



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday 17 December 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 and acknowledged the Quandamooka people who are the traditional custodians of the land on which Council meet. The Mayor also paid respect to their elders past and present and extended that respect to other Indigenous Australians present.

2 DEVOTIONAL SEGMENT

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

3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

Cr M Hobson PSM	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 G Stevenson PSM	Chief Executive Officer
Mr G Underwood	General Manager Planning and Policy
Mr L Smith	Acting General Manager Customer Services
Mr R Turner	General Manager Corporate Services
Mr G Soutar	General Manager Redland Water & Waste

MINUTES:

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

4.1 GENERAL MEETING MINUTES OF 26 NOVEMBER 2008

Moved by:	Cr Elliott
Seconded by:	Cr Townsend

That the minutes of the General Meeting of Council held on 26 November 2008 be confirmed.

CARRIED

4.2 SPECIAL MEETING MINUTES OF 4 DECEMBER 2008

Moved by: Cr Townsend
Seconded by: Cr Elliott

That the minutes of the Special Meeting of Council held on 4 December 2008 be confirmed.

CARRIED

5 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES

5.1 REPORT FROM CHIEF EXECUTIVE OFFICER

5.1.1 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.

5.1.2 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 a Planning & Policy Committee meeting in January 2009.

5.1.3 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 Planning & Policy Committee Meeting in March 2009.

5.1.4 REQUEST FOR REPORT – RESEARCH ON THE IMPACT OF TRAIL BIKES ON THE REDLANDS

At the General Meeting of 30 July 2008, Council resolved that research on the current impacts of trail bikes on the Redlands natural areas be undertaken.

A report addressing this matter will be presented to a Planning & Policy Committee Meeting in September 2009.

5.1.5 PETITION – OBJECTING TO THE TRIAL CLOSURE OF SOUTH STREET, CLEVELAND

At the General Meeting of 29 October 2008, Council resolved that the petition (containing 298 signatures) from business operators and stakeholders from South Street and Enterprise Street, objecting to the trial closure of South Street, be received, referred to the Planning and Policy Department and considered when a further report is prepared and presented to Council in this matter.

A report addressing this matter will be presented to a Planning and Policy Committee Meeting in January 2009.

5.1.6 POTENTIAL FORMATION OF A BUSINESS IMPROVEMENT DISTRICT

At the General Meeting of 29 October 2008, Council resolved that a report be prepared and presented to Council outlining the potential formation of a BID (Business Improvement District) in the precinct now formally recognised as CBD (Capalaba Business District).

A report addressing this matter will be presented to a Planning and Policy Committee Meeting in April 2009.

6 PUBLIC PARTICIPATION

Moved by: Cr Henry
Seconded by: Cr Reimers

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

CARRIED

- Mr W Snoddy of Cleveland addressed Council in relation to adding fluoride to Redland City Council's water.
- Mr F Bradley of Cleveland, also representing his wife of Russell Island, addressed Council regarding the condition of roads on Russell Island.

MOTION TO RESUME MEETING

Moved by: Cr Henry
Seconded by: Cr Bowler

That the proceedings of the meeting resume.

CARRIED

7 PRESENTATIONS

7.1 CONFERENCE REPORT (CR WILLIAMS) – 9TH INTERNATIONAL CITIES, TOWN CENTRES & COMMUNITIES SOCIETY CONFERENCE

The conference was held at Olympic Park, Sydney on 7-10 October 2008. Keynote speakers included:

- Karsten Gerken, Director, Office of Urban Regneration and Residential Development, Leipzig City Council, Germany. The 3 phases of Urban Renewal Karsten has been involved with for the City of Leipzig, include reconstruction of buildings, Investment in Residential Environment and redevelopment of the City.
- Kate Joncas, President of the Downtown Seattle Association, Seattle, USA. Kate has been President of the Downtown Seattle Association since 1994and has over 30 years experience in downtown revitalisation in the private, public and nonprofit sectors in communities around the world.
- Phil Wood, Partner Comedia, United Kingdom. Phil has advised the UK government on creative industries and also on cultural diversity and integration.

Cr Ogilvie left the meeting at 4.24pm

8 MOTION TO ALTER THE ORDER OF BUSINESS

Nil.

9 DECLARATION OF INTEREST ON ANY ITEMS OF BUSINESS

- Cr Williams declared a conflict of interest in Item 11.1.3 as she is an executive member of the Redland Spring Festival Committee. Cr Williams remained in the Chamber for discussion and vote on this item, voting in the affirmative.
- Cr Boglary declared a material personal interest in Item 11.1.11 as the owner of the subject property. Cr Boglary left the chamber for discussion and decision on this item.

10 REDLAND WATER AND WASTE COMMITTEE 9/12/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Henry
Seconded by: Cr Reimers

That the following Redland Water and Waste Committee Report of 9 December 2008 be received.

CARRIED

DECLARATION OF OPENING

Cr Henry declared the meeting open at 2.01 pm.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCEMembers Present

Cr D Henry	Chair and Councillor Division 3
Cr W Boglary	Councillor Division 1
Cr P Dowling	Councillor Division 4
Cr B Townsend	Councillor Division 5
Cr T Bowler	Deputy Mayor and Councillor Division 6
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9

Committee Manager

Mr G Soutar General Manager Redland Water & Waste

Officers

Mr M Ingerman Acting Manager Treatment Operations

Minutes

Mrs J Thomas Corporate Meetings & Registers Officer

LEAVE OF ABSENCE

Moved by: Cr Bowler
Seconded by: Cr Reimers

That leave of absence from today's meeting be approved for Crs Hobson, Ogilvie and Murray who are attending the 2008 Constitutional Summit of Local Government in Melbourne.

CARRIED

APOLOGY

Cr M Elliott, Councillor Division 7

PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

10.1 REDLAND WATER AND WASTE

10.1.1 REDLAND WATER & WASTE COUNCIL BUSINESS UNIT REPORT – NOVEMBER 2008

Datworks Filename:	WW Redland Water & Waste Committee WS Redland Water & Waste Committee
Attachments:	<u>Business Unit Report – November 2008</u> <u>Appendix A – Wastewater Treatment Plants</u> <u>Supplementary Performance Information</u>
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 November 2008 and covers financial and non-financial indicators for water and wastewater.

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 and wastewater.

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 and wastewater 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; and
- Senior Advisor, Financial Management, RWW.

OPTIONS

PREFERRED

That Council resolve to accept the Redland Water & Waste Council Business Unit Report for November 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 Townsend

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

CARRIED

Cr Ogilvie returned to the meeting at 4.26pm.

10.1.2 REDLAND WATER & WASTE - TOTAL MANAGEMENT PLAN 2008/2010

Dataworks Filename: WS Planning - Total Management Plan
WW Planning - Total Management Plan

Attachments: [TMP/SAMP Summaries](#)

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

Author Name: Michelle Vanyai
Senior Project Officer, Customer Service & Business Performance

EXECUTIVE SUMMARY

The *Water Act 2000* requires each service provider to have an approved strategic asset management plan (SAMP) for each of the service providers' registered services. Redland City Council (RCC) is a service provider of water supply and wastewater services in Redlands' declared service area and is therefore required to develop and submit a SAMP for approval.

RCC must also have a total management plan (TMP) in order to be eligible for grants and subsidies through the Department of Local Government, Sport and Recreation (DLGS&R).

The SAMP and TMP are created as a combined document, an approach acceptable to the regulator, the Department of Natural Resources & Water (NRW).

The plans set out the processes undertaken by Redland Water & Waste (RWW) to achieve its day-to-day and long-term objectives in planning, procuring, operating, maintaining and expanding the service systems.

The overall objective is to develop and document actions, responsible officers, budgetary requirements and status to make sure the business unit continues to improve service and operations.

The document must be reviewed by 31 December 2008 and submitted to NRW.

PURPOSE

To seek Council's adoption of the combined SAMP and TMP document so it may be lodged with NRW for approval.

BACKGROUND

In the mid 1990s, the Department of Natural Resources & Mines - now NRW – made an approved TMP a pre-requisite for loans and subsidy approval. The existing TMP requires review in order to qualify for future funding requests.

There are 21 sub-plans making up the TMP. The TMP also includes an overview (Business Management Plan) - an executive summary of the SAMP sub-plans.

The *Water Act 2000* requires a SAMP to be developed and approved for each of the service providers' registered services. The SAMP requirements of the Act are addressed within a number of TMP sub-plans. The SAMP must be certified by a registered professional engineer prior to lodgement with NRW. Manager Treatment Operations, a Registered Professional Engineer, has certified the plans as required by the *Water Act 2000*.

Additionally, under the water reform south-east Queensland (SEQ) market rules, a draft copy of the SAMP must be lodged with the water grid manager (WGM) for comment. The draft SAMP was lodged with the WGM in the third week of November 2008.

ISSUES

The individual sub-plans are developed to satisfy a number of legislative requirements. The review of the TMP/SAMP documents also provides an opportunity to reassess current practices and initiatives and highlight priority areas.

Due to the water reform process and the uncertainty surrounding the life of the documents, a basic review was undertaken of the TMP/SAMP by:

- removing sections now covered by the bulk water and bulk trunk authorities;
- reviewing action plans and budget detail to match expected expenditure allocation while the reticulation and billing activities remain with Council;
- assuming an expected short life of the plans.

The matter of TMPs and SAMPs receiving limited review has been discussed with NRW. There is an understanding from NRW officers that many SEQ council's are not in a position to intensively review their TMP/SAMPs due to the water reforms and local government amalgamations.

Under the Council of Mayors' (COM) regional water reform project, a working group is working on a co-ordinated approach for SEQ council's to fulfil their TMP and SAMP responsibilities, particularly as they transition into the distribution business and in the medium term. Redlands is represented on this working group.

The specific objectives, status and key actions of each plan are summarised in the attachment to this report.

RWW is required to report annually to NRW on its performance against the SAMP. The reports must include an assessment of progress against action plans and service levels. The SAMPs may be audited in the future to make sure they reflect the manner in which RWW operates and that actions in the plans are being completed.

Additionally, under the water reform SEQ market rules, section 7.3(a), RCC as a distribution service provider (DSP) must provide a draft copy of its SAMP to the WGM

no later than 30 business days before lodging for approval under the *Water Supply Act*, that is, by NRW.

The WGM has 15 business days after receiving the draft SAMP to provide the DSP with comments on the draft for its consideration. The market rules also require DSPs to lodge the approved SAMP with the WGM no later than 20 business days after the SAMP is approved in accordance with the *Water Supply Act*.

The draft SAMP was lodged with the WGM in the third week of November 2008.

The topic of the market rules requirement is also under discussion by the COM water reform TMP/SAMP working group.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The financial models developed in the TMP are reflective of the previously projected 10-year budgeting plan.

The financial commitments provided in the TMP update are part of the assessment procedure by NRW and influence the continuation of loans, grants and subsidies.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The TMP and SAMP were developed in accordance with the guidelines provided by NRW.

Consultation took place with RWW staff including RWW senior management.

OPTIONS

PREFERRED

That Council resolve to receive and endorse the attached Redland Water & Waste Total Management Plans/Strategic Asset Management Plans.

ALTERNATIVE

That Council resolve to receive and endorse the attached Redland Water & Waste Total Management Plans/Strategic Asset Management Plans with amendments.

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

Moved by: Cr Henry
Seconded by: Cr Townsend

That Council resolve to receive and endorse the attached Redland Water & Waste Total Management Plans/Strategic Asset Management Plans.

CARRIED

11 PLANNING & POLICY COMMITTEE 10/12/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Bowler
Seconded by: Cr Henry

That the following Planning & Policy Committee Report of 10 December 2008 be received.

CARRIED

DECLARATION OF OPENING

Cr Bowler declared the meeting open at 9.00am.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCEMembers Present

Cr T Bowler	Chair, Deputy Mayor and Councillor Division 6
Cr W Boglary	Councillor Division 1
Cr D Henry	Councillor Division 3
Cr P Dowling	Councillor Division 4 – entered at 9.02am
Cr B Townsend	Councillor Division 5
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9 – entered at 9.12am

Committee Manager

Mr G Underwood	General Manager Planning and Policy
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Officers

Mr G Stevenson PSM	Chief Executive Officer
Mr G Photinos	Manager Environmental Management
Mr T Green	Senior Advisor Environmental Health
Ms R Bonnin	Manager Community & Social Planning
Ms K Petrik	Manager Marketing & Communications
Ms A Wright	Senior Advisor Open Space Planning

Minutes

Mrs J Parfitt	Corporate Meetings & Registers Officer
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LEAVE OF ABSENCE

Moved by: Cr Reimers
Seconded by: Cr Townsend

That leave of absence from today's meeting be approved for Crs Hobson, Murray and Ogilvie who are attending the 2008 Constitutional Summit of Local Government in Melbourne.

CARRIED

APOLOGY

An apology was noted for Cr M Elliott, Councillor Division 7.

PUBLIC PARTICIPATION AT MEETING

Moved by: Cr Reimers
Seconded by: Cr Townsend

That the meeting be adjourned to allow for a public participation segment.

CARRIED

1. Mr J Back, of Belford Drive, addressed Committee in relation to the proposed Starkey Street Dog Off leash area in Wellington Point.

Moved by: Cr Dowling
Seconded by: Cr Williams

That the public participation segment be extended to allow Ms Hughes to continue her address to Committee.

CARRIED

2. Ms K Hughes, Friends of Serpentine Creek Road Cemetery Group, addressed Committee in relation to Council's proposed Serpentine Creek Cemetery Site and Habitat Management Plan 2008-2028.

Moved by: Cr Dowling
Seconded by: Cr Reimers

That the meeting resume.

CARRIED**DECLARATION OF INTEREST**

1. Cr Williams declared a conflict of interest in Item 1.3 *Proposed Festivals Office – Redlands Lawn Tennis Association Sub-Lease to Redland Spring Festival Inc* – as she is an executive member of the Redland Spring Festival Committee. Cr Williams remained in the Chamber for discussion and vote on this item, voting in the affirmative.
2. Cr Boglary declared a material person interest in Item 1.11 – *Vegetation Protection Order Confirmation – 257-259 Wellington Street, Ormiston* – as the owner of the property. Cr Boglary remained in the Chamber for discussion and vote on this item, voting in the affirmative.

MOTION TO ALTER THE ORDER OF BUSINESS

Moved by: Cr Boglary
Seconded by: Cr Dowling

That Item 1.8 – *Starkey Street Wellington Point Dog Off-Leash Area Trial* – be brought forward and discussed as the first item of business.

CARRIED

It was noted that Item 1.7 – *Making of Local Law 18 (Control of Residential Nuisance 2008)* had been withdrawn.

[The following is a record of Councillor attendance at this committee meeting:
Cr Dowling left the meeting during discussion on Item 1.2 at 10.03am and returned during discussion on item 1.3 at 10.07am.
Cr Dowling left the meeting at 10.12 during discussion of Item 1.4.]

11.1 PLANNING AND POLICY

11.1.1 OPTION TO INCREASE THE PENALTY UNIT VALUE FOR LOCAL LAWS FROM \$75 TO \$100

Datworks Filename: Local Law Review 2008
Responsible Officer Name: Luke Wallace
Manager Corporate Planning Performance and Risk
Author Name: Trevor Green
Senior Advisor Environmental Health

EXECUTIVE SUMMARY

Redland City Council has the opportunity to increase in line with State legislation the penalty unit value that applies to their local laws (from \$75 to \$100). To increase the penalty unit value Council must pass a resolution to “opt-in” to increase the penalty unit value and advise the Minister for Main Roads and Local Government that it wants the increase, by 19 December 2008. Should Council not advise the Minister, Council’s penalty unit value will remain at \$75.

The last increase to the value of a penalty unit was in 1999. Official Australian Bureau of Statistics CPI data shows that if the penalty unit had been increased by CPI every year since 1999, its value would have been \$103.50 at the end of the September 2008 quarter. Council’s enforcement costs have increased since 1999. Increasing the value of a penalty unit for Redland City Council Local Laws to \$100 will maintain parity with State legislation.

The report recommends that Council write to the Minister to have the penalty unit value relating to Council’s local laws increased to \$100.

PURPOSE

For Council to resolve that (1) the value of a penalty unit under Redland City Council local laws should be increased to \$100, and (2) the Mayor advise the Minister for Main Roads and Local Government that Council wishes to “opt-in” and thereby have the increase in the value of a penalty unit (from \$75 to \$100) under the Penalties and Sentences Act 1992 applying to Redland City Council local laws.

BACKGROUND

The State government has recently introduced legislation to increase the value of a penalty unit prescribed under the *Penalties and Sentences Act 1992*. The value of a penalty unit will increase for all State legislation from \$75 to \$100 from 1 January 2009. Local governments have been given a choice on whether to “opt-in” and increase the penalty unit value that applies to their local laws.

For a local government to have their penalty unit value increased to \$100, the Council must pass a resolution to “opt-in” to increase the penalty unit value and advise the Minister for Main Roads and Local Government by 19 December 2008. If a local government does not advise the Minister by this date, it will be taken that the Council does not want the increase to apply to their local laws (wish to “opt-out”) and the increase will not apply. Should a local government advise that they wish to “opt-in”; the increase will apply from 1 March 2009.

The last increase to the value of a penalty unit was in 1999.

ISSUES

1. Since the penalty unit value was last established in 1999, inflation has substantially eroded the deterrent posed by the existing penalty unit value, to those who may consider committing an offence under Council's local laws. Official Australian Bureau of Statistics CPI data shows that if the penalty unit had been increased by CPI every year since 1999, its value would have been \$103.50 at the end of the September 2008 quarter.
2. Council's enforcement costs have increased significantly since 1999.
3. Increasing the value of a penalty unit for Redland City Council Local Laws to \$100 will maintain parity with State legislation.
4. The State is still to advise on the procedure for Council should it decide not to increase at his time, but later decide to increase. This may require a separate amendment to the Act or a regulation which would possibly be a more detailed and longer process, than that on offer now.
5. If the penalty unit value is increased, any Council signage that refers to a maximum penalty in dollars would need to be amended. This is not considered onerous.

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

Increasing the value of a penalty unit from \$75 to \$100 will reinstate parity for enforcement costs.

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 Office of the Minister for Main Roads and Local Government; the Local Government Association of Queensland; the Office of the CEO; Legal Services; Infrastructure Planning, Land Use Planning, Environmental Management, Community and Social Planning, Assessment Services; Customer and Community Services; Project Delivery Operations and Maintenance and Treatment Operations Redland Water.

OPTIONS

PREFERRED

1. That the value of a penalty unit under Redland City Council local laws be increased to \$100, and
2. That the Mayor advise the Minister for Main Roads and Local Government that Council wishes to “opt-in” and thereby have the increase in the value of a penalty unit (from \$75 to \$100) under the *Penalties and Sentences Act 1992* applying to Redland City Council local laws.

ALTERNATIVE

1. That the value of a penalty unit under Redland City Council local laws remain at \$75, and
2. That Redland City Council not respond to the Minister for Main Roads and Local Government, and Council “opt-out” on an increase in the value of a penalty unit (from \$75 to \$100) under the *Penalties and Sentences Act 1992* applying to Redland City Council local laws.

OFFICER’S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Bowler
Seconded by: Cr Henry

That Council resolve as follows:

1. That the value of a penalty unit under Redland City Council local laws be increased to \$100, and
2. That the Mayor advise the Minister for Main Roads and Local Government that Council wishes to “opt-in” and thereby have the increase in the value of a penalty unit (from \$75 to \$100) under the *Penalties and Sentences Act 1992* applying to Redland City Council local laws.

CARRIED

A division was called for.

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

Crs Dowling, Williams and Reimers voted in the negative.

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

11.1.2 NORTH STRADBROKE ISLAND SPORT AND RECREATION FACILITIES AND SERVICES STRATEGY

Dataworks Filename: R&C NSI Sports Facilities and Services Strategy

Attachments: [North Stradbroke Island Sport and Recreation Facilities and Services Strategy](#)

Responsible Officer Name: Roberta Bonnin
Manager Community & Social Planning

Author Name: Ellen Irving
Project Officer

EXECUTIVE SUMMARY

Council engaged consultants in August 2007 to assist Council to develop a sport and recreation facilities and services strategy for North Stradbroke Island. The aim of the strategy was to engage the community, government and non government stakeholders in the development of a cost effective 10 year implementation plan for current and future facilities and services on the Island.

The consultants conducted an extensive community engagement program which included both resident and non-resident landholders.

In summary the Strategy identified that there is adequate provision of open space, sport and recreation facilities and that there is a consolidated sport and recreation node servicing each of the island's three townships. However, the quality of these areas and the quality and the age of the infrastructure varies across the island. The primary issues for sport and recreation groups and the community is the ability to sustain a level of use and maintenance of facilities.

The most pressing recreation needs on the Island are the requirement for a safe cycling route linking the three townships and the upgrade of the Pt Lookout Hall. There is also community support for an indoor sports facility on the Island. Based in part on the outcomes of the community engagement program the consultants have prepared a list of key strategies which are accompanied by detailed and prioritised actions to implement the strategies across the Island.

PURPOSE

To seek Council endorsement of the draft North Stradbroke Island Sport & Recreation Facilities and Services Strategy in the future planning for North Stradbroke Island.

