June 2009. Each program will operate for no more than 3 months. The systematic inspection programs will be advertised in a local paper at least 14 days, but no more than 28 days prior to the commencement of the approved inspection program.

Under the Local Government Act 1993, Chapter 15, Part 5, Division 7 - Approved Systematic Inspection Programs, an authorised officer can enter a property for the purpose of inspection at any reasonable time of the day or night. Officers will only perform inspections between 8:00am and 5:00pm, Monday to Friday.

Inspections under these systematic inspection programs will include vacant land and occupied properties throughout the City.

Copies of each program will be available to the public at Customer Service Centres. Members of the public can obtain a copy at no charge.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports 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

Authorised officers employed in this program are permanent employees of the Redland City Council. The survey has been identified within the 2008/2009 budget.

CONSULTATION

The proposal to perform the Systematic Inspection Programs has involved consultation with:-

- Senior Advisor Environmental Protection; and
- Advisor Reserve Management on behalf of the Senior Advisor Natural Area Management.

OPTIONS**Preferred**

That Council approve the Systematic Inspection Programs, as attached, to be performed during the period 2008/2009, as follows:

- Program 1 -21July 2008 to 30 September 2008 inclusive;
- Program 2 -1 October 2008 to 19 December 2008 inclusive;
- Program 3 - 2 January 2009 to 31 March 2009 inclusive; and
- Program 4 - 1 April 2009 to 30 June 2009 inclusive.

Alternative

That Council resolve to act only on complaints received.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Bowler
Seconded by: Cr Boglary

That Council resolve pursuant to section 1098 of the *Local Government Act 1993* to approve the following Systematic Inspection Programs for 2007/2008 to enforce the provisions of *Local Law 18 (Control of Nuisances)*, *Local Law 13 (Control of Pests)*, *Land Protection (Pest & Stock Route Management) Act 2002* and all subordinate legislation as follows:

- **Program 1. 21 July 2008 to 30 September 2008 inclusive;**
- **Program 2. 1 October 2008 to 19 December 2008 inclusive;**
- **Program 3. 2 January 2009 to 31 March 2009 inclusive; and**
- **Program 4. 1 April 2009 to 30 June 2009 inclusive.**

CARRIED

16 NOTICE OF BUSINESS

16.1 NOTICE GIVEN BY CR DOWLING

16.1.1 REQUEST FOR NEW POLICY – MOVEMENT OF OVERSIZE LOADS

Attachment: [1990's Proposal](#)

Background

The reason for asking for this policy is to address an ongoing issue of nuisance experienced by residents of the City, when these loads use smaller suburban streets causing noise issues, light issues and damage to vegetation and infrastructure along the roads in our City.

I have had discussions with officers from Main Roads and Queensland Police Service who agreed that they would be obliged to support any local law, policy or guideline the Redland City Council adopts.

In particular, they have indicated support for a strategy that sets maximum width and height of any load. In the past this issue has been considered but no firm policy adopted.

I believe that with the escalating number of relocatable / removal homes being moved through our City we need to develop a formal position.

Attached is a proposal which dates back to the early 90's.

In accordance with notice given on 12 June 2008, Cr Dowling moved as follows:

COUNCIL RESOLUTION

Moved by: Cr Dowling

Seconded by: Cr Bowler

That Council develop and adopt a policy with regard to the movement of oversize loads through our City. The policy should address specifically house movements (removal or relocatable homes) and any such loads that are likely to cause the issues listed below.

The policy should consider setting limits on such things as:

- height of load;
- width of load;
- designating preferred routes to be used within the City; and
- hours that such loads can be moved.

CARRIED

17 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 6.13pm.

Signature of Chairperson: _____

Confirmation date: _____