BACKGROUND

R.O.S.S Planning Consulting was engaged to undertake the development of the Sport and Recreation Facilities and Services Strategy for North Stradbroke Island in August, 2007. The development of the Strategy included the following elements:

LITERATURE REVIEW

The consultants undertook a comprehensive review of Council's corporate documents/policies and relevant State and Federal Government documents in order to gain an understanding of the planning and organisational context in which potential opportunities for North Stradbroke Island might be met. A list of documents which were reviewed is included in Section 3 of the Strategy document.

DEMOGRAPHIC PROFILE

The consultants also undertook a demographic profile of the Island which includes ABS Census data and population characteristics and the implications for sport and recreation planning. The consultants have highlighted within the Demographic Profile of the Strategy the fact that the population of each of the three townships has decreased between 2001 and 2006 according to the ABS Census data (figures based on people's normal place of residence and do not include visitors to the Island). The demographic profile also included an analysis of the age groups and the differences in characteristics between the three townships on the Island.

COMMUNITY ENGAGEMENT

A comprehensive community engagement program was conducted by the consultants which included:

- a survey sent to all resident and non-resident landholders of the Island
- Community forums (one at each township)
- Workshops which included a professional BMX demonstration at each township (good attendance by local youth)
- Playshops with students from Dunwich Primary and Secondary school
- Active Adult Photovoice (an exercise devised to engage the older Island residents)
- The consultants engaged Kelly McKellar-Nathan, an indigenous sport and recreation planner and ex international softball player to lead the indigenous consultation.

In addition, interviews were held with:

- Community groups
- Sporting groups
- Cultural Groups
- Local Police
- Indigenous Community Sport & Recreation Officer at Dunwich
- Health Service Groups at Dunwich
- Principal - Dunwich State School
- North Stradbroke Island Tourism

In brief, the consultation revealed that the Island is not in need of many new venues for sport and recreation but existing facilities require improvements to make them more functional. In particular the Point Lookout Hall was identified by residents and user groups as a key site for community activities and events but the size and condition of this community facility no longer meets the needs of the community and

requires expansion and refurbishment. The Strategy lists the redevelopment of the Pt Lookout Hall site as a 'high' priority.

Youth were particularly targeted in the consultation and their identified needs included facilities for skating, BMX and motorbike riding. Additionally, the need for a youth space and for sport opportunities for girls was highlighted. There is support for an indoor sport and youth centre on the island.

The most pressing recreation need on the Island is the requirement for a safe cycling route linking the three townships.

Detailed accounts of the community engagement comments can be found in Section 4 and Appendix One of the Strategy document.

ISSUES

- While the Island population growth does not reflect mainland growth figures, the spread of population across these townships and accessibility issues will need to be considered when planning for future facilities on the Island.
- The location of facilities in Dunwich and Point Lookout is of concern in that a number of parks and play areas are attached to campgrounds and some distance from residential areas which have led to the perception that Council is providing facilities for tourists rather than residents.
- An Indigenous Community Sport and Recreation Officer was appointed to work with indigenous youth on North Stradbroke Island in 2006. This position was funded in partnership by Sport and Recreation Queensland (under the Indigenous Community Development Program) and the Community Development Employment Project (North Stradbroke Island). The position no longer exists due to expiration of the funds. However, a new State Government PCYC funding model is proposed which will engage the services of an indigenous sport and recreation officer based on the mainland, to serve the Redlands indigenous community. The North Stradbroke Island indigenous community do not consider this model will adequately meet the sport and recreation needs of the North Stradbroke Island indigenous community.
- Pt Lookout Hall - Delays in the finalisation of the hall design and difficulty in sourcing additional funding for the expansion and refurbishment of the hall have hindered commencement of this project.

KEY RECOMMENDATIONS

A number of strategies were developed to maintain and build upon North Stradbroke Island's diversity of sport and recreation facilities. The list below details the recommended strategies:.

Viability of Sport & Recreation Groups

- Provide support to the volunteer organisation and club sector to ensure the long term viability of sport and recreation provision on North Stradbroke Island.
- Ensure a strong working relationship across government sectors and between community based organisations.

- Ensure formal sporting opportunities exist for females

Council policies, co-ordination and Management Arrangements

- Ensure an appropriate level of resources is allocated and that planning and co-ordination are undertaken to achieve optimal sport and recreation outcomes.
- Ensure that community, sport and recreation programs are available to meet existing needs.
- Ensure Council policies protect and encourage maximum utilisation of assets.

Maintenance and Improvement of Existing Facilities and Programs

- Maintain a high standard of community facilities and services and improve these to cater for the needs of residents and visitors.
- Encourage and support sport and recreation organisations in applying for grants from external funding sources to develop and improve facilities and opportunities.
- Continue the implementation of a well designed and connected pedestrian and cycle network for residents and visitors.
- Improve parks, sporting and recreation facilities to meet a diverse range of user group needs and have safe and quality embellishments.

New Facilities, Programs and Initiatives

- Ensure that community, sport and recreation facilities are available to meet youth needs.
- Ensure that sport, recreation and physical activity programs are available to meet community demand and population changes.
- Improve access to sport and recreation activities.
- Increase the outcomes and value of obtaining external funding by Council and the community.

Information and Awareness

- Improve communication channels with Council and awareness by community organisations of their roles and responsibilities.
- Assist the community to develop communication of on-Island activities.

Section 2 of the attached North Stradbroke Island Sport & Recreation Facilities and Services Strategy document provides a comprehensive list of prioritised actions to implement the strategies above over a 10 year timeframe. Appendix 2 of the Strategy document provides details of potential funding opportunities for future budgeting purposes.

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

- This report does not incur any direct financial implications for Council as the Strategy will be used for planning purposes only and individual projects will be submitted for Council consideration during budget deliberations.
- The report does have direct implications on allocated time by officers of Leisure and Recreation, Community Development, Environmental Management and Community & Social Planning to support delivery of the recommendations.
- There is an existing financial commitment to the refurbishment of the Pt Lookout Hall (approved in Council's 2008/2009 capital works budget). However, delays in the finalisation of the design and difficulty in sourcing additional funding have hindered commencement of the project. External funds are currently being sought and the financial requirements reviewed for further budget consideration.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is consider that the recommendations in this report will not require any amendments to the Redlands Planning Scheme. However, further advice should be sought in the event of any proposed extensions to existing facilities in the future.

CONSULTATION

A Project Group was established to oversee and provide direction to consultants in the development of the Strategy. Project Group members included:

- Qld Health Officers
- Sport & Recreation Qld Indigenous officer
- Manager, Community & Social Planning
- Manager, Environmental Management
- Senior Advisor Natural Environment
- Senior Advisor Sport & Recreation
- Senior Advisor Landscape Design
- Recreation Officer
- Senior Advisor Open Space
- Project Officer (Project Coordinator)

Consultation also occurred with the following Council staff:

- Division 2 Councillor
- Youth Development Officer
- Senior Advisor Cycling and Public Transport
- Senior Advisor Cultural Services

OPTIONS**PREFERRED:**

That Council resolve to endorse the North Stradbroke Island Sport and Recreation Facilities and Services Strategy for the purposes of future planning for North Stradbroke Island.

ALTERNATIVE:

The Council does not endorse the Sport and Recreation Facilities and Services Strategy for North Stradbroke Island in its current form and requests further investigation of identified matters.

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

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve to endorse the North Stradbroke Island Sport and Recreation Facilities and Services Strategy for the purposes of future planning for North Stradbroke Island.

CARRIED

Cr Williams declared a conflict of interest in the following Item as she is an executive member of the Redland Spring Festival Committee. Cr Williams remained in the Chamber for discussion and vote on this item, voting in the affirmative.

11.1.3 PROPOSED FESTIVALS OFFICE - REDLANDS LAWN TENNIS ASSOCIATION SUB-LEASE TO REDLAND SPRING FESTIVAL INC

Datworks Filename: R & C Spring Festival
Responsible Officer Name: Roberta Bonnin
Manager Community & Social Planning
Author Name: Ellen Irving
Project Officer

EXECUTIVE SUMMARY

Redlands Lawn Tennis Association Inc (Tennis Club) holds a 20 year lease over State land held in trust by Redland City Council (described as part of Lot 1 on CP864383) within the Cleveland Showground site which expires in 2023. The Tennis Club has requested Council approval to enter into a sub-lease agreement with Redland Spring Festival Inc to occupy part of the Tennis Club's old clubhouse (which the Tennis Club vacated upon completion of their new adjacent clubhouse in 2004) which will provide a Festivals Office for the use of the Redlands Spring Festival and other event organisations.

The old Tennis clubhouse has recently undergone a major refurbishment to provide a 'Festivals Office' which includes much needed office space for the Spring Festival organisers and other event organisations. The project has been a collaborative effort involving the Tennis Club, Redland Spring Festival, Boystown and Council.

It is recommended that approval be granted to the Redlands Lawn Tennis Association to enter into a sub-lease agreement with the Redland Spring Festival Inc for the use of part of the refurbished tennis clubhouse for a period up until 2023 to provide event organisations with functional office space.

PURPOSE

Under the terms of the existing lease between Council and the Tennis Club any intention to transfer any interest or any part interest in the lease requires the written consent of both the lessor (Redland City Council) and the Department of Natural Resources & Water. This report seeks Council approval for the Redlands Lawn Tennis Association to enter into a sub lease agreement with Redland Spring Festival Inc to occupy part of the old tennis clubhouse to provide event organisations with functional office space.

BACKGROUND

The Cleveland Showground Master Plan (adopted by Council in 2005) identified the need for a more suitable and permanent space for the organisers of the Redlands

Spring Festival and other event organisers. The current Festivals Office was made redundant during the redevelopment of the Cleveland Showground into a premier venue for sport and recreation and a venue for large festivals and community and cultural events. The purpose of the "Festivals Office" is to provide the Spring Festival and other event organisations with functional office space to assist in administering and delivering their activities.

The Redland Tennis Club has offered the use of their old clubhouse, and through the joint efforts of the Tennis Club, Redlands Spring Festival Inc, Boystown and Council, the building has been refurbished and will provide valuable office space for not only the Spring Festival organisers but also other arts and cultural groups within the Redlands.

ISSUES

Under the terms of the existing lease between Council and the Tennis Club any intention to transfer any interest or any part interest in the lease requires the written consent of both the lessor (Redland City Council) and the Department of Natural Resources & Water.

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

All costs associated with the establishment of the sub lease will be borne by Redland Spring Festival Inc.

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

Community & Social Planning has consulted with the representatives from Redlands Spring Festival Inc and Redland Lawn Tennis Association. Consultation has also occurred with:

- King & Company Solicitors
- Property Services Manager
- Manager Legal Services
- Divisional Councillor
- Redlands Arts Council

OPTIONS**PREFERRED**

That Council agrees to:

1. Grant approval to Redlands Lawn Tennis Association to enter into a sub lease agreement with Redland Spring Festival Inc to occupy part of the old tennis clubhouse situated on land described as part of Lot 1 on CP864383 under terms and conditions satisfactory to Redland City Council; and
2. Authorise the Chief Executive Officer to
 - (a) seek the Department of Natural Resources & Water's In Principle approval to the issue of a sub lease to Redland Spring Festival Incorporated; and
 - (b) sign all relevant documentation.

ALTERNATIVE

That Council not grant approval to the Redlands Tennis Club to enter into a sub-lease agreement with Redland Spring Festival Incorporated to occupy the newly refurbished clubhouse until further specific information has been provided to Council.

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

Moved by: Cr Bowler
Seconded by: Cr Henry

That Council resolve to:

1. **Grant approval to Redlands Lawn Tennis Association to enter into a sub lease agreement with Redland Spring Festival Inc to occupy part of the old tennis clubhouse situated on land described as part of Lot 1 on CP864383 under terms and conditions satisfactory to Redland City Council; and**
2. **Authorise the Chief Executive Officer to:**
 - (a) **seek the Department of Natural Resources & Water's In Principle approval to the issue of a sub lease to Redland Spring Festival Incorporated; and**
 - (b) **sign all relevant documentation.**

CARRIED

11.1.4 COMMUNITY PLAN INCEPTION REPORT

Datworks Filename:	Redland City Community Plan
Attachments:	<u>Attachment A – Review of the Implementation of Vision 2005 & Beyond</u> <u>Attachment B – Breakdown of Vision 2005 & Beyond Outcomes at Action Level</u> <u>Attachment C – Actions Removed from Vision 2005 & Beyond</u>
Responsible Officer Name:	Roberta Bonnin Manager Community & Social Planning
Author Name:	Colette Torrance Community Plan Project Manager

EXECUTIVE SUMMARY

Redland City Council has commenced to prepare a new Community Plan for the City that will set a strategic vision for the Redlands to 2030. It will articulate the community's values, aspirations and goals and will form the basis for Council's next Corporate Plan and other stakeholder plans.

Vision 2005 & Beyond was the last Redland Shire community plan. This plan has been audited and a summary of its findings has been collated. The information from this summary will be reported to the community and will set the scene for civic dialogue and education to create a new community plan.

The proposed name and tag line, ***Redlands 2030 Creating our Future***, are important branding elements of the new Community Plan. Concept designs for the logo and other tag lines will signify the stages of planning and the goals and direction of the new plan.

The community planning process will encompass all aspects of community life and will involve cross Council participation and leadership. Community engagement techniques are a crucial part of the success of this community plan. The community engagement strategy prepared for the new community plan is designed to be innovative, inclusive and reach into the fabric of the Redlands. To support this work Council will pilot three forms of community engagement networks in line with the Community Engagement Policy (POL) 3053 and Strategy endorsed by Council in 2006.

Project costs have been reviewed following the acceptance of the Phillips Group consultancy submission and further development of the engagement strategy. An increase in budget is required to fund the pilot Council engagement networks, the application of online technology and the distribution of community information updates.

PURPOSE

The purpose of this report is for Council to approve recommendations made on the following:

- Public release of *Vision 2005 and Beyond* Audit summary
- Name of the new Community Plan
- Council engagement networks
- Budget

Once these decisions have been reached the project team will progress with the engagement strategy and the launch of the new Community Plan.

BACKGROUND

The initial stages of Redland City Council's new Community Plan commenced in September 2008 with the appointment of the Phillips Group as consultants to deliver the plan. The Community Plan Project Control Group (PCG) and Working Group (WG) have been actively involved with The Phillips Group in determining how the project will be delivered.

The Senior Managers' Group (SMG) has provided direction on the themes and topics to be developed in planning for Redlands 2030 through a workshop, review sheets and interviews.

The Phillips Group has made two presentations to Council on the project stages and timelines and engagement strategy. An informal launch of the Community Plan process is scheduled to occur in mid December with the release of the *Vision 2005 and Beyond* Audit summary.

The formal launch of the community plan is scheduled to take place in late January 2009.

ISSUES

Vision 2005 & Beyond

Vision 2005 & Beyond was the culmination of a significant amount of input from the community, Councillors and Council staff.

It is important to provide outcome-based feedback on the contents of *Vision 2005 & Beyond* to assist all stakeholders (the community, Councillors, staff and contractors) to understand what was achieved from the previous planning exercise and what needs to be considered in the development of the 2030 Community Plan.

An audit of *Vision 2005 and Beyond* has been carried out by Corporate Planning, Performance and Risk, providing an evaluation of the extent to which each Theme, Goal and Strategy was achieved.

Included within this evaluation are details on all actions not implemented and a review on some of the key lessons learned during the planning process.

The Plan identified 22 goals across its six main themes, 119 strategies and 780 individual actions. A complete review of the actions has been undertaken indicating that 638 (85.18%) actions were implemented. The table below provides a high-level overview of Vision 2005 & Beyond and Attachments A to C provide further details.

Vision 2005 & Beyond Theme	Total Goals within Theme	Total Strategies within Theme	Total Actions within Theme	Total Actions Implemented (%)
Community Character and Lifestyle	2	9	73	70 (95.89%)
Business, Employment & Economic	5	24	145	129 (88.97%)
Natural Environment	5	23	173	149 (86.13%)
Quality Essential	3	11	126	104 (82.54%)
Efficient, Effective and Sustainable Transport System	4	32	172	138 (80.23%)
Safe, Equitable & Supportive Community	3	20	60	48 (80.00%)
TOTALS	22	119	749	638 (85.18%)

Attachment A provides an overview of the implementation of each theme by breaking the themes down to their related goals and strategies.

Whilst an overall implementation of 85% of Vision 2005 & Beyond actions is considered a good outcome, the review reveals that there are some significant challenges still facing the community that Vision 2005 and Beyond was not able to effectively resolve. These include, but are not limited to:

- Housing choice and affordability
- Promotion and protection of agricultural and horticultural land in the Redlands
- Transport issues including reducing the number of cars on the road, enhancing public transport options, better integrating public transport with other transport modes etc

These issues were clearly evident in the review and more detail on these and other matters can be found in Attachments A and B.

In analysing Vision 2005 & Beyond and its implementation several lessons can be learned that will enhance the consultation, delivery and governance processes surrounding the 2030 Community Plan. These include:

- The need to deliver a balance between ideas, flair and innovation and what stakeholders, including Council can realistically strive to achieve
- The need to ensure the 2030 Community Plan is presented in a way that is relatively simple to comprehend and deliver
- The need to ensure that Council's core governance mechanisms adequately support the delivery of the 2030 Community Plan (eg well integrated internal planning and performance management processes)

It should also be noted that performance indicators not detailed action plans will be contained in and used to guide the implementation and measure progress of the new Community Plan 2030.

A more thorough examination of these and other issues can be found in Attachments A, B and C and a review of those documents is recommended to ensure a thorough understanding of the implementation of Vision 2005 & Beyond along with the key links between the last Community Plan and the community planning project about to be undertaken. These documents will be prepared by Marketing and Communications for public access to coincide with the informal launch of the Community Planning process.

Name of the new Community Plan

Redlands 2030 has been proposed as the name for the Community plan with the tag-line **Creating our Future** to strengthen the name. The name was discussed by the PCG and Phillips Group and it was agreed that it should be short and descriptive of the purpose of the Plan. Other tag-lines will be used according to the stages of the planning process and the target groups, for example:

- Redland 2030 Shaping our Future
- Redland 2030 Building our Future
- Redland 2030 Delivering our future

So that residents and stakeholders can distinguish between the various planning and master planning exercises that Council has done or is about to embark on, Redlands 2030 will have a distinct logo and brand which are currently being developed by Marketing and Communications ready for the mid December informal launch.

Community Engagement Networks

Council's Community Engagement Policy 3053 and Strategy, endorsed in 2006 contain recommendations for the establishment of online community involvement through a residents' panel and an online community engagement gateway. The community engagement networks proposed by the Marketing and Communications Team complement the engagement processes of the Community Plan. It is proposed that these networks are piloted through the community planning processes as they

have the potential for further Council-wide application and independent verification of results of significant engagement activities.

An open engagement internet portal will be established to encourage residents, community groups and businesses to participate using online technology. Participants register to join the portal and provide geographic and demographic information and optional information about areas of special interest (sport, environment, business, arts etc) which will allow Council to conduct targeted engagement. Through this portal there will be a range of online activities including information, discussion boards, quick poll surveys, online submission forms, links to the Community Plan cultural project, and youth specific activities.

A "verification" group of 300 / 500 city residents will be recruited by an independent contractor for a Resident Feedback Register representing the Redlands' population profile. This panel will represent division and population catchment area, as well as demographic profiles. It will be used to ground truth areas of discussion and engagement that takes place.

A group of 30 selected representatives will be established as the Community Plan Advisory Group and will consist of representatives from external networks, organisations and localities throughout the community.

Further budget will be required to establish and pilot these engagement networks which will be monitored and evaluated to determine their success in delivering Council's Community engagement strategy in addition to enabling a wider group of residents to participate in the Community Plan.

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 2007 project proposal for the Community Plan recognised that project costs would need to be reviewed following acceptance of a consultancy submission. The allocation of \$250,000 budget to Stage 1 of the Community Plan has now been reviewed in line with costings required to deliver the project.

Updated requirements and costings have been provided by Marketing and Communications, Information Management and the Phillips Group. Further budget is required to deliver the following:

Community Engagement Network – set up and management costs for 3 elements
Information technology - Online database management, IT workflow & bandwidth, site support
Community information updates – newspaper inserts, island specific distribution, City-wide pick-up points

The increase in budget, indicatively \$75,000, will be proposed at the Q2 budget review.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that there are no current implications to the planning scheme at this point.

CONSULTATION

Manager Marketing and Communication
Manager Information Management
Manager Corporate Performance Planning and Risk
Community Engagement Adviser
Senior Adviser (Web)
Marketing and Communications Adviser
Senior Adviser Cultural Services
Senior Adviser Community Development
Principal Adviser City Wide Planning
Phillips Group

OPTIONS

PREFERRED

That Council resolve to

1. Support the public release of the Audit of *Vision 2005 and Beyond*;
2. Endorse **Redlands 2030 Creating our Future** as the name of the new Community plan with various other tag-lines proposed for the process;
3. Pilot three community engagement networks as part of the Community Plan; and
4. Consider the budget increase at the Q2 budget review.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Townsend

That Council resolve to:

1. **Support the public release of the Audit of *Vision 2005 and Beyond*;**
2. **Endorse Redlands 2030 Creating our Future as the name of the new Community plan with various other tag-lines proposed for the process;**
3. **Pilot three community engagement networks as part of the Community Plan; and**
4. **Consider the budget increase at the Q2 budget review.**

CARRIED

11.1.5 PURCHASE OF LAND COAST ROAD MACLEAY ISLAND

Dataworks Filename: P&R Planning – Division 05 Planning
Attachments: [79 & 81 Coast Road Macleay Island Aerial Photo](#)
Responsible Officer Name: Gary Photinos
Manager Environmental Management
Author Name: Angela Wright
Open Space Planning

EXECUTIVE SUMMARY

Council adopted the Southern Moreton Bay Islands Open Space Plan (SMBI OSP) 28 March 2007 and agreed that negotiations commence for the acquisition of privately owned land parcels by means of a land exchange.

During the course of these negotiations the Property Services Unit, who are responsible for the land acquisitions, have been offered parcels of land on a purchase only basis as opposed to the exchange process.

In addition, the owners of two properties have a preference to sell their whole lot as opposed to an excision of 20m of the water front edge of the property being made as recommended in the SMBI open space plan.

The land parcels in question specifically relate to Site 20 in the SMBI OSP or Sandpiper Beach Park. The report recommends that all eight privately owned lots in Site 20 also be acquired by direct purchase should land exchange not be able to be negotiated. This expedites in a timely manner both SMBI OPS Plan recommendations and supports findings from the draft SMBI Sport and Recreation Strategy.

Funds are available in the SMBI capital reserves to acquire these properties.

PURPOSE

That Council resolved to consider acquisition, through both land exchange and direct purchase, properties that have identified in the SMBI Open Space Plan that were originally to be acquired through a land exchange process only. The recommendation currently only relates to Site 20 in the SMBI Open Space Plan.

BACKGROUND

- Council adopted the SMBI OSP on 28th March 2007 with a recommendation that included proceeding with negotiating the acquisition of all privately owned lots or part lots, through a land exchange program using Council owned SMBI residential zoned lots.

- The Property Service Unit under delegated authority have been actively negotiating with land owners to acquire the sites identified in the open space plan and have now provided advice that some properties will only be acquired by direct purchase as land owners are not interested in a land exchange.
- SMBI Sport and Recreation Strategy 2008 (currently in draft) has made the following conclusions:
 - a) Water based recreation plays a significant role in the lifestyle of island residents, particularly beaches, foreshore parks and boat ramps for boating fishing and swimming
 - b) The need to establish low-key access points at suitable sites where parkland and beach or public open space provides an interface with the local road network
 - c) Supports the progressive implementation of the SMBI Open Space Plan 2007.

ISSUES

THE SANDPIPER BEACH SITE, COAST ROAD MACLEAY ISLAND (SITE 20 SMBI OSP)

The SMBI OSP was prepared by Council primarily in response to the submissions received on the draft planning scheme in 2005. Its main purpose is to provide recommendations with details and priorities of all parcels of land that Council should retain, acquire or develop as public recreational areas on the islands. The plan will strive to provide 57 new parks or sites for recreational and sporting purposes.

One of the proposed new parks provides frontage to Sandpiper Beach and is referred to as Site 20 in the SMBI OSP. It is formed by 18 parcels of land of which 9 are owned by Council, one (1) parcel is part road reserve, and the other 8 parcels are privately owned. Of the 8 privately owned parcels the SMBI OSP suggested that Council acquire a 20 metre strip across the water front of 5 parcels.

Council resolved in March 2007 that all land acquisitions will be undertaken by land exchange.

DESCRIPTION OF SITE 20 SANDPIPER BEACH PARK

The specific land descriptions are listed below and it should be noted that all lots are either zoned conservation or open space:

1. *Lot 279 RP31212; 26 Benowa Street, Macleay Island, Council owned park
2. *Lot 280 RP31212; 26 Benowa Street, Macleay Island, Council owned park
3. *Lot 281 RP31212; 26 Benowa Street, Macleay Island, Council owned park
4. *Lot 282 RP31212; 26 Benowa Street, Macleay Island, Council owned park
5. *Lot 283 RP31212; 26 Benowa Street, Macleay Island, Council owned park
6. *Lot 284 RP31212; 93-95 Coast Rd, Macleay Island, Council owned park

7. *Lot 285 RP31212; 93-95 Coast Rd, Macleay Island, Council owned park
8. *Lot 286 RP31212; 91 Coast Rd, Macleay Island, Council owned park
9. Lot 287 RP31212; 89 Coast Rd, Macleay Island, private vacant land
10. Lot 288 RP31212; 87 Coast Rd, Macleay Island, private vacant land
11. Lot 289 RP31212; 85 Coast Rd, Macleay Island, private vacant land
12. *Lot 290 RP31212; 83 Coast Rd, Macleay Island, Council owned vacant land
13. *Part road reserve, Kestrel Street between Coast Road and foreshore
14. Lot 291 RP31212; 79 Coast Rd, Macleay Island, private vacant land, 20 metre waterfront strip
15. Lot 292 RP31212; 81 Coast Rd, Macleay Island, private vacant land, 20 metre waterfront strip
16. Lot 293 RP31212; 83 Coast Rd, Macleay Island, private vacant land, 20 metre waterfront strip
17. Lot 294 RP31212; 85 Coast Rd, Macleay Island, private vacant land, 20 metre waterfront strip
18. Lot 295 RP31212; 87 Coast Rd, Macleay Island, private vacant land, 20 metre waterfront strip

Part of Site 20 Sandpiper Beach Park is leased to the Tingara Boat Club and the Macleay Island Arts Council. The remainder of the site is undeveloped, with an access track at the northern end leading down an embankment from Benowa Street towards the Macleay Island Bowls Club. The undeveloped component of the site is relatively flat along the foreshore with cleared understorey.

It offers an attractive setting with access to Sandpiper Beach and could be suitable for a district park. Council will need to ensure and negotiate with leasees to ensure building footprints and lease areas are consolidated and public access to the foreshore is maximised for parkland. Part of this site is included in regional ecosystems mapping as remnant vegetation 12.2.7 (of concern).

Residents have become increasingly concerned over the years that access to the water is diminishing as people construct water front homes on the SMBI thus privatising the foreshores and restricting access. Sandpiper Beach is one of the most popular beach locations with local residents but with poor access and is the beach area adjacent to the proposed new parkland.

NEGOTIATIONS TO DATE

Property owners along Coast Road have recently been approached as part of the acquisition program for the SMBI OSP. The eight land owners have been asked to

exchange either the front 20m of their property or their whole property for the purposes of improving foreshore access to Sandpiper Beach for the public.

Two such property owners have offered the whole of their lots for sale and not exchange, namely;

- Lot 291 RP31212; 81 Coast Rd, Macleay Island
 - a) Owner has been approached regarding the 20m property acquisition
 - b) Owner has offered Council the whole lot
 - c) Lot has been independently valued
 - d) Owner would like to sell Council the lot and does not want to exchange it for another residential lot on Macleay Island
- Lot 292 RP31212; 79 Coast Rd, Macleay Island
 - e) Owner has been approached regarding the 20m property acquisition
 - f) Owner has offered Council the whole lot
 - g) Lot has been independently valued
 - h) Owner would like to sell Council the lot and does not want to exchange it for another residential lot on Macleay Island

It is proposed that Council now acquire the whole of these parcels with funds from the SMBI Capital Reserve.

OPPORTUNITY TO CONSOLIDATE AND PROVIDE IMPROVED WATER ACCESS.

- Opportunity to acquire the whole of Site 20 Sandpiper Beach Park may be achieved sooner if the option of acquiring the land parcels either by land exchange or direct purchase with funds being made available from the SMBI Capital Reserve is approved.
- Opportunity to provide a larger area of foreshore district level recreational parkland by acquiring the whole of the land parcels. The total size of the proposed district park would be 1.42 hectares if only a 20 metre waterfront strip is acquired for 5 of the lots in comparison to 2.1 hectares if the whole of the 5 land parcels are acquired.
- Opportunity to deliver an outcome for both the SMBI Open Space Plan and the SMBI Sports and Recreation Study 2008 where improved access to the water will be achieved if all land parcels are acquired and developed.

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

Land valuations have been sought on both properties from Brian Hall and Associates. Property owners would be offered fair market value for these lots should the direct land purchase option be pursued. Funding for the acquisitions is from the SMBI Capital Reserve.

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. The lots acquired would maintain their current zoning, however some lots may need minor amendments where road is closed.

CONSULTATION

Consultation occurred during the development of the SMBI Open Space Plan 2006. The plan was adopted at the General Meeting of 28 March 2007. The Property Services Manager supports this report.

OPTIONS

PREFERRED

That Council resolve as follows;

1. To acquire the whole of the following land parcels through a land exchange program using Council owned SMBI Residential zoned lots in the first instance, or by direct purchase at fair market value:
 - a) Lot 287 RP31212; 89 Coast Rd, Macleay Island;
 - b) Lot 288 RP31212; 87 Coast Rd, Macleay Island;
 - c) Lot 289 RP31212; 85 Coast Rd, Macleay Island;
 - d) Lot 291 RP31212; 79 Coast Rd, Macleay Island;
 - e) Lot 292 RP31212; 81 Coast Rd, Macleay Island;
 - f) Lot 293 RP31212; 83 Coast Rd, Macleay Island;
 - g) Lot 294 RP31212; 85 Coast Rd, Macleay Island; and
 - h) Lot 295 RP31212; 87 Coast Rd, Macleay Island; and
2. Delegated authority to the Chief Executive Officer to sign the relevant documentation to finalise the contracts of sale.

ALTERNATIVE

The Council resolve to continue to acquire lots as per the SMBI OSP as per the original resolution of Council, that by land exchange only.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. To acquire the whole of the following land parcels through a land exchange program using Council owned SMBI Residential zoned lots in the first instance, or by direct purchase at fair market value:
 - a) Lot 287 RP31212; 89 Coast Rd, Macleay Island;
 - b) Lot 288 RP31212; 87 Coast Rd, Macleay Island;
 - c) Lot 289 RP31212; 85 Coast Rd, Macleay Island;
 - d) Lot 291 RP31212; 79 Coast Rd, Macleay Island;
 - e) Lot 292 RP31212; 81 Coast Rd, Macleay Island;
 - f) Lot 293 RP31212; 83 Coast Rd, Macleay Island;
 - g) Lot 294 RP31212; 85 Coast Rd, Macleay Island; and
 - h) Lot 295 RP31212; 87 Coast Rd, Macleay Island; and
2. Delegated authority to the Chief Executive Officer to sign the relevant documentation to finalise the contracts of sale.

COMMITTEE DISCUSSION

It was noted that house number descriptions for points d), e), f), g) & h) in Officer's Recommendation 1 were listed incorrectly and were amended accordingly.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve as follows:

1. To acquire the whole of the following land parcels through a land exchange program using Council owned SMBI Residential zoned lots in the first instance, or by direct purchase at fair market value:
 - a) Lot 287 RP31212; 89 Coast Rd, Macleay Island;
 - b) Lot 288 RP31212; 87 Coast Rd, Macleay Island;
 - c) Lot 289 RP31212; 85 Coast Rd, Macleay Island;
 - d) Lot 291 RP31212; 81 Coast Rd, Macleay Island;
 - e) Lot 292 RP31212; 79 Coast Rd, Macleay Island;
 - f) Lot 293 RP31212; 77 Coast Rd, Macleay Island;
 - g) Lot 294 RP31212; 75 Coast Rd, Macleay Island; and

- h) Lot 295 RP31212; 73 Coast Rd, Macleay Island; and
- 2. Delegated authority to the Chief Executive Officer to sign the relevant documentation to finalise the contracts of sale.

CARRIED

11.1.6 NEW PROPERTIES FOR ACQUISITION USING ENVIRONMENT LEVY

Datworks Filename: EM Environmental Charge Acquisitions 07/08
Responsible Officer Name: Gary Photinos
Manager, Environmental Management Group
Author Name: Richard Collins
Advisor Biodiversity Planning

EXECUTIVE SUMMARY

The Land Acquisition Policy POL-3077 enables Council to raise the Environment Separate Charge specifically for the purchase and management of land to protect habitat for koalas in particular and biodiversity in general.

This report recommends a number of properties that have been assessed using the Guidelines GL-3077-001 and GL-3077-002 for purchase over the next ten years.

A number of these properties are recommended for approval by Council to purchase this financial year. This includes one property which is recommended for immediate acquisition. If negotiation is unsuccessful, the acquisition of this property may require compulsory resumption.

An additional property that has been offered to Council by the State to act as trustee.

PURPOSE

- That Council resolves to undertake the compulsory resumption of a property, after the completion of the negotiation period in February 2009. This property is identified in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008".
- That Council resolves to accept the offer from the Department of Natural Resources & Water to become the trustees of a property for 'environmental purposes'. This property is identified in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008".
- That Council resolves to acquire an additional 4 properties during the financial year 2008-2009. These are identified in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008".
- That Council approve the commencement of negotiations with landowners for the future purchase of 38 properties for the protection of koalas and biodiversity. These are identified in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008".

BACKGROUND

Council has been pursuing a proactive strategy of assessing properties for potential purchase using the Environment Separate Charge Acquisition funds.

- August 2004 - In-house assessment of 561 properties commenced.
- April 2005 – The first round of properties recommended for purchase under the Environment Separate Charge fund included 13 properties in five recommendations adopted by the Council (Item No 11.1.1) at the General Meeting. The recommendations were detailed in a confidential attachment to the previous Planning and Policy Committee meeting. Some 75 properties mainly of lesser significance for purchase were held over to a second round of assessments to be finalized at a later date.
- November 2005 - An update on progress with purchases was presented in a confidential attachment to the Planning and Policy Committee. Negotiations with many landowners have not been successful.
- December 2005 – Council resolved to take an alternative approach to purchase of a 14th property, which relied on more negotiation with landowners prior to committing Council to prospective purchase.
- March 2006 – Report to Council indicated that of the 75 properties held over to a second round of assessment, 55 properties were short-listed as a “watchlist” that would be considered for future purchase due to their high environmental values and potential development threat.
- March 2007 – Council approved to acquire 2 lots on West Mount Cotton Road, Sheldon by compulsory resumption if negotiations to purchase at “fair market value” were not successful within 6 months.
- May 2007 - Council approved the revised Environment Charge Acquisition and Management Policy (POL-3057). Guideline documents that are used to assess properties are documented in GL-3057-001 (now GL-3077-001).
- June 2007 – “Watchlisted” properties have been assessed using these guidelines and several properties are currently sought for purchase. Some properties remain on the watchlist for future purchase and several have been removed.
- September 2007 – Council updated with current negotiations, and approved additional new properties for acquisition from 2007 to 2012. Three properties were successfully purchased.
- May 2008 – Workshop with Councillors. Council later resolved to purchase “part of lot” at 20-24 Jones Road, Capalaba.
- July 2008 – Council approved to repeal Land Acquisition Policy POL-3057 and replace it with POL-3077 to include urban properties for increased protection of koala habitat. New urban koala properties now assessed using guidelines GL-3077-002.

ISSUES

This report includes the confidential attachment “Environment Separate Charge: Acquisitions List December 2008” which lists the properties that Council expects to acquire in the next ten years. It provides the details of each of the properties, their estimated cost and the year in which it is intended to make the purchase.

Each property has been assessed using the guidelines GL-3077-001 and GL-3077-002 to ensure that it conforms with the Land Acquisition Policy POL-3057 in the purchasing of land for the conservation of biodiversity and koalas.

The three lists of properties previously presented to Council have been consolidated into a single list ("Environment Separate Charge: Acquisitions List December 2008").

A ten year cash flow projection has been use to model the purchasing of all of the properties on the list to ensure the sustainable management of the budget.

Six properties are identified to be acquired in the remainder of the financial year 2008 – 2009 and amount to a total estimated cost of \$2,965,000. These are described as Properties 1 – 6 on the attachment. This report recommends, and seeks approval for, the immediate commencement of negotiation and purchase of these priority properties.

Included in these properties is one offered to Council by the Department of Natural Resources & Water. Their letter of 19 November 2008 suggests that Council becomes the trustee of the property for 'environmental purposes'. This report recommends the acceptance of this offer. This property is described as Property 6 on the attachment "Environment Separate Charge: Acquisitions List December 2008".

The highest priority property will facilitate the creation of a koala underpass. As a consequence of the importance of this property it is recommended that Council approves the process of undertaking compulsory resumption after the completion of the negotiation period in February 2009. This property is described as Property 1 on the confidential attachment "Environment Separate Charge: Acquisitions List December 2008".

For the remaining properties (7 – 44) on the confidential attachment it is recommended that preliminary work should commence, such as land valuation, to enable negotiation and purchase in the appropriate year. From this work, the attachment will be updated and a new list of priority properties will be presented to Council with a recommendation for purchase in the financial year 2009 – 2010.

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

In developing the "Environment Separate Charge: Acquisitions List December 2008" Environmental Management Group officers have utilised a ten year cash flow model that was presented to Council in budget deliberations in the last financial year. The model identifies;

- the reserve revenue and reserve expenditure forecast for the next ten years;
- the properties that Council can afford to purchase in each financial year; and
- the financial year in which Council expects acquire the properties.

For the remainder of this financial year Council has \$3,418,043 available in reserves with an anticipated expenditure of \$2,965,000. Given the complexities of negotiation and acquisition, it may be necessary to roll-over some of these funds into the following financial year budget until successful completion on the particular properties.

It is worth noting that Council, along with other Councils in the region, are in the process of approaching the Commonwealth Government for funding from the National Reserve System. If successful, two thirds of the purchase price of a property maybe reimbursed 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 result in possible amendments to the Redlands Planning Scheme. These amendments may include changes to zones to ensure long term protection and conservation.

CONSULTATION

The following Council officers have been consulted in the development of this report and its attachment. The Property Services Manager provided valuable advice on the methodology and timing of the acquisition strategy.

- General Manager of Planning and Policy;
- Property Services Manager;
- Manager of Environmental Management;
- Manager of Land Use Planning; and
- Natural Area Management Officers.

In addition, Logan City Council and Brisbane City Council will be advised of our general purchasing intentions to coordinate cross boundary acquisition and reserve management through the Koala Coast Conservation Agreement MOU.

OPTIONS

PREFERRED

That Council resolve as follows;

1. To commence, if necessary after the completion of the negotiation period in February 2009, the compulsory resumption of the property identified as 'Property 1' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";

2. To accept the offer from the Department of Natural Resources & Water to become the trustees of the property identified as 'Property 6' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";
3. To enter into negotiations with property owners for the purchase of the properties identified as 'Properties 2 – 5' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008" in the financial year 2008 – 2009;
4. To approve the commencement of negotiations with landowners for future purchases of the properties identified as 'Properties 7 – 44' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";
5. Delegate its powers under Section 36(2)(b) of the Local Government Act to the Chief Executive Officer to acquire, hold and deal with these properties subject to these properties being acquired at "fair market value" and sufficient funds available in the budget at the time of the acquisition;
6. Using the Environment Separate Charge, to fund the securing of the these properties including fencing, signage, and undertake initial management such as clean up and track works up to 5% of purchase costs;
7. That the attachment detailing these acquisitions remain confidential until such time as Council has successfully negotiated the acquisition; and
8. That the Chief Executive Officer be authorised to sign all documentation associated with acquisition of these properties.

ALTERNATIVE 1

That Council advise Officers on the additional properties to negotiate for purchase.

ALTERNATIVE 2

That Council resolves not to enter into negotiations with the property owners.

OFFICER'S/COMMITTEE RECOMMENDATION/

That Council resolve as follows;

1. To commence, if necessary after the completion of the negotiation period in February 2009, the compulsory resumption of the property identified as 'Property 1' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";
2. To accept the offer from the Department of Natural Resources & Water to become the trustees of the property identified as 'Property 6' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";

3. To enter into negotiations with property owners for the purchase of the properties identified as 'Properties 2 – 5' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008" in the financial year 2008 – 2009;
4. To approve the commencement of negotiations with landowners for future purchases of the properties identified as 'Properties 7 – 44' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";
5. Delegate its powers under Section 36(2)(b) of the Local Government Act to the Chief Executive Officer to acquire, hold and deal with these properties subject to these properties being acquired at "fair market value" and sufficient funds available in the budget at the time of the acquisition;
6. Using the Environment Separate Charge, to fund the securing of the these properties including fencing, signage, and undertake initial management such as clean up and track works up to 5% of purchase costs;
7. That the attachment detailing these acquisitions remain confidential until such time as Council has successfully negotiated the acquisition; and
8. That the Chief Executive Officer be authorised to sign all documentation associated with acquisition of these properties.

COUNCIL RESOLUTION

Moved by: Cr Elliott
Seconded by: Cr Bowler

That Council resolve to adopt the Committee Recommendation with an addition of a new point 9. which reads as follows:

- 9. That the Chief Executive Officer investigate and report on the purchase of the development rights for the property between properties 23 & 44.**

The motion was put as follows:

- 1. To commence, if necessary after the completion of the negotiation period in February 2009, the compulsory resumption of the property identified as 'Property 1' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";**
- 2. To accept the offer from the Department of Natural Resources & Water to become the trustees of the property identified as 'Property 6' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";**
- 3. To enter into negotiations with property owners for the purchase of the properties identified as 'Properties 2 – 5' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008" in the financial year 2008 – 2009;**

4. To approve the commencement of negotiations with landowners for future purchases of the properties identified as 'Properties 7 – 44' in the confidential attachment "Environment Separate Charge: Acquisitions List December 2008";
5. Delegate its powers under Section 36(2)(b) of the Local Government Act to the Chief Executive Officer to acquire, hold and deal with these properties subject to these properties being acquired at "fair market value" and sufficient funds available in the budget at the time of the acquisition;
6. Using the Environment Separate Charge, to fund the securing of the these properties including fencing, signage, and undertake initial management such as clean up and track works up to 5% of purchase costs;
7. That the attachment detailing these acquisitions remain confidential until such time as Council has successfully negotiated the acquisition;
8. That the Chief Executive Officer be authorised to sign all documentation associated with acquisition of these properties; and
9. That the Chief Executive Officer investigate and report on the purchase of the development rights for the property between properties 23 & 44.

CARRIED

**11.1.7 MAKING OF LOCAL LAW 18 (CONTROL OF RESIDENTIAL NUISANCE
2008)**

This item was withdrawn.

11.1.8 STARKEY STREET WELLINGTON POINT DOG OFF LEASH AREA TRIAL

Datworks Filename: P & R Dog Off Leash Areas
Attachments: [Community Consultation Report](#)
[Starkey Street Dog Off Leash Area Plan](#)
Responsible Officer Name: Gary Photinos
Manager Environmental Management
Author Name: Annette Henderson
Technical Officer - Open Space Planning

EXECUTIVE SUMMARY

In March 2005, in response to a report on the usage of dog off leash areas; Council resolved to provide dog off leash areas and approved a 10 year plan (2006-2016) for planning purposes; that the off leash areas be a combination of fenced, partially fenced and unfenced spaces depending on the area identified, established criteria (as seen in previous reports) and the community response to a trial.

With 1,682 registered dogs in Wellington Point, the need was established for a dog off leash area based on the ratio of 1 off leash area to 1000 dog registrations. The Starkey Street, Wellington Point, dog off leash area trial was constructed as part of the delivery of 10 year program (2006-2016) for dog off leash areas based this on ratio.

The trial is the primary form of community engagement prior to formalising new off leash areas. It enables the community to experience the benefits and impacts of the space to determine if they are satisfied with its location and size. Feedback from the Starkey Street trial was received from 1 June until 31 October '08.

Intercept surveys have also been carried out by an independent company to obtain additional information as to how the open space on Starkey Street is used by the community.

It is proposed that the Dog Off Leash Area is constructed as a fully fenced facility in a location on the site that deals with the noise issues. A landscape design for the park has been developed and to date some landscape works have been carried out.

PURPOSE

That Council resolve to determine if the Starkey Street, Wellington Point dog off leash area should be formalised on the community purpose land where the trial is currently located at 74-78 Starkey Street, Wellington Point.

BACKGROUND

- In March 2005, Council approved by resolution, a 10 year program for dog off leash areas based on dog registrations and a determined standard of

provision – currently set at 1 off leash area to 1,000 dog registrations. (2006-2016)

- Open Space Planning Unit is currently implementing this program through the Environmental Management Capital Works program.
- Wellington Point (Starkey Street) dog off leash area is shown in the current year budget (2008/2009).
- The dog off leash area trial at Starkey Street commenced on 2 June and was originally for three months until 1 September '08.
- At the end of August '08 the dog off leash area was extended until 31 January '09 because of insufficient and conflicting feedback from the community.
- Council resolved at the General Meeting on 28th November 2008, that a report be presented to the General Meeting in December on the trial dog park at Starkey Street, Wellington Point, due to the length of the trial and the negative community impacts.

ISSUES

- On 16 May '08 letters, with an attached plan showing the landscaping and fencing, were sent to the 25 residents surrounding the parkland at 74-78 Starkey Street, Wellington Point advising of the proposed trial commencing on 2 June 2008.
- 30 May '08 letters with an updated plan showing the dog off leash area trial partially fenced were sent to the same 25 residents.
- 3 September '08 letters were sent to the same residents and to residents who had provided feedback, advising:
 - That the trial has been extended until 31 January 2009 and
 - that Intercept Surveys will be carried out by an independent company to obtain additional information as to how the open space is used by the community and
 - perimeter planting will be carried out to beautify the park and to delineate the dog off leash area.
- Landscape enhancement planting was carried out at the dog off leash area trial at the end of October '08 to enhance the park.
- 150 dog bags per week have been used regularly at the Starkey Street dog off leash area trial.
- During the trial and up to 31 October '08, feedback from the community showed:
 - 7 out of 12 people supported the dog off leash area in this location.
 - 7 out of 12 people requested the area be fully fenced.

RESULTS OF INTERCEPT SURVEYS (REFER ATTACHMENT COMMUNITY CONSULTATION REPORT)

- 48 residents and park users were interviewed as part of the consultation process to determine community needs.

- 81% of resident survey respondents supported the continuation of the dog off leash area, 12% did not support its continuation. 7% of respondents were unsure if the dog off leash area should or should not continue.
- 69% of survey respondents had not seen koalas or other wildlife in the dog off leash area & 31% had. Those who had seen koalas had noted them moving through the site or perched in the Eucalyptus near the dog bin. Other wildlife noted were plovers, magpies and crows.
- Many dog owners (13) indicated that they do not use the area because it isn't fully fenced. Many commented that a fully fenced area should be located a good distance from the adjoining house fences to minimise neighbourhood dogs barking when a dog using the park came too close to their property.
- If formalised, landscaping will ensure screening from local residents and local dogs.
- Planting koala food trees outside the dog off leash area will ensure koalas are considered and catered for.
- Fully fencing the area with koala proof fencing would ensure maximum usage by the community.
- Dog training could be offered to residents with barking dogs. This could be followed up if the dog off leash area trial is formalised in this location.

LACK OF OPEN SPACE TO LOCATE RECREATION OPPORTUNITIES

It should also be noted that the original location for the dog off leash area was Stevens Place Ormiston. Ormiston is also under supplied in off leash areas. Steven's Place was deemed to be too small, adjoining important wetlands, too isolated for users and in a cul-de-sac.

The first trial was then constructed in Dundas Street Ormiston on new parkland, still on maintenance with the developer. The trial area was fenced but was small, very rough under foot and the street provided little or no parking. The trial was removed from this area due to lack of use and critical feedback.

Starkey Street, which was originally recommended to the previous Divisional Councillor, was not supported by him. With a new elected Councillor the Starkey Street area was revisited again.

For dog off leash areas to be successful they need to be large (100m x 50m) to ensure plenty of space for all types of dogs and too minimise conflict. Dog off leash areas are extremely popular community facilities and are great community building spaces. They also tend to be used by the largest number of people at the same time every day. They also have the capacity to alienate other uses from public parkland and need to be carefully located in areas that don't already have high mixed community recreation use.

Starkey Street community use land is considered to be an excellent location for an off leash area. It has a comprehensive system of footpaths and pathways leading to the area, it is a large flat space suitable to most people under foot. It has good

community surveillance thus making it safe for use by all ages. The original design for Starkey Street was a fully fenced off leash area with screen planting and shade trees. It was located in an area where it was calculated it would have the least impact on residents. (see attached drawing).

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 cost of constructing a fully fenced dog off leash area with seating and water bubbler with dog bowl is \$40,000.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group advised as to the zoning of the land at 74-78 Starkey Street, Wellington Point.

- Lot 90 on SP 458663 - CP7 zone - Community Purpose freehold Council owned land.
- Community Purpose is described as future Transport/Greenspace/Trail Corridor which may include roads, pedestrian and cycle paths and associated facilities such as public transport infrastructure, open space.
- Transport modelling work undertaken as part of Priority Transport Infrastructure Planning (PTIP) Study did not identify the need of the additional road/transport link along this corridor by 2021.

CONSULTATION

- 16 May '08 letters with an attached plan showing the landscaping and fencing were sent to the 25 residents and owners surrounding the parkland at 74-78 Starkey Street, Wellington Point advising of the proposed trial commencing 2 June until 1 September 2008.
- 30 May '08 letters with an updated plan showing the dog off leash area trial partially fenced were sent to the same 25 residents advising of modifications to the original design.
- 3 September '08 letters were sent to the same 25 residents advising:
 - That the trial has been extended until 31 January 2009 and
 - During this time, Intercept Surveys will be carried out by an independent company to obtain additional information as to how the open space is used by the community and
- During the trial, feedback from local residents has been collected and collated. (Please refer table below)
- The feedback is acknowledged with a standard letter of response and the feedback documented.

- Discussions with the Divisional Council have been numerous before and during the trial.
- The Parks and Conservation Services Manager, the Senior Strategic Planner Land Use Planning, Manager Infrastructure Planning, Manager Environmental Management were consulted as to the location of the Starkey Street, Wellington Point dog off leash area trial.
- The Divisional Councillor has clearly indicated that she does not support the continuation of the trial or the construction of a dog off leash area in at this location.

OPTIONS

PREFERRED

That Council resolve that a fully fenced dog off leash area be formalised at 74-78 Starkey Street, Wellington Point based on positive public response to the trial and intercept survey.

ALTERNATIVE

That the dog off leash area trial at 74-78 Starkey Street, Wellington Point be removed and not formalised.

OFFICER'S RECOMMENDATION

That Council resolve that a fully fenced dog off leash area be formalised at 74-78 Starkey Street, Wellington Point based on positive public response to the trial and intercept survey.

COMMITTEE DISCUSSION

Due to the level of negative reaction to this proposal, Committee agreed to adopt the Officer's alternative option and investigate the site at 594-596 Main Road, Wellington Point as a possible dog off leash area.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Murray
Seconded by: Cr Boglary

That the Officer's Recommendation not be adopted and that Council resolve as follows:

- 1. That the dog off leash area trial at 74-78 Starkey Street, Wellington Point be removed and not formalised; and**
- 2. That a dog off leash area at 594-596 Main Road, Wellington Point be investigated.**

CARRIED

11.1.9 VEGETATION PROTECTION ORDER CONFIRMATION - 100 BIRKDALE ROAD BIRKDALE

Datworks Filename: EM Vegetation Protection

Attachment: [Attachment 1: Expert Report](#)
[Attachment 2: Submission and Tree Assessment and Management Plan](#)
[Attachment 3: Photograph of the Tree](#)
[Attachment 4: Aerial Photograph](#)

Responsible Officer Name: Gary Photinos
Manager - Environmental Management

Author Name: Candy Daunt
Advisor - Habitat Protection

EXECUTIVE SUMMARY

A request had been received from the Councillor for Division 10 for vegetation protection to apply to a mature Blue Gum (*Eucalyptus tereticornis*) tree on the north east corner (adjacent to Birkdale Road) on Lot 23 RP 847852 situated at 100 Birkdale Road, Birkdale.

Council resolved on the 27th of August, 2008 to make an Interim Vegetation Protection Order (VPO) under the provision of Local Law 6 (Protection of Vegetation).

This report outlines the outcomes of the expert report, public submissions and officer recommendations regarding the confirmation of a Full Vegetation Protection Order for the tree.

PURPOSE

That Council resolve to confirm the Vegetation Protection Order under the provision of Local Law No. 6 "Protection of Vegetation" on the mature *Eucalyptus tereticornis* tree on Lot 23 RP 847852 situated at 100 Birkdale Road, Birkdale.

BACKGROUND

- Council's Local Law 6 (Protection of Vegetation) provides for the protection of vegetation through Vegetation Protection Orders.
- Council officers had noted the significance of the mature koala habitat tree and recommended that action commence for its protection under a Vegetation Protection Order.
- Council resolved on the 27th of August, 2008 to make an Interim Vegetation Protection Order under the provision of Local Law 6 (Protection of Vegetation).

- A letter was sent via registered mail on the 29th August, 2008 notifying the owners (Sherrin Residential) that an interim Vegetation Protection Order had been placed on the mature Blue Gums (*Eucalyptus tereticornis*) tree.
- Council Officers discussed the Vegetation Protection Order process with a representative of the Sherrin Residential on the 10th of September, 2008.
- An expert report for the mature Blue Gums (*Eucalyptus tereticornis*) tree has been undertaken by Biodiversity Assessment and Management Pty Ltd (BAAM) and has been received by Council.
- Public Notification of the Vegetation Protection Order was advertised in the 'Redland Times' on Friday the 12th of September, 2008. A period of at least 21 days has been allocated for receiving public submission, with the close date for public submissions being Friday the 3rd October, 2008. This has occurred as per provisions of Local Law 6. One submission was received.
- Expert report completed in September, 2008 as part of the requirement of making a vegetation protection order.

ISSUES

MAKING OF AN INTERIM VEGETATION PROTECTION ORDER UNDER LOCAL LAW 6 (PROTECTION OF VEGETATION)

Council has resolved to apply an Interim VPO, however it only remains in place for 6 months, while the requirements for establishing a VPO can be undertaken. These include public notification and the calling of public submissions and the commissioning of an expert report. The interim order ensures that the vegetation is protected during this time. Once Council has considered all the necessary information it may at a subsequent meeting confirm or revoke the vegetation protection order.

CONFIRMING THE VEGETATION PROTECTION ORDER

An expert report was commissioned and attached. It concludes that the vegetation is significant using the criteria in Local Law 6 and recommends that the retention of the subject trees. In addition the report concludes that the trees provide what could be considered an important 'stepping stone' link to the surrounding bushlands areas.

One submission was received for this application.

Based on the outcomes of the expert report it is recommended that Council now confirm the vegetation protection order.

It would be a condition under a Vegetation Protection Order that damage to the vegetation can only occur where Council has issued a permit for such works.

Submission

The owners of the property, Sherrin Residential Pty Ltd (Sherrin) made a submission through their lawyers, Holding and Redlich. This submission includes a Tree Assessment and Management Plan prepared by Andrew Stovell of Landzone

Regional Ecosystem Services for their client Holding Redlich Lawyers. (Attachment 2)

The table below provides the outcome of the submissions process and the expert report and officer response.

The table below provides the outcome of the submissions process and the expert report and officer response.

Public Submission	Expert Report	Officer Response
Submission 1: the VPO should not be made		
1. Sherrin's primary submission is that the VPO should not be made.	BAAM's recommendation is that a Vegetation Protection Order should be placed on the <i>Eucalyptus tereticornis</i> located at 100 Birkdale Road, Birkdale. The Landzone report indicates that these trees should be protected.	Council officer's recommendation is that a Vegetation Protection Order should be placed on the <i>Eucalyptus tereticornis</i> located at 100 Birkdale Road, Birkdale.
2. Sherrin submits that a Vegetation Protection Order over one mature Eucalyptus tereticornis at 100 Birkdale Road, Birkdale is not necessary and is inconsistent with Redland City Council's Vegetation Enhancement Strategy (November 2007).	Both the Landzone and BAAM reports acknowledge the tree should be protected.	This VPO is not inconsistent with the VES.
3. The Vegetation Enhancement Strategy notes that Eucalyptus tereticornis attracts fauna, in particular birds, bees and possums and that it is a Koala Food Tree. We note, however, that the Queensland Environmental Protection Agency Nature Conservation (Koala) Conservation Plan 2006 confirms that 100 Birkdale Road is not located in a Koala Habitat Area.	Both the Landzone and BAAM reports acknowledge the tree is used by a variety of fauna, including koalas, possums and birds.	The grounds of order for a VPO are listed in the Local Law 6 (Protection of Vegetation). Koala habitat mapping does not impact on the grounds of order for a VPO. Criteria 'h' is confirmed.
4. This Eucalyptus tereticornis is not unique or unusual to the landscape of the immediate vicinity. A perusal of photographs of the area	The BAAM report indicated that the subject tree would be considered unique in the locality, as few mature Eucalypts have survived	

Public Submission	Expert Report	Officer Response
<p>indicates that numerous similar trees are located in the area, several of which are located a short distance to the north along the Birkdale Road frontage of adjoining and nearby properties. Therefore, the tree is not considered to be significant habitat for native animals, given the numerous other trees in this locality which also attract fauna.</p>	<p>recent urban development in the surrounding areas.</p> <p>Both the Landzone and BAAM reports acknowledge the tree is used by a variety of fauna, including koalas, possums and birds.</p>	<p>Criteria 'o' is confirmed.</p>
<p>5. The tree in question is stated to be approximately 21 metres in height. A perusal of photographs of the tree indicates that the lowest branches are several metres above ground level. The noise impact assessment report prepared by Palmer Acoustics, which formed part of the recent development application for a Material Change of Use, make no mention of the tree and appears that its presence does not assist with the abatement of traffic noise from Birkdale Road. In addition, the height of the branches is such that the tree does not provide a visual buffer except to the extent of the width of the trunk.</p>		<p>Comment acknowledged</p>
<p>6. While the tree may have aesthetic value and a beneficial effect on the locality, the safety of people and property should be an over-riding concern. Due to the imposing size of the Eucalyptus tereticornis and the inherent danger from falling branches, the Vegetation Enhancement Strategy recommends that this species should only be planted in areas where there will be no significant impact on residents.</p>	<p>BAAM indicates this tree is greater than 40 years old.</p> <p>The Landzone report states the tree is 'a good structured specimen with no major structural problems visible.'</p>	<p>The VES discusses managing plants for risk on private property and also council managed and owned lands. The provisions under the VES are aimed at new plantings. This tree already exists and should be managed appropriately for risk as per other existing mature trees in the City.</p> <p>Criteria 'm' is confirmed.</p>
<p>7. The position of the tree adjacent to the road reserve and paved footpath presents a danger to pedestrians, as eucalypts are well known for</p>	<p>This tree is greater than 40 years old.</p> <p>The Landzone report states the tree is 'a good structured</p>	<p>The VES discusses managing plants for risk on private property and also council managed and owned lands. This tree already</p>

Public Submission	Expert Report	Officer Response
dropping large branches as they mature. The Vegetation Enhancement Strategy states the "Council's priority is to protect life, property and the environment".	specimen with no major structural problems visible.'	exists and should be managed appropriately for risk as per other existing mature trees in the City.
8. The Vegetation Enhancement Strategy is a reference document for any landscaping or restoration work undertaken within Redland. Its objectives are to identify the risks that trees pose to the community and methods of methods of minimising the risks.		No comment required
9. One of the risk management strategies proposed in the Vegetation Enhancement Strategy is that landscaping along pedestrian paths be restricted to ground covers and shrubs at a height of 500 mm and within 2 metres of either side of the path. While removal of an entire tree is considered by the Vegetation Enhancement Strategy to be a last resort, heavy pruning of the tree is a viable option to retain some fauna or scenic value.		This is an existing mature tree. The submission comment applies to new and immature plantings.
10. Proper management of the tree requires regular inspection, removal or trimming of limbs where appropriate, and removal of the tree if it were considered unacceptably hazardous. This process is preferable to a Vegetation Protection Order as it allows flexibility of management of the tree, given Council's stated aim of reducing the risk that trees, in particular Eucalyptus tereticornis, can pose to an individual or the community.		Appropriate risk management should be undertaken at regular intervals.
11. We intend to provide with this submission a report prepared by Andrew Stovell of		No comment required

Public Submission	Expert Report	Officer Response
Landzone Regional Ecosystem Services and expect that this will be delivered to Council's offices by close of business 3 October 2008.		
Submission 2: If a VPO is given, then damage to the tree should be permitted in wider categories than only section 27 (J) of the Local Law Policy No.6Su		
12. The resolution of the Council on 27 August 2008 granting an interim VPO provides that damage is only permitted under section 27 (J) of the Local Law Policy No.6.		No comment required
13. Sherrin's secondary submission (if the primary submission is not accepted, see above) is that, if a VPO is to be ordered, then the categories of permitted damage should be wider than only section 27 (J) of the Local Law Policy No.6.		No comment required
14. In particular, Sherrin has lodged a development application over the subject property. That DA is currently subject to appeal. However, if the DA is approved, it is likely that the DA will allow Sherrin to conduct certain development work on that property and the Integrated Planning Act 1997 (IPA) allows for reasonable conditions to be imposed, including the management of flora on the property.		No comment required
15. Accordingly, Sherrin submits that, if a VPO is to be given, then the VPO should allow permitted damage under 27 (J) of the LLP No.6, which provides: "if the damage is reasonably necessary for carrying out work authorised or required under an Act- Examples:-		Local Law 6 (Protection of Vegetation) Section 27 (j) states that: "If the damage is allowed under a permit issued by Council under the provisions of this Local Law"

Public Submission	Expert Report	Officer Response
Road, water supply, sewerage or drainage work for which all necessary statutory approvals have been obtained; Work authorised by development approval.”		

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; as well as supporting Council's strategic priority to preserve a balance of urban, rural, bushland, village, coastal and island character of the Redlands by managing growth.'

FINANCIAL IMPLICATIONS

Redland City Council

There are minor financial implications with this application associated with in-kind (advice) to the owners when required.

Owner

There are costs to owners and/or applicants of \$125 application fee associated for a permit to damage protected vegetation.

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 owner of the property Sherrin Group. Sherrin Group has provided a written submission against the Vegetation Protection Order being placed on the tree.

Consultation was also undertaken with Environmental Management; Development Assessment; Operations and Maintenance; Legal Services; BAAM (external consultants) and the general public, through the public notification process.

OPTIONS**PREFERRED**

1. That Council resolve to confirm the Vegetation Protection Order under the provision of Local Law No. 6 (Protection of Vegetation) on the mature *Eucalyptus tereticornis* tree on Lot 23 RP 847852 situated at 100 Birkdale Road, Birkdale; and
2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”.

ALTERNATIVE

That Council resolve **not** to confirm the Vegetation Protection Order under the provision of Local Law No. 6 (Protection of Vegetation) on the mature Eucalyptus tereticornis tree on Lot 23 RP 847852 situated at 100 Birkdale Road, Birkdale.

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

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve as follows:

1. That Council resolve to confirm the Vegetation Protection Order under the provision of Local Law No. 6 “Protection of Vegetation” on the mature *Eucalyptus tereticornis* tree on Lot 23 RP 847852 situated at 100 Birkdale Road, Birkdale; and
2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”.

CARRIED

11.1.10 VEGETATION PROTECTION ORDER CONFIRMATION - 11 PISTACHIO COURT BIRKDALE

Dataworks Filename: EM Vegetation Protection
Attachment: [VP 4 Expert Report](#)
Responsible Officer Name: Gary Photinos
Manager - Environmental Management
Author Name: Candy Daunt
Advisor - Habitat Protection

EXECUTIVE SUMMARY

A request had been received from Council Officers for vegetation protection to apply to three mature Blue Gums (*Eucalyptus tereticornis*) trees on the eastern boundary adjacent to Birkdale Road on Lot 22 RP 854160 situated at 11 Pistachio Court, Birkdale.

Council resolved on the 27th of August, 2008 to make an Interim Vegetation Protection Order (VPO) under the provision of Local Law 6 – Protection of Vegetation.

This report outlines the outcomes of the expert report, public submissions and officer recommendations regarding the confirmation of a Full Vegetation Protection Order for the trees.

PURPOSE

That Council resolve to confirm the Vegetation Protection Order under the provision of Local Law No. 6 “Protection of Vegetation” on three *Eucalyptus tereticornis* trees on Lot 22 RP 854160 situated at 11 Pistachio Court, Birkdale.

BACKGROUND

- Council’s Local Law 6 (Protection of Vegetation) provides for the protection of vegetation through Vegetation Protection Orders.
- Council officers have noted the significance of the mature koala habitat trees and recommend that action commence for its protection under a Vegetation Protection Order.
- Council resolved on the 27th of August, 2008 to make an Interim Vegetation Protection Order under the provision of Local Law 6 – Protection of Vegetation.
- A letter was sent to the owners via registered mail on the 29th August, 2008 notifying the owners that an interim Vegetation Protection Order had been placed on the three mature Blue Gums (*Eucalyptus tereticornis*) trees.

- Discussions with the owner, Gaelle Black on the 11th of September, 2008 in relation to the Vegetation Protection Order process and the implications of the VPO was undertaken.
- An expert report for the three mature Blue Gums (*Eucalyptus tereticornis*) trees has been undertaken by Biodiversity Assessment and Management Pty Ltd (BAAM) and has been received by Council.
- Public Notification of the Vegetation Protection Order was advertised in the 'Redland Times' on Friday the 12th of September, 2008. A period of at least 21 days has been allocated for receiving public submission, with the close date for public submissions being Friday the 3rd October, 2008. This has occurred as per provisions of Local Law 6. No submissions were received.

ISSUES

MAKING OF AN INTERIM VEGETATION PROTECTION ORDER UNDER LOCAL LAW 6 (PROTECTION OF VEGETATION)

Council has resolved to apply an Interim VPO, however it only remains in place for 6 months, while the requirements for establishing a VPO can be undertaken. These include public notification and the calling of public submissions and the commissioning of an expert report. The interim order ensures that the vegetation is protected during this time. Once Council has considered all the necessary information it may at a subsequent meeting confirm or revoke the vegetation protection order.

CONFIRMING THE VEGETATION PROTECTION ORDER

An expert report was commissioned and attached. It concludes that the vegetation is significant using the criteria in Local Law 6 and recommends that the retention of the subject trees. In addition the report concludes that the trees provide what could be considered an important 'stepping stone' link to the surrounding bushlands areas.

No public submissions were received for this application.

Based on the outcomes of the expert report it is recommended that Council now confirm the vegetation protection order.

It would be a condition under a Vegetation Protection Order that damage to the vegetation can only occur where Council has issued a permit for such works.

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; as well as supporting Council's strategic priority to preserve a balance of urban, rural, bushland, village, coastal and island character of the Redlands by managing growth.'

FINANCIAL IMPLICATIONS

Redland City Council

There are minor financial implications with this application associated with in-kind (advice) to the owners when required.

Owner

There are costs to owners and/or applicants of \$125 application fee associated for a permit to damage protected vegetation.

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 Mrs Gaelle Black, owner of the property. Mrs Black did not provide any written submission for or against the VPO being placed on the tree.

Consultation was also undertaken with Environmental Management; Development Assessment; Operations and Maintenance; BAAM (external consultants) and the general public, through the public notification process.

OPTIONS

PREFERRED

1. That Council resolve to confirm a Vegetation Protection Order under the provisions of Local Law No. 6 (Protection of Vegetation) on the three *Eucalyptus tereticornis* trees on Lot 22 RP 854160 situated at 11 Pistachio Court, Birkdale; and
2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) "if the damage is allowed under a permit issued by Council under the provisions of this Local Law".

ALTERNATIVE

That Council resolve **not** to confirm a Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation' on the three *Eucalyptus tereticornis* trees on Lot 22 RP 854160 situated at 11 Pistachio Court, Birkdale.

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

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve as follows:

- 1. That Council confirm a Vegetation Protection Order under the provisions of Local Law No. 6 (Protection of Vegetation) on the three *Eucalyptus tereticornis* trees on Lot 22 RP 854160 situated at 11 Pistachio Court, Birkdale; and**
- 2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”.**

CARRIED

Cr Boglary declared a material personal interest in the following Item as the owner of the subject property. Cr Boglary left the Chamber for discussion and decision on this item.

11.1.11 VEGETATION PROTECTION ORDER CONFIRMATION - 257-259 WELLINGTON STREET ORMISTON

Datworks Filename: EM Vegetation Protection
Attachment: [VP 6 – Expert Report](#)
Responsible Officer Name: Gary Photinos
Manager - Environmental Management
Author Name: Candy Daunt
Advisor - Habitat Protection

EXECUTIVE SUMMARY

The owner of the property situated at 257-259 Wellington Street Ormiston had applied for Vegetation Protection Order for eight mature *Eucalyptus tereticornis*, and two *Melaleuca sp* including the large *Parsonsia straminea* growing on the two *Melaleucas* at the rear of the property.

Council resolved on the 1st of October, 2008 to make an Interim Vegetation Protection Order (VPO) under the provision of Local Law 6 – Protection of Vegetation.

This report outlines the outcomes of the expert report, public submissions and the officer recommendation that the Vegetation Protection Order for the vegetation should be confirmed by Council.

PURPOSE

That Council resolve to confirm the Vegetation Protection Order under the provision of Local Law No. 6 (Protection of Vegetation) on eight *Eucalyptus tereticornis* trees and two *Melaleuca sp* including the large *Parsonsia straminea* growing on the two *Melaleucas* on Lot 186 RP 1709 situated at 257-259 Wellington Street, Ormiston.

BACKGROUND

- Council's Local Law 6 (Protection of Vegetation) provides for the protection of vegetation through Vegetation Protection Orders.
- The property owners had noted the significance of the mature koala habitat trees and monkey rope vine and requested that protection under a Vegetation Protection Order on this vegetation.
- Council resolved on the 1st October, 2008 to make an Interim Vegetation Protection Order under the provision of Local Law 6 – Protection of Vegetation.

- The owners were notified via mail on the 7th of October, 2008 that they were successful in placing an interim Vegetation Protection Order on the eight mature *Eucalyptus tereticornis* and two *Melaleuca sp* including the large *Parsonsia straminea* growing on the two *Melaleucas*.
- Various discussions with the owners has been undertaken in relation to the Vegetation Protection Order process.
- An expert report for the eight mature *Eucalyptus tereticornis* and two *Melaleuca sp* including the large *Parsonsia straminea* growing on the two *Melaleucas* has been undertaken by Biodiversity Assessment and Management Pty Ltd (BAAM) and has been received by Council.
- Public Notification of the Vegetation Protection Order was advertised in the 'Redland Times' on Friday the 24th of October, 2008. A period of at least 21 days has been allocated for receiving public submission, with the close date for public submissions being Friday the 14th of November, 2008. This has occurred as per provisions of Local Law 6. No submissions were received.

ISSUES

MAKING OF AN INTERIM VEGETATION PROTECTION ORDER UNDER LOCAL LAW 6 (PROTECTION OF VEGETATION)

Council has resolved to apply an Interim VPO, however it only remains in place for 6 months, while the requirements for establishing a VPO can be undertaken. These include public notification and the calling of public submissions and the commissioning of an expert report. The interim order ensures that the vegetation is protected during this time. Once Council has considered all the necessary information it may at a subsequent meeting confirm or revoke the vegetation protection order.

CONFIRMING THE VEGETATION PROTECTION ORDER

An expert report was commissioned and attached. It concludes that the vegetation is significant using the criteria in Local Law 6 and recommends that the retention of the subject trees. In addition the report concludes that the trees provide what could be considered an important 'stepping stone' link to the surrounding bushlands areas.

No public submissions were received for this application.

Based on the outcomes of the expert report it is recommended that Council now confirm the vegetation protection order.

It would be a condition under a Vegetation Protection Order that damage to the vegetation can only occur where Council has issued a permit for such works.

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; as well as supporting Council's strategic priority to preserve

a balance of urban, rural, bushland, village, coastal and island character of the Redlands by managing growth.'

FINANCIAL IMPLICATIONS

Council has minor financial implications with the confirmation of the order associated with in-kind (advice) to the owners when required.

There are costs to owners and/or applicants of \$125 application fee associated for a permit to damage protected vegetation.

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 Mr and Mrs Boglary, owners of the property. Mr and Mrs Boglary did not provide any written submission for or against the VPO being placed on the vegetation.

Consultation was also undertaken with Environmental Management; Development Assessment; Operations and Maintenance; BAAM (external consultants) and the general public, through the public notification process.

OPTIONS

PREFERRED

1. That Council resolve to confirm the Vegetation Protection Order under the provision of Local Law No. 6 (Protection of Vegetation) on eight *Eucalyptus tereticornis* trees and two *Melaleuca sp* including the large *Parsonsia straminea* growing on the two *Melaleucas* on Lot 186 RP 1709 situated at 257-259 Wellington Street, Ormiston; and
2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) "if the damage is allowed under a permit issued by Council under the provisions of this Local Law".

ALTERNATIVE

That Council resolve not to confirm the Vegetation Protection Order under the provision of Local Law No. 6 (Protection of Vegetation) on eight *Eucalyptus tereticornis* trees and two *Melaleuca sp* including the large *Parsonsia straminea* growing on the two *Melaleucas* on Lot 186 RP 1709 situated at 257-259 Wellington Street, Ormiston.

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

Moved by: Cr Bowler
Seconded by: Cr Townsend

That Council resolve as follows:

- 1. To confirm the Vegetation Protection Order under the provision of Local Law No. 6 (Protection of Vegetation) on eight Eucalyptus tereticornis trees and two Melaleuca sp including the large Parsonsia straminea growing on the two Melaleucas on Lot 186 RP 1709 situated at 257-259 Wellington Street, Ormiston; and**
- 2. That damage to the vegetation is only permitted under Section 27 (j) of Local Law No. 6 (Protection of Vegetation) “if the damage is allowed under a permit issued by Council under the provisions of this Local Law”.**

CARRIED

Cr Boglary returned to the meeting.

12 FINANCE & CORPORATE MANAGEMENT COMMITTEE 16/12/2008 – RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Townsend
Seconded by: Cr Reimers

That the following Finance & Corporate Management Committee Report of 16 December 2008 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 PSM	Mayor
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 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

Committee Manager

Mr R Turner	General Manager Corporate Services
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Officers

Mr G Stevenson PSM	Chief Executive Officer
Mr G Underwood	General Manager Planning and Policy
Mr L Smith	Acting General Manager Customer Services
Mr G Soutar	General Manager Redland Water & Waste
Mrs K Phillips	Manager Financial Services
Mr M Elliott	Property Services Manager
Mr T Donovan	Manager Assessment Services
Mr G Jensen	Manager Customer & Community Services
Mr B Salton	Acting Manager Project Delivery Group
Mr J Frew	Acting Manager Operations & Maintenance
Mr G Photinos	Manager Environmental Management
Mr L Wallace	Manager Corporate Planning Performance & Risk

Minutes

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

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

[The following is a record of Councillor attendance at this committee meeting:

Cr Dowling left the meeting at 2.04pm during discussion on Item 1.2.

Cr Elliott left the meeting at 2.38pm during discussion on Item 3.1.

Cr Bowler left the meeting at 3.06pm during discussion on Item 3.3 and returned at 3.10pm during discussion on Item 3.4.

Cr Henry left the meeting at 3.26pm during discussion on Item 4.1.

Cr Bowler left the meeting at 3.36pm during discussion on Item 4.3 and returned at 3.50pm during discussion of Item 4.4.]

12.1 OFFICE OF CEO

12.1.1 COUNCIL MEETING DATES 2009 AND DEVELOPMENT ASSESSMENT COMMITTEE DELEGATIONS DECEMBER 2008 TO JANUARY 2009

Datworks Filename:	GOV Council Meeting Dates & Information
Attachments:	<u>2009 Schedule of Meeting Dates</u>
Responsible Officer Name:	Gary Stevenson Chief Executive Officer
Author Name:	Thorbjorg Dunn Team Leader - Corporate Meetings & Registers

EXECUTIVE SUMMARY

Council is required under the *Local Government Act 1993* to set the dates and times of its Council and Committee meetings. The last Council meeting for 2008 is scheduled for 17 December.

The attached meeting schedule for January to December 2009 is attached for consideration, with a proposal to review the committee structure and schedule by the end of June 2009.

It is further recommended that Council delegate the existing powers of the Development Assessment Committee to the Mayor and Chief Executive Officer, conjointly, for the period after the last Council meeting for 2008 and the first scheduled meeting of this Committee in 2009.

PURPOSE

The purpose of this report is to recommend that Council adopts the meeting dates for 2009 as presented in the attachment, and that a review be undertaken on the existing committee structure by the end of June 2009, and to delegate the existing powers of the Development Assessment Committee to the Mayor and Chief Executive Officer from 18 December 2008 to 19 January 2009, inclusive.

BACKGROUND

1. Council is required under the *Local Government Act 1993* to set its committee and council meeting dates;
2. The last General Meeting of Council for 2008 is scheduled for 17 December;
3. A meeting schedule for January to December 2009 has been prepared and is presented to Council for consideration;
4. Councillors have requested that the existing committee structure and proposed meeting schedule be reviewed within six months;
5. The last meeting in 2008 of the Development Assessment Committee is scheduled for 16 December 2008 – to comply with IDAS timeframes and ensure continuity within this decision-making process, Council is requested to delegate

the existing powers of the Development Assessment Committee to the Mayor and Chief Executive Officer from 18 December 2008 to 19 January 2009, inclusive.

ISSUES

Meeting Schedule 2009

Each year, Council adopts a schedule of meeting dates for its subsequent year, specifying the dates and times the statutory committee and council meetings are to be held. The attached meeting schedule is in line with the existing committee structure and schedule and shows the first round of meetings for 2009 as follows:

- 20 January at 10.00am, Development Assessment Committee;
- 20 January at 2.00pm, Redland Water & Waste Committee;
- 21 January at 9.00am, Planning & Policy Committee;
- 21 January at 2.00pm, Finance & Corporate Management Committee; and
- 28 January at 4.00pm, General Meeting.

At the April 2008 post-election meeting Council appointed these standing committees consistent with the previous structure. Council further appointed two alternating Chairs for the Planning & Policy Committee until further resolution regarding a review of this Committee's structure to consider dividing this into two standing committees. This report proposes that the Planning & Policy Committee remain as one committee, held fortnightly in accordance with the attached schedule.

Councillors have indicated that a review of the existing committee structure by the end of June 2009 would be appropriate. Pending the results of such a review, it is recommended that Council adopt the attached meeting schedule to December 2009 for administrative efficiency and consistency. Council, by resolution, may amend the meeting schedule at any time.

As outlined in the attached schedule, it is proposed that the Development Assessment Committee continue to meet fortnightly and that the Redland Water & Waste Committee and Finance & Corporate Management Committee, along with the General Meeting, continue to meet on a monthly basis.

DEVELOPMENT ASSESSMENT COMMITTEE DELEGATIONS

It is proposed that the first Development Assessment Committee meeting be held on Tuesday, 20 January 2009, leaving a gap of 5 weeks for any potential decisions under the *Integrated Planning Act 1997*.

The existing powers conferred to the Development Assessment Committee are to decide development applications under the *Integrated Planning Act 1997* and provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*.

To comply with the Integrated Development Assessment System (IDAS) timeframes and ensure continuity within this decision-making process, it is proposed that Council

delegates, under section 472 of the *Local Government Act 1993*, the powers conferred to the Development Assessment Committee, to the Mayor and Chief Executive Officer (conjointly), for the period 18 December 2008 to 19 January 2009 (inclusive), subject to the condition that this delegation can only be exercised where the Chair of the Development Assessment Committee and the relevant divisional Councillor have been:

1. personally provided with a copy of each development report that would normally be determined by the Development Assessment Committee; and
2. granted a period of three (3) business days from the receipt of the report in which to comment prior to that application being determined.

It is intended that a report be presented to the Development Assessment Committee on or before 17 February 2009, detailing all matters determined under delegated authority during the subject period.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

There are no financial implications associated with the recommendation in this report.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has occurred with councillors who generally endorse the proposed schedule, subject to further discussion and review within six months.

OPTIONS

PREFERRED

That Council resolve as follows:

1. That the attached schedule of meeting dates and times for 2009 be adopted;
2. That a review be undertaken on the existing committee structure and a report on the outcome of this review presented to Council by the end of June 2009;
3. That for the period 18 December 2008 to 19 January 2009 (inclusive), the Mayor and Chief Executive Officer (conjointly) be delegated the existing powers of the Development Assessment Committee to:

- a. decide development applications under the *Integrated Planning Act 1997*; and
 - b. provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*;
4. That the powers conferred in No 3 above be subject to the condition that this delegation can only be exercised where the Chair of the Development Assessment Committee and the relevant divisional Councillor have been:
- a. personally provided with a copy of each development report subject to approval by the delegates, which would normally have been determined by the Committee; and
 - b. where the Chair and divisional Councillor have been granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined by the delegates.

ALTERNATIVE

That Council resolve to amend or not adopt the officer's recommendation and provide alternative resolution in this matter.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. That the attached schedule of meeting dates and times for 2009 be adopted;
2. That a review be undertaken on the existing committee structure and a report on the outcome of this review presented to Council by the end of June 2009;
3. That for the period 18 December 2008 to 19 January 2009 (inclusive), the Mayor and Chief Executive Officer (conjointly) be delegated the existing powers of the Development Assessment Committee to:
 - (a) decide development applications under the *Integrated Planning Act 1997*; and
 - (b) provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*;
4. That the powers conferred in No 3 above be subject to the condition that this delegation can only be exercised where the Chair of the Development Assessment Committee and the relevant divisional Councillor have been:
 - (a) personally provided with a copy of each development report subject to approval by the delegates, which would normally have been determined by the Committee; and
 - (b) where the Chair and divisional Councillor have been granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined by the delegates.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve as follows:

- 1. That the attached schedule of meeting dates and times for January and February 2009 be adopted;**
- 2. That a review be undertaken on the existing committee structure and a report on the outcome of this review presented to Council by the end of June 2009;**
- 3. That for the period 18 December 2008 to 19 January 2009 (inclusive), the Mayor and Chief Executive Officer (conjointly) be delegated the existing powers of the Development Assessment Committee to:**
 - (a) decide development applications under the Integrated Planning Act 1997; and**
 - (b) provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the Integrated Planning Act 1997;**
- 4. That the powers conferred in No 3 above be subject to the condition that this delegation can only be exercised where the Chair of the Development Assessment Committee and the relevant divisional Councillor have been:**
 - (a) personally provided with a copy of each development report subject to approval by the delegates, which would normally have been determined by the Committee; and**
 - (b) where the Chair and divisional Councillor have been granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined by the delegates.**

CARRIED

12.1.2 EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES FOR COUNCILLORS

Dataworks Filename: GOV Councillors – Expenses Reimbursement Policy

Attachment: [POL-3076](#)

Responsible Officer Name: Gary Stevenson
Chief Executive Officer

Author Name: Ray Turner
General Manager Corporate Services

EXECUTIVE SUMMARY

At the General Meeting on the 29 October 2008, Council adopted changes to policy POL-3076 Expenses Reimbursement and Provision of Facilities for Councillors.

Council was advised verbally and by correspondence in July 2008 that the Director General of the Department of Local Government, Sport and Recreation was no longer required to approve changes to Councillors' expenses reimbursement policy prior to formal council adoption.

We have now been advised that this change will not apply until proposed amendments to the *Local Government Act* take effect in 2009.

Consequently, Director General approval for the policy adopted on 29 October 2008 was received on 25 November 2008.

Under the requirements of the *Local Government Act 1993*, the policy is now resubmitted to Council for approval.

Section 250 AT of the *Local Government Act 1993* requires that a public notice of the revised policy must be placed in the local newspaper. The full policy is available on Council's website.

PURPOSE

The purpose of the report is to present POL-3076 Expenses Reimbursement and Provision of Facilities for Councillors to Council for approval.

CONSULTATION

Councillors have directed the changes to POL-3076.

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

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve that the revised policy POL-3076 Expenses Reimbursement and Provision of Facilities for Councillors, as attached be adopted.

CARRIED

12.2 CORPORATE SERVICES

12.2.1 NOVEMBER 2008 - MONTHLY FINANCIAL REPORTS

Dataworks Filename: FM Monthly Financial Reports to Committee
Attachment: [2008 November EOM Financial and Project Reports](#)
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 November 2008 financial statement of accounts to Council and provide detailed analytical commentary. The revised budget figures in the attachment are following the Quarter 1 Budget Review.

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.

Council's end of month operating financial result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of budget by \$8.5 million, with operating expenditure favourable by \$8.7 million and operating revenue unfavourable by \$0.2 million.

The cash flow position for the year is ahead of original forecast levels by \$12.8 million, although we started the year with \$9.1 million more than was previously budgeted. The cash held is ahead of the target range of \$32 million to \$42 million at \$84.4 million.

PURPOSE

The purpose is to present the November 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 November 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 disappear once 30 June 2009 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)**, **Financial Stability Ratios Report (I)**, a **Community Benefit Fund Report (J)** and a **Fuel Consumption Report (K)** 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 as at the end of November 2008 remains strong with EBITD of \$28.3 million (\$8.5 million ahead of budget). This result is due to total operating revenue of \$75.2 million (\$0.2 million behind budget) and total operating costs of \$46.9 million (favourable variance of \$8.7 million).

Operating Revenue

Rates and utility charges are unfavourable by \$81,000, in the main due to water access and consumption. A permanent variance is environmental special charges \$36,000. Fees and charges are under budget by \$0.5 million due in part to the slowing of the market since the budget was adopted and the unfavourable variances are all timing variances at this stage. Operating grants and subsidies is under budget by \$0.1 million, timing variances in the main although of particular note is the Federal Assistance Grant which is a permanent positive variance. Interest rates and surplus funds have been higher than anticipated, resulting in a \$0.3 million variance in external interest to be addressed at the quarter 2 budget review. Other revenue is favourable by \$0.2 million due in the main to high volumes in both water and wastewater recoverable works.

Operating Expenditure

Employee costs are under budget by \$0.4 million due to vacancies, goods and services is under budget by \$4.3 million, all are timing variances except for \$4.1 million favourable variance for the bulk water assets market value adjustment and \$40,000 reimbursement of RWW insurance payout.

Capital Revenue

Capital contributions and donations are over budget by \$0.8 million due to budget splits in the main. The unfavourable variance of \$0.9 million in capital grants and subsidies is expected to disappear by the end of the financial year.

Capital Expenditure

Capitalised goods and services is under budget at the end of November by \$3.0 million, all actuals are expected to come in line with budgeted amounts by year-end at this stage. Capitalised employee costs are under budget by \$0.3 million, all timing variances that are expected to disappear by 30 June 2009.

The investment of surplus funds for the month returned a weighted average rate of return of 7.58%, which is slightly behind the UBS Bank Bill Index of 7.86%. These returns are reported on a monthly weighted average return and 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 the end of November 2008, at \$84.4 million which is equivalent to 8.3 months cash capacity.

Council is intentionally maintaining a higher balance than target whilst it monitors the impact of the structural reforms to the water business.

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 November 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 Elliott

That Council resolve to note the End of Month Financial Reports for November 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;**
- 10. Community Benefit Fund Report; and a**
- 11. Fuel Consumption Report.**

CARRIED

12.2.2 LEASING OF COUNCIL PREMISES – 8 DOLLERY ROAD, CAPALABA

Dataworks Filename: P.312070
Attachments: [Site Plan](#)
Responsible Officer Name: Brian Lewis
Corporate Acquisitions Fleet and Facilities
Author Name: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

Council is the owner of a commercial building at 8 Dollery Road, Capalaba described as Lot 2 on SP151955 and have leased the premises for the last 10 years to commercial tenants.

One of the tenants, Coventry Spare Parts (previously Thompsons Spare Parts) has vacated the building, and Council now needs to approve the lease of the vacant space to an alternative tenant.

PURPOSE

The purpose of this report is to recommend that Council agree to lease the subject vacant tenancy for a term of 3 years plus a 3 year option.

BACKGROUND

The building at 8 Dollery Road, Capalaba was purchased by Council over 10 years ago in order to provide a connecting road link from Raymond Street to Dollery Road.

The building is divided into 4 commercial tenancies. The tenancy previously occupied by Coventry Spare Parts has now become vacant.

ISSUES

The vacant tenancy occupies an area of 820.8m², and an offer has been received from a prospective tenant for the lease of this space at a commercial rate for a term of 3 years plus an option of a further 3 years. The first offer from the prospective tenant was on the basis of a term of 5 years plus a 5 year option, however following negotiations, they have agreed to accept a 3 year plus 3 year option lease which is considered more appropriate. A lease for a term less than that offered will not be acceptable to the Lessee.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

Whilst the building is unoccupied, Council are losing a substantial amount of rental income that has been included in the 2008/09 budget.

CONSULTATION

The Property Services Manager has consulted with the Executive Leadership Group.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To agree to the lease of the subject tenancy at 8 Dollery Road, Capalaba for a term of 3 years plus an option for a further 3 years on terms and conditions considered satisfactory by the Chief Executive Officer;
2. To delegate authority to the Chief Executive Officer to sign all necessary documentation; and
3. To delegate authority to the Chief Executive Officer to grant new leases in the premises at 8 Dollery Road, Capalaba should it become vacant in the future, and authorise the Chief Executive Officer to sign all necessary documentation.

ALTERNATIVE

That Council not agree to the leasing of the subject premises.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. To agree to the lease of the subject tenancy at 8 Dollery Road, Capalaba for a term of 3 years plus an option for a further 3 years on terms and conditions considered satisfactory by the Chief Executive Officer;
2. To delegate authority to the Chief Executive Officer to sign all necessary documentation; and
3. To delegate authority to the Chief Executive Officer to grant new leases in the premises at 8 Dollery Road, Capalaba should it become vacant in the future, and authorise the Chief Executive Officer to sign all necessary documentation.

COMMITTEE DISCUSSION

Committee agreed to delete Officer's Recommendation 3 as Capalaba is currently undergoing Master Planning.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve as follows:

- 1. To agree to the lease of the subject tenancy at 8 Dollery Road, Capalaba for a term of 3 years plus an option for a further 3 years on terms and conditions considered satisfactory by the Chief Executive Officer; and**
- 2. To delegate authority to the Chief Executive Officer to sign all necessary documentation.**

CARRIED

12.2.3 RESUMPTION OF EASEMENT FOR DRAINAGE - 33 PIER HAVEN, LAMB ISLAND

Dataworks Filename: P144595
Attachments: [Site Plan](#)
Responsible Officer Name: Brian Lewis
Manager Corporate Acquisitions Fleet & Facilities
Author Name: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

At its meeting held on 28 May 2008, Council authorised negotiations to be undertaken to acquire an easement over Lot 18 on RP121713 situated at 33 Pier Haven, Lamb Island for drainage purposes.

A Notice of Intention to Resume was served on the property owner on 12 September 2008 and no objection has been received. It is now necessary for Council to resolve to continue with resumption action.

PURPOSE

The purpose of this report is to recommend that Council formally resolve to continue with resumption action to acquire an easement for drainage over Lot 18 on RP121713, as shown on the attached drawing number A2-P168-01B.

BACKGROUND

On 28 May 2008, Council approved the resumption of an easement for drainage purposes over Lot 18 on RP121713.

The property owner has been contacted and negotiations are still proceeding.

The acquisition area will have little effect on the value of the parent parcel. Although no objection to the acquisition has been received, for the purposes of expediency it is appropriate to proceed with resumption action.

ISSUES

There are no issues with the proposed resumption.

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

Funds are available in the 2008/09 budget for this acquisition.

CONSULTATION

Property Services Manager has consulted with the property owner.

OPTIONS**PREFERRED**

That Council resolve as follows:

1. To continue resumption action to acquire part of Lot 18 on RP121713 for drainage purposes, as shown of attached drawing number A2-P168-01B; and
2. That the Chief Executive Officer be authorised to sign all relevant documentation.

ALTERNATIVE**NOT PREFERRED**

That Council take no further action to acquire or resume the subject drainage easement.

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

Moved by: Cr Townsend

Seconded by: Cr Elliott

That Council resolve as follows:

1. To continue resumption action to acquire part of Lot 18 on RP121713 for drainage purposes, as shown of attached drawing number A2-P168-01B; and
2. That the Chief Executive Officer be authorised to sign all relevant documentation.

CARRIED

12.3 CUSTOMER SERVICES

12.3.1 AMENDMENT TO THE STREET TREE PLANTING CONTRIBUTIONS AND ADDITION OF A NEW CONTRIBUTION FOR KOALA TREE OFFSET

Datworks Filename: GOV Fees & Charges
Responsible Officer Name: Tim Donovan
Manager Assessment Services
Author Name: Peter Maslen
Team Leader Environmental Assessment

EXECUTIVE SUMMARY

The Environment Assessment Team is responsible for ensuring that conditions are applied to planning approvals for Street Tree Contributions and the application of the Koala Habitat overlay. Options exist to have monetary contributions applied to satisfy these requirements. Values for these contributions are to be set in the Fees and Charges Schedule to permit these to be collected for use by Parks and Conservation.

It is therefore recommended that the Fees and Charges Schedule for 2008/2009 be amended so that the cost of Street Trees are \$125.00 for 25 litre bag size and \$350.00 for 100 litre bag size, and also the new Koala Offset Tree Contribution be included at \$100.00 per tree.

PURPOSE

The purpose of this report is two-fold. Firstly to change the Street Tree contribution as set out in the 2008/2009 Fees and Charges from a policy based amount to a set amount which can then be reviewed yearly and secondly to implement a new contribution for koala habitat tree offset.

BACKGROUND

1. Currently the street tree contribution is tied to a resolution made on 17th December 2003 at the Council General Meeting and this contribution has not been updated since that time. This contribution is currently referenced in the Land Development Section of the 2008/2009 Fees and charges as:
"Tree Planting Contributions – As per policy "
2. Redland City Council has not previously applied a rate for koala habitat tree offset planting.

ISSUES

Contributions for Street Tree planting relative to an approved development are currently specified in the Land Development Fees and Charges Schedule as "As per policy". In order to permit ongoing verification of rates on an annual basis in an equivalent manner to other fees a rate needs to be set.

Currently a fee for street tree contributions of \$125.00 for 25 litre bag size and \$350.00 for 100 litre bag size is applied. The Parks and Conservation section has verified that this rate is still appropriate.

A rate for koala habitat tree offset has never been approved by Council. With developments being approved which require offset planting of koala habitat trees a fee is required so that council can control in a simple manner where trees are planted on Council controlled land. The alternative is extensive time consuming negotiations for Assessment Services and Parks and Conservation staff with applicant representatives.

A rate of \$100.00 for the Koala Habitat Tree Offset contribution has been determined by the Parks and Conservation section. This will permit Council to plant koala habitat trees in appropriate areas relative to an approved development where koala habitat trees are removed and can not be replaced on the development site.

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

During the 2007/2008 financial year there were 38 applications where the Street Tree planting contribution was raised with a total income of \$32025 received from developers. This is an average amount of \$843 per application. The value of this contribution for the 2008/2009 financial and future years is tied to the release of subdivision applications which are expected to slowly reduce due to the current economic climate.

The proposed change to the Street Tree Planting contribution will have little impact on the expected income for Council for this financial year. Funds that are paid to Council by developers in regard to future subdivisions and funds will become available to implement the Street Tree planting conditions imposed by the Redlands Planning Scheme.

As Council has not previously applied a rate for the koala offset trees it is difficult to estimate what the income for the rest of this financial year may be. This will depend on the subdivision and other development applications that developers decide to proceed with. From an internal working perspective this contribution will save officer time in negotiating with developers for suitable locations within Council controlled land allowing the Parks and Conservation section to control the planting and maintenance in the same manner as street tree plantings.

PLANNING SCHEME IMPLICATIONS

Street Tree Planting contribution – this change has no identified impact on the Redlands Planning Scheme.

Koala Tree Offset Contribution - liaison has occurred with Assessment Services, Parks and Conservation and Environmental Management Groups and it was agreed that this is an appropriate method of addressing the Redlands Planning Scheme requirements in this requirement. LUP has approved this liaison to develop the proposed solution to addressing the scheme

CONSULTATION

Street Tree Planting contribution – this change has been prepared in consultation with Parks and Conservation and Environmental Management Groups.

Koala Tree Offset Contribution - the development of this proposal has been done by the combined cooperation of Environmental Management, Parks and Conservation and Assessment Services sections of the Council with the knowledge of Land Use Planning.

OPTIONS

PREFERRED

That Council resolve as follows:

1. That the Fees and Charges Schedule in relation to Tree Planting Contributions be changed from:

“Tree Planting Contributions – As per policy”

to

“Street Trees: \$125.00 for 25 litre bag size and \$350.00 for 100 litre bag size”;
and

2. That the Fees and Charges Schedule in relation to Koala Offset Tree Contribution be changed from:

“Koala Tree Offset Contribution – As per policy”

to

Koala Offset Tree Contribution \$100.00 per tree

ALTERNATIVE

The alternate is to do nothing leaving the old street tree rates process and a less than optimum method to implement koala habitat tree offset planting.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. That the Fees and Charges Schedule in relation to Tree Planting Contributions be changed from:
"Tree Planting Contributions – As per policy"
to
"Street Trees: \$125.00 for 25 litre bag size and \$350.00 for 100 litre bag size";
and
2. That the Fees and Charges Schedule in relation to Koala Tree Offset Contribution be changed from:
"Koala Tree Offset Contribution – As per policy"
to
Koala Offset Tree Contribution \$100.00 per tree

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve as follows:

1. In accordance with Section 3.3.5 Street Tree Contributions of the Redlands Planning Scheme Policy 3 - Contributions and Security Bonding that the Fees and Charges Schedule in relation to Tree Planting Contributions be changed from:
"Tree Planting Contributions – As per policy"

to

"Street Trees: \$125.00 for 25 litre bag size and \$350.00 for 100 litre bag size"; and
2. In accordance with Section 4.9.7 of the Redlands Planning Scheme Policy 4 - Ecological Impacts that the Fees and Charges Schedule in relation to Koala Tree Offset Contribution be changed from:
"Koala Tree Offset Contribution – As per policy"

to

Koala Offset Tree Contribution \$100.00 per tree

CARRIED

12.3.2 FEES AND CHARGES STRADDIE HOLIDAY PARKS - 2009/2010

Dataworks Filename: CP Caravan Parks and Camping Grounds NSI

Attachments: [Fees and Charges Straddie Holiday Parks - 2009/2010](#)

Responsible Officer Name: Greg Jensen
Group Manager Customer and Community Services

Author Name: Melanie Jonker
Group Business Services Coordinator

EXECUTIVE SUMMARY

At the General Meeting of 14 December 2001, it was resolved that Caravan Parks and Camping fees and charges be approved in December each year. This decision was made so visitors making advanced bookings for the next financial year were fully informed of all new fees and charges.

It is proposed for the 2009/2010 fees that rates be increased by approximately 3.9% (RCC CPI based on RCC mix of expenditure) in line with the recommendation adopted at the General Meeting on 29 October 2008. A minimum daily increase of 50 cents was applied. The fees will be rounded to 50 cents per day for ease of money handling by park rangers who collect camping and cabin fees from ad hoc customers. Weekly rates are based on a multiple of five times the daily rate for off peak and seven times the daily rate for peak camping. Cabin weekly rates are five times the daily rate for off peak and six times the daily rate for peak periods.

It is recommended that Straddie Holiday Parks fees be raised in accordance with the attached schedule effective from 1 July 2009.

PURPOSE

To seek Council approval to vary the fees and charges for Council's Straddie Holiday Parks.

BACKGROUND

At the General Meeting of 14 December 2001, it was resolved the Caravan Parks and Camping fees and charges be approved in December each year. This decision was made so visitors making advanced bookings for the following financial year were fully informed of the new fees and charges.

In the previous financial year, fees were increased through a benchmarking exercise to compare fees to the market. Storage vans and long term vans monthly and fortnightly rates were only increased in line with CPI (4.6%). Benchmarking is undertaken every second year. For the 2009/10 year the Council CPI is recommended.

ISSUES

The existing fees plus an increase of approximately 3.9% are considered appropriate for the facilities offered.

All fees have been increased by 3.9% (rounded). A detailed listing of all fees is attached for each increase.

Overall, for camping there is a maximum daily increase of \$1.50 and weekly increase of \$10.50 per prime powered site (includes first two people) at Adder Rock and powered sites at all other Parks during peak periods and a minimum daily increase of 50 cents and weekly increase of \$2.50 per powered and unpowered sites per adult and child at all other Parks during off peak periods.

For cabins there is a maximum daily increase of \$7.00 per night and weekly increase of \$42.00 for a two bedroom cabin at Adder Rock during peak periods and a minimum daily increase of \$4.00 per night and weekly increase of \$20.00 for a standard cabin at Amity Point during off peak periods. The cabins also have a daily increase of 50 cents per night and weekly increase of between \$2.50 - \$3.00 for an extra adult or child for standard, two bedroom and ensuite cabins at Amity Point and Adder Rock during both peak and off peak periods.

For storage vans there is a maximum increase of \$12.00 per month on a powered site. The minimum increase of \$8.00 per fortnight applies for a long term van on an unpowered site.

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.

This report also supports the long term Objective 4.1 (Strategic Priority: Community Health and Wellbeing) of the Corporate Plan which is "to provide a range of sport and recreation opportunities".

FINANCIAL IMPLICATIONS

The proposed (rounded) 3.9% increase in the Fees and Charges for the 2009/2010 Budget will generate an expected additional \$81,700 based on the 2008/2009 budget funds.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has taken place with Financial Services and the Group Manager Customer and Community Services.

OPTIONS**PREFERRED**

That Council resolve to amend the fees and charges for Straddie Holiday Parks in accordance with the attached schedule for the 2009/2010 financial year.

ALTERNATIVE

The alternative is to increase the 2009/10 fees and charges by another percentage recommended by Council.

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

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve to amend the fees and charges for Straddie Holiday Parks in accordance with the attached schedule for the 2009/2010 financial year.

CARRIED

12.3.3 QUARRY ROAD / RICKERTT ROAD UPGRADE PROJECT – DELEGATED AUTHORITY REPORT

Datworks Filename: 45467
Responsible Officer Name: Michelle Pipia
Acting Group Manager, Project Delivery Group
Author Name: Nigel Carroll
Acting Service Manager, Project Delivery Group

EXECUTIVE SUMMARY

Quarry Road / Rickertt Road is a major link between Redland City and Brisbane City and is identified in Council's Transport Infrastructure Policy for upgrading. The project is in the current capital works program to be constructed over the 2008/2009 and 2009/2010 financial years.

At the General Meeting on 31 May 2006, the Quarry Road / Rickertt Road upgrade project was proposed to Council as funding was available from the Federal Government's AusLink Strategic Regional Program and Council resolved to support the application. The funding application was successful and on 26 June 2007 Council signed an agreement to accept \$4,340,000.00 in funding for the project under the AusLink Strategic Regional Program. Council has also been successful in obtaining funding from two Queensland Transport funding programs (\$143,182.00 under the Cycle Network Program and \$566,000.00 under the Transport Infrastructure Development Scheme).

This report recommends that the Chief Executive Officer be delegated authority to make, vary and discharge a contract with the successful tenderer for the Quarry Road / Rickertt Road upgrade project and sign all relevant documentation in accordance with the *Local Government Act 1993*.

This delegation to the Chief Executive Officer is being sought to expedite the procurement process so that the awarding of the contract is not dependant on Council meeting dates. This is required so as to meet the restricted time frames to deliver the project within the funding agreement guidelines.

PURPOSE

The purpose of this report is to seek resolution from Council to:

1. Delegate authority to the Chief Executive Officer to make, vary and discharge a contract over \$500,000 (inclusive of GST) for the Quarry Road / Rickertt Road upgrade project.
2. Delegate authority to the Chief Executive Officer to sign and amend all relevant documentation.
3. Appoint the Chief Executive Officer as Principal's Representative for this contract.

4. Authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.

BACKGROUND

Quarry Road / Rickertt Road is a major link between Redland City and Brisbane City and is identified in Council's Transport Infrastructure Policy for upgrading. This upgrading work is in the capital works program to be constructed over two financial years (2008/09 and 2009/10). The project involves the upgrading of the road from Charles Street to approximately 150m east of the Tingalpa Creek Bridge and incorporates the following features:

- widening of the existing Quarry and Rickertt Roads (approximately 2.5km) from two lanes to four lanes plus on road cycle lanes and median strips;
- upgrading of Quarry Road/Charles Street and Quarry Road/Clive Road intersections to signalised intersections;
- modifications to Quarry Road/Rosewood Street intersection;
- an 800 metre long cycleway/ pedestrian footpath on the southern side of Quarry Road (between St. James Road and Clive Road);
- Fauna fencing and wildlife culvert crossings;
- Extensive landscaping.

At the General Meeting on 31 May 2006, the Quarry Road / Rickertt Road upgrade project was proposed to Council as funding was available from the Federal Government's Auslink Strategic Regional Program and Council resolved to support the application. The funding application was successful and on 26 June 2007 Council signed an agreement to accept \$4,340,000.00 in funding for the upgrading of Quarry/Rickertt Road under the AusLink Strategic Regional Program.

Separate to the funding provided under the AusLink Strategic Regional Program, Council has been successful in obtaining funding from two Queensland Transport funding programs. These are the Cycle Network Program (\$143,182.00) and the Transport Infrastructure Development Scheme (\$566,000.00). All the funding agreements have specified conditions and timeframes for when the works must be completed and these timeframes are detailed in the table below.

Funding Body	Program	Funding Amount
Queensland Transport (State Government)	Cycle Network Program - A requirement of this funding is to complete the cycleway by 31 January 2010.	\$ 143,182.00
	Transport Infrastructure Development Scheme - A requirement of this funding is to complete the work by June 2010.	\$ 566,000.00
Department of Transport and Regional Services	AusLink Strategic Regional Program - A requirement of this funding is to complete the project by June 2010.	\$4,340,000.00

(Federal Government)		
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SMEC Australia Pty Ltd have been engaged to produce a concept design, detailed designs, prepare tender documentation, manage the procurement process, manage the construction of the works and act as the Superintendent for the contract. SMEC have completed the designs and are in the process of finalising the tender documents.

ISSUES

This delegation to the CEO is being sought to expedite the procurement process so that the awarding of the contract is not dependant on Council meeting dates. This is required so as to meet the restricted time frames to deliver the project within the funding agreement guidelines.

To meet these timeframes the following program will need to be met.

Phase	Timeframe
Produce project information literature	Current to 15/12/2008
Community information sessions	19/01/2009 to 06/02/2009
Tender advertised	07/02/2009 to 10/03/2009
Tender assessment and award	11/03/2009 to 06/04/2009
Site establishment	07/04/2009 to 10/06/2009
Construction	11/06/2009 to 11/06/2010

This project is currently in the procurement phase and it is envisaged that the tender will be released to the marketplace in early February 2009 and scheduled for closure in March 2009. A tender evaluation will then be conducted to identify the most advantageous tender bid to Council with the intention of awarding a contract to the successful tenderer.

SMEC Australia Pty Ltd has been engaged to manage the construction of the work and they have nominated specific staff to provide this service. If the commencement of site work falls outside of the time frames indicated in their contract, they may be unable to provide staff. If this situation occurs Council may have to go out to tender again to source another suitably qualified company to provide these services. This could delay the start of the construction by several months and incur significant additional costs.

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 following table details the current budget allocation over the 2008/09 and 2009/10 financial years with a total project budget for the two years of \$10,951,187.00. Please note all figures are exclusive of GST.

	2008/2009	2009/2010	TOTAL
Budget Allocation	\$4,200,000.00	\$6,751,187.00	\$10,951,187.00

SMEC Australia Pty Ltd has provided an estimate of \$8,335,462.07 excluding GST for the construction portion of this project, including a 10% contingency sum.

In accordance with Section 522 of the *Local Government Act 1993*, Council is allowed to enter into a contract over more than one financial year however it financially binds Council to allocate the required funds in the future year. As such Council must ensure the required budget for the Quarry Road / Rickertt Road upgrade project is adopted in the 2009/2010 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

The General Manager Customer Services, Group Manager Project Delivery Group, Group Manager Infrastructure Planning, Project Management Services Manager, Principal Engineer – Roads and Drainage and Projects Coordinator – Project Management Services and Tenders & Contracts Officer Project Management Services Unit have been consulted in the preparation of this report and all are in agreement with the recommendation.

OPTIONS

PREFERRED

That Council resolve to:

1. Delegate authority to the Chief Executive Officer to make, vary and discharge a contract over \$500,000.00 (inclusive of GST) for the Quarry Road / Rickertt Road upgrade project.
2. Delegate authority to the Chief Executive Officer to sign and amend all relevant documentation.
3. Appoint the Chief Executive Officer as Principal's Representative for this contract.
4. Authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.

ALTERNATIVE

That Council resolve to not delegate this authority to the Chief Executive Officer which could result in delay costs occurring against Council on the Quarry/Rickertt Road project and could jeopardise the approved funding amount of \$5,049,182.00.

OFFICER'S/COMMITTEE RECOMMENDATION

That Council resolve as follows:

1. Delegate authority to the Chief Executive Officer to make, vary and discharge a contract over \$500,000.00 (inclusive of GST) for the Quarry Road / Rickertt Road upgrade project;
2. Delegate authority to the Chief Executive Officer to sign and amend all relevant documentation;
3. Appoint the Chief Executive Officer as Principal's Representative for this contract; and
4. Authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.

COUNCIL RESOLUTION

Moved by: Cr Murray
Seconded by: Cr Boglary

That Council resolve to adopt the Committee Recommendation with an addition of a new point 5. which reads as follows:

- 5. That if the predicted budget is exceeded that the Chief Executive Officer report back to Council.**

The motion was put as follows:

- 1. Delegate authority to the Chief Executive Officer to make, vary and discharge a contract over \$500,000.00 (inclusive of GST) for the Quarry Road / Rickertt Road upgrade project;**
- 2. Delegate authority to the Chief Executive Officer to sign and amend all relevant documentation;**
- 3. Appoint the Chief Executive Officer as Principal's Representative for this contract;**
- 4. Authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council; and**

5. That if the predicted budget is exceeded that the Chief Executive Officer report back to Council.

CARRIED

12.3.4 WASTE MANAGEMENT MONTHLY BUSINESS UNIT REPORT - NOVEMBER 2008

Dataworks Filename: WM Redland Water & Waste Committee
Attachment: [RWW Council Business Unit Report November 2008](#)
Responsible Officer Name: John Frew
Acting Manager Operations & Maintenance
Author Name: John Frew
Acting Manager Operations & Maintenance

EXECUTIVE SUMMARY

The Waste Management Business Unit report is presented to Council for noting. The report provides the business unit's performance for the month of November 2008 and covers financial and non-financial indicators for 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 Waste Management 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

Waste Management's performance plan identifies KPIs for which performance targets have been agreed with Council. Reporting has in the past been done each month through the Redland Water and Waste Committee but from now on will be done through Council's Finance & Corporate Management Committee.

ISSUES

The report is provided to Council as a means of monitoring the performance of Waste Management for its waste activity.

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 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:

- General Manager Customer & Community Services;
- Senior Advisor, Financial Management, Redland Water & Waste.

OPTIONS

PREFERRED

That Council resolve to accept the Waste Management Monthly Business Unit Report for November 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 Townsend

Seconded by: Cr Elliott

That Council resolve to accept the Waste Management Council Business Unit Report for November 2008, as presented in the attachment.

CARRIED

12.4 PLANNING AND POLICY

12.4.1 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM - PROPOSED PROJECT FUNDING

Dataworks Filename: Regional and Local Community Infrastructure Program

Attachments: [Attach 1 Projects table](#)
[Attach 2 Balance Projects](#)
[Attach 3 250 million guideline](#)
[Attach 4 50 million guideline](#)

Responsible Officer Name: Roberta Bonnin
Manager Community and Social Planning

Author Name: Lacey Brown
Strategic Advisor Social Planning

EXECUTIVE SUMMARY

The Regional and Local Community Infrastructure Program (RLCIP) has allocated \$842,000 to Redland City Council. On fulfilling the requirements, Council will be undertaking a number of immediate community infrastructure projects as outlined in Attachment 1 and will apply for a strategic project under the \$50 million funding pool.

PURPOSE

To describe the outcomes and criteria of the Regional and Local Community Infrastructure Program funding announcement and to approve Redland City Council projects for nomination.

BACKGROUND

On 18 November 2008 at the inaugural meeting of the Australian Council of Local Government (ACLG), the Commonwealth Government announced that it is making available \$300 million to local government through the Regional and Local Community Infrastructure Program (RLCIP). The program aims to stimulate the Australian economy during a severe global financial crisis, meet urgent needs in communities, create long-term infrastructure and highlight the Commonwealth Government's agenda for forging a new and stronger partnership with local government.

Development of this response is driven by –

- ALP policy platform prior to the last election which contained a commitment to community infrastructure and social inclusion.
- Price Waterhouse Coopers report which was commissioned by the ALGA in 2006 found an investment deficit of \$14.5 billion in community infrastructure with an annual underspend of \$1.1 billion in maintenance.

- There are limited funding opportunities available for social infrastructure provision in Queensland compared with other States where there are a number of targeted programs (e.g. Victoria has targeted programs for neighbourhood houses and community centres etc). The SEQ Infrastructure Plan and Program deals only with 'regional' infrastructure such as hospitals, schools and transport corridors, which further limits support for local provision.

ISSUES

The New Program – RLCIP

The Commonwealth's one-off funding of \$250 million in 2008-09 is being proportionately allocated to local Councils under the Regional and Local Community Infrastructure Program. Additionally, under the Regional and Local Community Infrastructure Program – Strategic Projects, up to \$50 million will be available to local government in 2008-09. Councils will be required to meet guidelines in order to receive their share of the \$250m component. Councils will need to meet guidelines, and go through a competitive process, in order to have projects selected for funding under the \$50m component. This \$300 million funding will be delivered as follows:

\$250 million

- A letter of offer and request details of projects will be sent to Councils
- Councils will have until the 30 January 2009 to return documentation to the Department of Infrastructure, transport, Regional Development and Local Government (the Department). In their responses, Councils will have to stipulate that the identified projects are ready to proceed and are additional to current operating budgets.
- Funding will start to be released shortly afterwards.
- A one-off grant of \$250 million to be allocated across all Councils for local community infrastructure. Redland City Council has been allocated \$842,000.
- All funding must be expended by 30 September 2009.

\$50 million fund

- \$50 million strategic projects fund for larger-scale community infrastructure to help deliver an additional injection of investment in communities.
- This will be competitive, application-based, accountable and open only to those projects seeking a minimum Commonwealth contribution of \$2 million. Application forms are now available.
- Applications must reach the Department of Infrastructure, Transport, Regional Development and Local government by 23 December 2008.
- Assessment criteria are contained in the guideline (see p.3 of Attachment 4).
- Large, strategic projects that include partnership funding will be given preference and the project must be ready to commence construction within 6 months of signing the funding agreement, or be additional stages of projects that are currently underway.
- There is a limit of one application per Council or group of Councils.

What can funding be spent on?

The RLCIP will provide funding to local governments for community infrastructure including new construction and major renovations or refurbishments of assets such as:

- Social and cultural infrastructure (e.g. art spaces, gardens)
- Recreational facilities (e.g. swimming pools, sports stadiums)
- Tourism infrastructure (e.g. walkways, tourism information centres)
- Children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres)
- Access facilities (e.g. boat ramps, footbridges)
- Environmental initiatives (e.g. drain and sewerage upgrades, recycling plants)

Projects that can be funded need to be consistent with the examples listed in the guidelines.

What will not be funded?

Funding will not be available for activities such as ongoing costs; transport infrastructure such as roads; or related infrastructure covered by the Roads to Recovery or Black Spots programs.

Funding arrangements

Progress reports will be required at set dates and the Department will monitor projects through reports received and may conduct site visits.

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 to participate in community life. The economic development strategic priority to enhance employment participation and the community's standard of living through encouraging economic development opportunities also supports the funding allocation for these projects.

FINANCIAL IMPLICATIONS

The funding allocation will allow opportunity for completion of significant community infrastructure projects and delivery of other much needed community infrastructure that may have been subject to budget cuts. Additional projects can also be moved forward for funding in the 2009/10 financial year.

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

Various consultation steps occurred for the purposes of compiling this report and included:

- Managers and Senior Advisers from all groups within the Planning and Policy Group nominated projects that met the funding criteria;
- Officers from the Project Delivery Group commented on design and delivery of nominated projects;
- Presentation of tabled projects to the Executive Leadership Group;
- Workshopping of tabled projects with Councillors and ELG.

OPTIONS

PREFERRED

That Council resolve to:

1. Note the outcomes and criteria of the RLCIP funding announcement;
2. Approve the list of projects in Attachment 1 for the purposes of:
 - a) Stipulating projects for the \$842,000 allocation and returning documentation to the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) by 30 January, 2009;
 - b) Submitting an application for the minimum \$2 million Commonwealth funding competitive bid strategic project to the Department by 23 December 2008.
 - c) Distribution to Infrastructure Planning Group, Community and Social Planning Group, Environmental Management Group and Project Design Group for commencement of projects and progress reporting, on receipt of approval and funding from the Department.

ALTERNATIVE

That Council:

1. Note the outcomes and criteria of the RLCIP funding announcement;
2. Approve the list of projects in Attachment 1 with amendments for the purposes of:
 - a) Stipulating projects for the \$842,000 allocation and returning documentation to the Department of Infrastructure, Transport, Regional Development and Local Government by 30 January, 2009;
 - b) Submitting an application for the minimum \$2 million Commonwealth funding competitive bid strategic project to the Department of Infrastructure, Transport, Regional Development and Local Government by 23 December 2008.
 - c) Distribution to Infrastructure Planning Group, Community and Social Planning Group, Environmental Management Group and Project Design

Group for commencement of projects and progress reporting, on receipt of approval and funding from the Department.

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

Moved by: Cr Townsend
Seconded by: Cr Boglary

That Council resolve to:

- 1. Note the outcomes and criteria of the RLCIP funding announcement;**
- 2. Approve the list of projects in Attachment 1 for the purposes of:**
 - a) Stipulating projects for the \$842,000 allocation and returning documentation to the Department of Infrastructure, Transport, Regional Development and Local Government by 30 January, 2009;**
 - b) Submitting an application for the minimum \$2 million Commonwealth funding competitive bid strategic project to the Department of Infrastructure, Transport, Regional Development and Local Government by 23 December 2008; and**
 - c) Distribution to Infrastructure Planning Group, Community and Social Planning Group, Environmental Management Group and Project Design Group for commencement of projects and progress reporting, on receipt of approval and funding from the Department.**

CARRIED

12.4.2 SERPENTINE CREEK CEMETERY SITE AND HABITAT MANAGEMENT PLAN 2008-2028 FINALISATION

Dataworks Filename: EM Conservation Area - Serpentine Creek
Attachments: [Attachment 1. Final Management Plan](#)
[Attachment 2. Public Submission Feedback Form](#)
Responsible Officer Name: Gary Photinos
Manager Environmental Management
Author Name: Leo Newlands
Advisor - Reserves Management

EXECUTIVE SUMMARY

Council is trustee and manager of the heritage listed Serpentine Creek Road Cemetery in Southern Redland Bay. Council has received a formal request from Natural Resources and Water (NR&W) to develop a management plan for the site. Council has obligations under the *Lands Act 1994* to produce a management plan for the site.

Council officers have endeavoured to work with the Friends of Serpentine Creek Road Cemetery Group to produce an acceptable management plan for the site. The Friends of Serpentine Creek Road Cemetery have also produced their own unofficial management plan titled the *Friends of Serpentine Creek Cemetery Bush Care Management Plan* for the site.

Council Officers produced the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028. The Council plan also recognises and values the efforts of local community members' development of the *Friends of Serpentine Creek Cemetery Bush Care Management Plan*.

The draft management plan was advertised for public submissions for a period of one month ending 4 November 2008 for which one submission was received in the allotted time period.

One late submission and comments from Environmental Protection Agency have also been considered and included in the management plan where relevant.

Council Officers are now seeking to have the Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 adopted as the approved management plan for the site.

PURPOSE

The purpose of this report is to seek council approval for the draft Serpentine Creek Road Site and Habitat Management Plan (Attachment 1) to be adopted as the approved and finalised management plan as per Council's obligations under Section 48 of the *Land Act 1994* for development of land management plans.

BACKGROUND

- RCC has been made trustee to the Queensland Heritage Listed Serpentine Creek Road Cemetery site. The cemetery is listed under the *Queensland Heritage Act 1992*.
- In 2005 Council Officers commenced the development of the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 for the site, through external consultants.
- In February 2006 the Friends of Serpentine Creek Road Cemetery produced the *Friends of Serpentine Creek Cemetery Bush Care Management Plan (unofficial)* and submitted it to the EPA for approval as a 'to be adopted' management plan.
- In 2006 Council's Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 was submitted to EPA for approval of the Vegetation and Cultural Heritage Management components of plan.
- In 2008 the EPA advised Council that the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 is acceptable for adoption but that it should also incorporate and utilise the *Friends of Serpentine Creek Cemetery Bush Care Management Plan*.
- Throughout the last two years various meetings have been held with Friends of Serpentine Creek Cemetery to resolve issues regarding the role and content of the two plans.
- A course of action has been taken by council officers that includes using Council's Draft Plan for the strategic level planning component of the Final Draft LMP and the Friend's Plan to inform the operational level work plans (providing work plans are still consistent with Council's management plan).
- In August 2008 a meeting was convened between RCC and NR&W to develop a means to resolve issues around management of the site, potential council relinquishment of site and the discontent of a member of the Friends group. The accepted outcome of the meeting was that NR&W would formally request Council, as trustees of the land, to develop a Land Management Plan for the site.
- In August 2008 Council received formal request from NR&W to develop a Land Management Plan for the site.

The Environmental Management Group produced the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 for public review and submissions (closed 4/11 08).

ISSUES

THE SITE

The Serpentine Creek Road Cemetery is a 2.023 hectare cemetery reserve and heritage listed site located on the eastern side of Serpentine Creek Road, just south of the intersection with Scenic Road, at 398 Serpentine Creek Road, Redland Bay. The site incorporates both natural remnant plant communities and an inactive but

culturally significant cemetery site. Council has trusteeship over this reserve and is managed by the Parks and Conservation Unit.

OBLIGATIONS OF COUNCIL AS TRUSTEE OF SITE SERPENTINE CREEK ROAD CEMETERY SITE

CULTURAL HERITAGE ACT 1992

Council is obligated under the *Cultural Heritage Act 1992* to manage State listed cultural heritage sites in a manner that does not corrode the heritage values for which a site is listed. As such, a management plan that incorporates recommendations for the management of the cultural heritage components of the site is critical to Council fulfilling its obligations.

LANDS ACT 1994

Council is obligated under the Section 48 of the *Lands Act 1994* to engage community consultation and input for the development of a Land Management Plan for a parcel of land the Council holds as trustee. Council has been asked specifically by NR&W to produce a Draft Land Management Plan for the Serpentine Creek Road Cemetery and make it available for public consultation prior to the approval and adoption of the finalised plan. The adoption of the management plan is the final part of this process.

PUBLIC SUBMISSION PROCESS

Written public submissions have been invited from the public and other stakeholders for the period of one month from the time of making report available (06/10/08 – 04/11/08). An advertisement was included in the Bayside Bulletin on 7th and 16th October.

Identified critical stakeholders were supplied with a copy of the management plan to provide feedback (via a feedback sheet- Attachment 2) within the submissions period. The submission forms and a copy of Council's management plan were also posted on the Council website.

DRAFT SERPENTINE CREEK ROAD CEMETERY SITE AND HABITAT MANAGEMENT PLAN 2008- 2028

Council's plan sets out to manage the site's natural and cultural heritage components in keeping with Council's Biodiversity Strategy 2008-2012, Koala Policy and Implementation Strategy, Vegetation Enhancement Strategy, Pest Management Plan, *Lands Act 1994*, *Cultural Heritage Act 1992* and other State and Federal legislation.

RECOGNISING THE UNOFFICIAL FRIENDS OF SERPENTINE CREEK CEMETERY BUSH CARE MANAGEMENT PLAN

The Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008 -2028 recognises and values the efforts of local community members' development of the *Friends of Serpentine Creek Cemetery Bush Care Management Plan*.

The unofficial *Friends of Serpentine Creek Cemetery Bush Care Management Plan* may be used, where appropriate, to form the development of annual bushcare site work plans. The site work plans must still be consistent with the intent of Council's

current Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008- 2028.

PUBLIC SUBMISSION1 - J SOMMERVILLE

Agreed with all sections of the management plan

OFFICER RESPONSE: none required

PUBLIC SUBMISSION 2 - KATHLEEN HUGHES

Presented a 49 page document with the main emphasis of argument relevant to the management plan being that:

9. Casuarinas are a problem species that will prevent the area from returning to its former Regional Ecosystem type 12.11.5h and thus should be systematically removed.

OFFICER RESPONSE: Casuarinas are a mid- succession (opportunist species) that grow quickly when disturbance to the canopy occurs. They often occur as pure stands and will if left alone 'self thin' over a period of about 30 years until the mature canopy of long-lived climax (equilibrium species) develops. They then exist as a scattered understorey species and offer a particular niche to a set of organisms within the community.

10. Casuarinas (*Allocasuarina littoralis*), Blady Grass (*Imperata cylindrica*), Bracken Fern (*Pteridium esculentum*) and kangaroo Grass (*Themeda triandra*) should be "dealt with" using herbicide and a wipe wand or Bradley method.

OFFICER RESPONSE: These are all native protected species and have regenerated under natural succession processes through seed and spores already present in the site. Management of these species is only to occur in relation to the maintenance of graves in Area A.

11. A rare *Dianella* sp. has been found at the site.

OFFICER RESPONSE: The species was undefined so verification will be sought from the Queensland herbarium. If verified, it will be included into species lists and specific actions will be formulated to protect it.

12. Several species of orchids and two species of boronias have been identified and logged

OFFICER RESPONSE: If these species can be confirmed, they will be added to the species list for the site.

ENVIRONMENTAL PROTECTION AGENCY SUBMISSION

Council has previously sought feedback from EPA cultural heritage and vegetation management units in the drafting of the management plan feedback received from EPA are:

13. Management practices for the site should allow for the regional ecosystem 12.11.5 to regenerate itself

OFFICER RESPONSE: this has been acknowledged in the plan as a management outcome for the site.

14. EPA indicates that some removal of juvenile Allocasuarinas may be required to facilitate the succession processes of the current community back to 12.11.5.

OFFICER RESPONSE: The removal of Allocasuarinas has not been included (a) because these species are considered as a mid succession species that will thin out naturally as the surrounding canopy matures over 20-30 years and (b) the statement contradicts the next statement in that young Allocasuarinas are required to replace old Allocasuarinas.

15. Habitat trees for koala and grey-head flying fox should be maintained with more mature Allocasuarina trees maintained for glossy-black cockatoos

OFFICER RESPONSE: this has been acknowledged as identified in the plan as a management outcome for the site.

NATURAL RESOURCES AND WATER SUBMISSION

Natural resources and Water have indicated that they are satisfied that the management plan has been properly developed.

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

There will be minor financial implications (officer's time for redrafting of the final land management plan, printing and posting of the finalised management plan on the web). There will also be financial implications of \$15,000 for the continued management of the site.

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 between Environmental Management, Operations and Maintenance, Natural Resources and Water (State agents for the land),

Environmental Protection Agency (Cultural Heritage and Vegetation Management divisions) and Friends of Serpentine Creek Cemetery for development of the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028. There is agreement that the plan should now be put on public review and the public invited to make submissions as per Council's obligations under the *Lands Act 1994*.

OPTIONS

PREFERRED

That Council resolve to adopt the Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008 –2028 as per requirements of the *Lands Act 1994*.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve to adopt the Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008 – 2028 as per requirements of the *Lands Act 1994*.

CARRIED

12.4.3 RISK MANAGEMENT FRAMEWORK

Dataworks Filename: RM Procedures
Attachment: [Updated Risk Management Framework](#)
Responsible Officer Name: Luke Wallace
Manager Corporate Planning, Performance and Risk
Author Name: Ian Waters
Risk & Liability Services Manager

EXECUTIVE SUMMARY

At its General Meeting of 28 November 2007, Council adopted a revised Risk Management Policy. The original Risk Management Policy included a Risk Framework, however, it was elected to review the Framework independently and present the amended document to Council at a later date. The amended document is attached.

The aim of this Risk Management Framework is to achieve excellence in managing the risks to which Redland City Council is exposed and to enable well-informed decisions on risk controls. This will be achieved by:-

- Identifying Council's priority exposures
- Incorporating appropriate risk treatment strategies
- Contingency planning to protect Council's critical business functions
- Monitoring and reviewing to ensure the continued relevance of Council's risk mitigation measures.

In order to maintain the intent of Council's Risk Management Framework, it is important to consider further developments on an ongoing basis. The review of this framework is consistent with the original direction as approved by Council and continues to reflect the principles contained in the Australia/New Zealand Standard AS/NZS 4360.

PURPOSE

The purpose of the report is to recommend that Council approve the attached Risk Management Framework as amended.

BACKGROUND

The Risk Management Policy (POL-2701) and Framework were initially approved by Council on 13 August 2003 and, in line with normal procedure, were subsequently revised and approved by Council at the General Meeting of 27 October 2004.

Once again the Policy became due for revision in 2007 and at its General Meeting of 28 November 2007 Council agreed to treat the Risk Management Policy and Framework as two separate documents. The current Policy was adopted and it was agreed that an updated Risk Management Framework would be presented to Council

for approval at a later date. The amended Framework is attached for consideration and approval.

ISSUES

The overarching intent of the framework remains relevant and has not been modified, however changes occur throughout the document to reflect current practice.

Some of the original content has been omitted as these are now more fully covered in the additional reference materials available to Managers, such as Council's Guideline GL-2701-05 - Corporate Risk Assessment Methodology and its accompanying Risk Assessment Handbook. The timeframes have also been amended as the previous timeframes were largely no longer relevant.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority in respect to Organisational Leadership - "To provide effective organisational leadership through strategic planning and accountable and ethical standards of practice."

FINANCIAL IMPLICATIONS

There are no direct financial implications resulting from changes to the framework.

CONSULTATION

No direct consultation was required as changes to the framework reflect the risk program that is currently in place.

OPTIONS

PREFERRED

That Council resolve to adopt the Risk Management Framework as amended and attached.

ALTERNATIVE

The alternative option is that the framework remains unchanged. The result would be an out of date framework which would not reflect the current risk program as implemented.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend

Seconded by: Cr Elliott

That Council resolve to adopt the Risk Management Framework, as amended and attached.

CARRIED

12.4.4 CORPORATE BALANCED SCORECARD REPORT - SEPTEMBER 2008

Datworks Filename: GOV Corporate BSC Monthly Reporting to Committee

Attachment: [Balanced Scorecard Report – November 2008](#)

Responsible Officer Name: Luke Wallace
Manager Corporate Planning Performance & Risk

Author Name: Benjamin Steel
Project Coordinator 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 our business using the four Balanced Scorecard Perspectives – Financial, Customer, Internal/Business Processes and People & Learning.

This report is an important component of our performance management framework. The other main report provided to Council and the community is the quarterly Operational Plan Report that focuses on performance against each of the programs in the Corporate Plan.

The overall rating for November 2008 is Satisfactory, with a weighted score of 2.11.

PURPOSE

To provide Council with the Corporate Balanced Scorecard Report for the financial year to November 2008.

BACKGROUND

The report shows results against each KPI for the current month and the previous 12 months. Longer term trends and comparisons incorporating the same month last year are included to provide a better understanding of current performance levels.

A summary of this month's results is provided on page two of the report and shows the overall score for Redland City Council, including the rating (the small coloured indicator at the right hand side). An outstanding result is shown as green, above standard and satisfactory shown as yellow and an unsatisfactory result is shown as red. The overall rating for Council and for each perspective is determined by the relative weightings of the performance measures.

The subsequent pages of the report provide details of the performance measures in each perspective. The actual performance results each month are displayed as a graph, with the red and green lines showing the normal expected range for the measure. The red line represents the minimum satisfactory level and the green line

represents the outstanding level. The rating for each measure is also shown as a green tick (outstanding), a yellow line (satisfactory and above standard) or a red cross (unsatisfactory).

Explanation of results is provided by the responsible manager in the commentary each month. Where a significant issue arises from the data that requires further explanation it will be provided in this covering report.

ISSUES

Most measures are performing well within the target range. Those measures performing outside the target range are:

- Financial Perspective (page 3)
 - Cash levels within targets
- Customer Perspective (page 4)
 - Development application assessment performance index
- People & Learning Perspective (page 6)
 - Workplace Health & Safety Action Plan actions completed.
 - Lost Time Injury Frequency Rate (LTIFR).

Please see that comments provided by managers in the attached report (pages indicated above). The attached report shows that the majority of these measures are either close to meeting the target range or are improving. At this stage there are two measures that are significantly outside their target ranges (Development application assessment performance index and LTIFR). The attached report provides detailed explanations for these results.

One aspect requiring review is the current balanced scorecard target for cash levels. It is noted that for several months the prevailing cash levels have been slightly higher than the target range. Whilst on occasions this has been partly due to seasonal factors (eg rate notice receipts), the overriding contributing factor has been the water reforms and overall, it is considered financially prudent at the moment to maintain cash levels slightly above those of previous years due to the uncertainty that still surrounds the financial impact of the water reforms on Council. As such, it is recommended that Council adopt the following cash level targets for the immediate future – Outstanding: 5.0, Above Standard 7.5 and Satisfactory 10.0. This situation will be reviewed in the months ahead as more information becomes available.

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

There are no implications for the Planning Scheme arising from this report.

CONSULTATION

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

OPTIONS

PREFERRED

1. That Council resolve to note the Corporate Balanced Scorecard for the month of November 2008 as attached; and
2. That until Council has some more certainty regarding the full impact of the water reforms, that the cash level target be amended as follows: Outstanding – 5.0, Above Standard – 7.5, Satisfactory – 10.0.

ALTERNATIVE

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

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Elliott

1. That Council resolve to note the Corporate Balanced Scorecard for the month of November 2008 as attached; and
2. That until Council has some more certainty regarding the full impact of the water reforms, that the cash level target be amended as follows: Outstanding – 5.0, Above Standard – 7.5, Satisfactory – 10.0.

CARRIED

12.5 TENDER FOR CONSIDERATION

CLOSED SESSION AT COMMITTEE

Moved by: Cr Williams

Seconded by: Cr Reimers

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

12.5.1 Tender for the Operation of Birkdale Landfill – Delegated Authority

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

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

CARRIED

MOTION TO REOPEN MEETING

Moved by: Cr Williams

Seconded by: Cr Hobson

That the meeting be again opened to the public.

CARRIED

12.5.1 TENDER FOR THE OPERATION OF BIRKDALE LANDFILL – DELEGATED AUTHORITY

Datworks Filename: WM - Tender Birkdale Landfill

**Responsible Officer Name: John Frew
Manager Operations and Maintenance**

**Author Name: Paula Kemplay
Service Manager Waste Operations**

EXECUTIVE SUMMARY

The contract for the operation of the Birkdale Waste Management Facility ends on 30 June 2009. As a result, a replacement contract is required. The scope of works involves four key separable portions: General Site Operations, Landfill, Green Waste and Transfer Station. The new contract will operate until the landfill is completed and the landfill will be replaced by a new Transfer Station at Redland Bay.

To expedite the tender award process, delegated authority is being sought for the Chief Executive Officer to accept the tender most advantageous to Council and to make, vary and discharge a contract with the successful Tenderer(s) and sign all relevant documentation in accordance with the *Local Government Act 1993*.

PURPOSE

The purpose of this report is to seek resolution from Council to:

1. Delegate Authority to the Chief Executive Officer to accept the tender(s) most advantageous to Council and to make, vary and discharge a contract with the successful Tenderer(s) for the operation of the Birkdale waste management facility in accordance with the *Local Government Act 1993*.
2. Delegate Authority to the Chief Executive Officer to sign and amend all relevant documentation.
3. Appoint the Chief Executive Officer as the Contract Authority for these Contract(s).
4. Authorise the Chief Executive Officer to delegate further the Contract Authority Role to a Senior Officer within Council.

BACKGROUND

The Contract for the operation of the Birkdale, Redland Bay and Giles Road waste handling facilities was awarded at the General Meeting dated 27 April 2005. The Contract was designed to cover the length of operations of the sites based on estimated closure dates. Under delegated authority, Council offered an extension to the existing contractor however they were unable to extend on the Contract terms and conditions and provided a counter-offer. Council sought legal advice on this counter-offer and it was determined unacceptable under the *Local Government Act 1993*.

The Birkdale Waste Management Facility has operated for a number of years and has a licence issued by the Environment Protection Agency for use.

ISSUES

The contract for the operation of the Birkdale Waste Management Facility ends on 30 June 2009. Council officers reviewed the delivery options available and determined that the best value for money approach based on cost models was to manage the Giles Road and Redland Bay waste facilities in-house and tender out Birkdale waste facility only to the market. The replacement Contract has been designed to be as marketable as possible for the remaining life of the facility. The scope of works of the new Contract involves four key separable portions: General Site Operations, Landfill, Green Waste and Transfer Station. The new contract will operate until the landfill is completed and the landfill will be replaced by a new Transfer Station at Redland Bay.

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

There is approved budget for the discharge of the existing contract and any budget amendments will be sought through the budget planning process for 2009/10.

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 General Manager Customer Services, General Manager Redland Water and Waste, Manager Operations and Maintenance and external Consultancy ELT Solutions were consulted in the preparation of this report.

OPTIONS

PREFERRED

That Council resolve to:

1. Delegate Authority to the Chief Executive Officer to accept the tender(s) most advantageous to Council and to make, vary and discharge a contract with the successful Tenderer(s) for the operation of the Birkdale waste management facility in accordance with the *Local Government Act 1993*;
2. Delegate Authority to the Chief Executive Officer to sign and amend all relevant documentation;
3. Appoint the Chief Executive Officer as the Contract Authority for these Contract(s); and
4. Authorise the Chief Executive Officer to delegate further the Contract Authority Role to a Senior Officer within Council.

ALTERNATIVE

That Council resolve not to delegate this authority to the Chief Executive Officer which could result in delays in awarding a Contract and contingency arrangements being made to continue operating the facility.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. Delegate Authority to the Chief Executive Officer to accept the tender(s) most advantageous to Council and to make, vary and discharge a contract with the successful Tenderer(s) for the operation of the Birkdale waste management facility in accordance with the *Local Government Act 1993*;

2. Delegate Authority to the Chief Executive Officer to sign and amend all relevant documentation;
3. Appoint the Chief Executive Officer as the Contract Authority for these Contract(s); and
4. Authorise the Chief Executive Officer to delegate further the Contract Authority Role to a Senior Officer within Council.

COMMITTEE DISCUSSION

Committee agreed to add a new Recommendation 1 as the existing contractor had re-opened negotiations which appeared promising.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Elliott

That Council resolve as follows:

1. **That Council note the Chief Executive Officer's continued negotiations with the existing contractor to extend the contract, failing the satisfactory settlement of these negotiations the Chief Executive Officer be delegated to call tenders;**
2. **Delegate Authority to the Chief Executive Officer to accept the tender(s) most advantageous to Council and to make, vary and discharge a contract with the successful Tenderer(s) for the operation of the Birkdale waste management facility in accordance with the *Local Government Act 1993*;**
3. **Delegate Authority to the Chief Executive Officer to sign and amend all relevant documentation;**
4. **Appoint the Chief Executive Officer as the Contract Authority for these Contract(s); and**
5. **Authorise the Chief Executive Officer to delegate further the Contract Authority Role to a Senior Officer within Council.**

CARRIED

13 MAYORAL MINUTES

Nil.

14 DIRECT TO COUNCIL REPORTS

14.1 OFFICE OF CEO

14.1.1 COUNCILLOR REMUNERATION

Datworks Filename: GOV Councillors - Remuneration

Responsible Officer Name: Gary Stevenson
Chief Executive Officer

Author Name: Andrew Ross
Manager Legal Services

EXECUTIVE SUMMARY

Pursuant to Section 250AB(c) of the *Local Government Act 1993* (the Act) the Local Government Remuneration Tribunal determines annually the maximum and minimum amount of fees to be paid to Mayors and Councillors in each category of Council.

Within 2 months of the Tribunal making a Determination the Councillors are required to vote on what fee within this range they will pay themselves. The fee range is determined as a percentage of rate payable to a Member of the Queensland Legislative Assembly (MLA).

On 12 December 2008 the Tribunal made a Remuneration Determination tabled in the Queensland Legislative Assembly to commence from 1 January 2009.

The Tribunal Determination retains Council's previous 2007 category as a category 6 Council with the same pay percentage range for the Deputy Mayor and Councillors. The Tribunal recorded it had underestimated the demands associated with the performance of the role of Mayor and has slightly increased the range and rates by 5%.

The current fees are set at the maximum as determined by the Tribunal for the 2008 year:

	Remuneration Range determined (% of rate payable to a Member of the Queensland Legislative Assembly)	Remuneration Range (p.a) (in \$ rounded to nearest \$10)
Mayor	95% to 110%	\$120,230 to \$139,220
Deputy Mayor	67.5% to 77.5%	\$85,430 to \$98,080
Councillor	60% to 70%	\$75,940 to \$88,590

The proposed fees are set at the maximum as determined by the Tribunal for the 2009 year:

	Remuneration Range determined (% of rate payable to a Member of the Queensland Legislative Assembly)	Remuneration Range (p.a) (in \$ rounded to nearest \$10)
Mayor	100% to 115%	\$126,560 to \$145,544
Deputy Mayor	67.5% to 77.5%	\$85,430 to \$98,080
Councillor	60% to 70%	\$75,940 to \$88,590

On 1 April 2008 Councillors resolved to adopt the maximum percentage range payable to them based on the salary rate applicable to a Member of the Queensland Legislative Assembly, namely 70%, 77.5% and 110%.

The base salary rate applicable to a MLA has not increased from \$126,560. Consequently the Tribunal has not increased this rate for Councillors for the year of 2009, apart from a slight increase to the Mayor.

The proposed resolution applies for the calendar year of 1 January to 31 December 2009.

PURPOSE

The purpose of this report is to set the base pay remuneration levels for the Mayor, Deputy Mayor, and Councillors in accordance with section 236A (1) of the Act.

FINANCIAL IMPLICATIONS

The recommendation retains the existing pay rates for all Councillors, except the Mayor for 2009. The Tribunal Determination has slightly increased the Mayors pay rate by 5%, which at the recommended maximum represents an increase of \$6,324.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Bowler
Seconded by: Cr Elliott

That Council resolve as follows:

1. **That the base salary of the Mayor, Deputy Mayor, and Councillors be set at the following percentages of the base salary of a Queensland State MLA:**
 - a. **Mayor 115%;**
 - b. **Deputy Mayor 77.5%;**
 - c. **Councillor 70%;**

2. The reason for the variation between the percentages payable to the Mayor, Deputy Mayor and Councillors are as determined by the Remuneration Tribunal due to the demands associated with the performance of their roles; and
3. That these salary levels apply from 1 January 2009 to 31 December 2009 and until a further resolution is made in accordance with section 236A (1) of the *Local Government Act 1993*.

CARRIED

14.1.2 DELEGATION TO THE LOCAL GOVERNMENT INFRASTRUCTURE SYMPOSIUM 2009

Dataworks Filename: GOV External Conferences
Attachment: [LGAQ Infrastructure Symposium Programme](#)
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Tina Marshall
Executive Officer

EXECUTIVE SUMMARY

The Local Government Infrastructure Symposium is being held from 21 April to 24 April 2009, at the Brisbane Convention and Exhibition Centre.

As the first major local government conference for 2009, the Infrastructure Symposium provides an opportunity for local government representatives to engage with one another, State and Australian Government Ministers, senior departmental decision makers as well as industry leaders on key local, regional, national and global matters.

PURPOSE

It is proposed that the Mayor and one other Councillor attend as the Redland City Council delegates and be given voting rights.

ISSUES

Topics to be discussed at the Symposium are:

- Infrastructure management
- Roads and transport planning
- Long term community planning
- Revenue raising and policy making
- Adapting to climate change
- Creating sustainable communities
- Implementing carbon accounting

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to increase and protect the intellectual capital of the organisation and the community through developing a knowledge management framework and a learning framework.

FINANCIAL IMPLICATIONS

Registration and payment details will be available from 19 January 2008 via the LGAQ Website.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Bowler
Seconded by: Cr Elliott

That Council resolve that Mayor Melva Hobson and a Councillor representative be authorised as the Redland City Council's delegates to the LGAQ Local Government Infrastructure Symposium, being held on 21 April 2009 to 24 April 2009, at the Brisbane Convention and Exhibition Centre.

CARRIED

14.2 CUSTOMER SERVICES

14.2.1 COUNCILLORS' CBF DIVISION 5 - PROVISION OF PARK INFRASTRUCTURE

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

EXECUTIVE SUMMARY

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

This request is for a total amount of \$13,144.00 (GST exclusive) to be allocated for the provision of a new play unit in a park in Potts Place, Redland Bay within Division 5.

PURPOSE

The purpose of this report is to seek approval from Council for an allocation from the Division 5 portion of the CCBF for \$13,144.00 (GST exclusive). This funding will be used for the provision of a play unit within a park in Potts Place, Redland Bay within Division 5.

BACKGROUND

The Senior Advisor Open Space Planning received and circulated to Councillors an offer from a play equipment supplier for the supply of a particular play unit at a discounted price for the month of December 2008.

As a follow up to this notice of offer, the Senior Advisor Urban Landscape contacted the supplier to have a quote for the supply and installation of this play unit. The Senior Advisor Urban Landscape then proceeded to prepare a full quote for this unit to be installed. This full quote was forwarded to those Councillors who showed an interest in this play unit.

The Councillor for Division 5 accepted the proposal presented and approved the funds from Division 5 CBF for the supply and installation of one play unit.

ISSUES

No issues have been identified.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The Division 5 Councillor supports this project and has sufficient funds to allocate an amount of \$13,144.00 (GST exclusive) from the Division 5 portion of the CCBF.

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 between the Senior Advisor Open Space Planning, the Senior Advisor Urban Landscape and the Division 5 Councillor.

OPTIONS

PREFERRED

That Council resolve to approve an allocation of \$13,144.00 (GST exclusive) from the Division 5 portion of the Councillors' Community Benefit Fund for the supply and installation of a new play unit in Potts Place, Redland Bay within Division 5.

ALTERNATIVE

That Council not approve the allocation of \$13,144.00 (GST exclusive) for this project.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Murray

That Council resolve to approve an allocation of \$13,144.00 (GST exclusive) from the Division 5 portion of the Councillors' Community Benefit Fund for the supply and installation of a new play unit in Potts Place, Redland Bay within Division 5.

CARRIED

15 URGENT BUSINESS WITHOUT NOTICE

15.1 'DEMAINING' OF SECTION OF EAST COAST ROAD AT POINT LOOKOUT

Moved by: Cr Ogilvie

Seconded by: Cr Henry

That the Chief Executive Officer commence negotiations with Department of Main Roads on the 'demaing' of the section of East Coast Road at Point Lookout going eastbound from the western entrance of Tramican Street and report back to Council on results of discussion.

CARRIED`

A division was called for.

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

Crs Dowling, Williams and Elliott voted in the negative.

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

16 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 5.33pm.

Signature of Chairperson: _____

Confirmation date: _____