



Redland
SHIRE COUNCIL

MINUTES

GENERAL MEETING

**Wednesday 27 February 2008
commencing at 4:00pm**

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



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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.00pm.

2 DEVOTIONAL SEGMENT

Pastor Glen Gray, from the Redland Ministers' Fellowship, led Council in a brief devotional segment.

3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

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

EXECUTIVE LEADERSHIP GROUP:

| | |
|----------------|---------------------------------------|
| Mrs S Rankin | Chief Executive Officer |
| Mr M Goode | General Manager Customer Services |
| Mr R Turner | General Manager Corporate Services |
| Mr G Soutar | General Manager Redland Water & Waste |
| Mr G Underwood | General Manager Planning and Policy |

MINUTES:

| | |
|---------------|-------------------------------------|
| Mrs J Parfitt | Corporate Meetings & Registers Team |
|---------------|-------------------------------------|

4 RECEIPT AND CONFIRMATION OF MINUTES

| | |
|--------------|----------|
| Moved by: | Cr Beard |
| Seconded by: | Cr Burns |

That the minutes of the General Meeting of Council held on 30 January 2008 be confirmed.

CARRIED

5 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES

5.1 REPORT FROM CHIEF EXECUTIVE OFFICER

The following was presented to Council for noting.

Reports on the following matters have not yet been presented to committee meetings, however, were scheduled to be presented to existing committees.

Council, at its statutory 2008 post-election meeting, will appoint committees and schedule all meeting dates. Therefore, the following matters will be presented to the relevant committees in due course.

5.1.1 SAFE COMMUNITIES PROGRAM

At the General Meeting of 26 September 2007, it was resolved that a report be prepared on the Safe Communities Program and its applicability to the Redlands community as a means to:

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

5.1.2 PETITION (DIVISION 9) – REQUESTING COUNCIL CLOSE PATHWAY ADJACENT TO 13 AND 15 DIANA STREET, CAPALABA

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

5.1.3 PETITION (DIVISION 9) – REQUEST TO INSTALL LOCAL AREA TRAFFIC MANAGEMENT DEVICES IN KILLARNEY CRESCENT, CAPALABA

At the General Meeting of 19 December 2007, Council resolved that the petition requesting Council install local area traffic management devices in Killarney Crescent, Capalaba, be received and referred to the appropriate area of Council for consideration and a report to Council.

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

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

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

At the General Meeting of 30 January 2008, Council resolved that the petition requesting that Council investigate means of controlling traffic speeds in Clifford Perske Drive so as to avoid further wildlife fatalities; the increasing threat to the safety of residents and pedestrians; and the accompanying decline in amenity and quality of life, be received and referred to the appropriate area of Council for consideration and a report to Council.

5.1.6 REQUEST FOR REPORT – HEAVY VEHICLES, MT COTTON ROAD

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

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

6 PUBLIC PARTICIPATION

Moved by: Cr Dowling

Seconded by: Cr Henry

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

CARRIED

- Ms L Boundy of Sheldon briefly addressed Council in relation to Item 14.2.1 – *Code of Conduct Matter Relating to Cr Toni Bowler*.
- Mr N Owen, Chairman of the Redlands Youth Forum, presented Council with copies and a brief outline of the Redlands Youth Forum Annual Report for 2007. (A copy of the Annual Report will be noted on the appropriate Council file).

MOTION TO RESUME MEETING

Moved by: Cr Bowler

Seconded by: Cr Elliott

That the proceedings of the meeting resume.

CARRIED

7 PETITIONS/PRESENTATIONS**7.1 PETITION (DIVISION 9) – REQUESTING TRAFFIC CALMING DEVICES IN WILLARD ROAD, CAPALABA**

Moved by: Cr Williams

Seconded by: Cr Elliott

That the petition, which reads as follows, be received and referred to the appropriate area of Council for consideration and a report to Council:

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

CARRIED

8 MOTION TO ALTER THE ORDER OF BUSINESS

Nil.

9 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEMS OF BUSINESS

The Mayor declared a conflict of interest in the Mayoral Minute in that he is one of three people appointed to see the establishment of the Redland Foundation Limited through to a general meeting to appoint a board.

Cr Bowler declared a conflict of interest in Item 15.2.1 – *Code of Conduct Matter Relating to Cr Toni Bowler*, and remained in the Chamber for discussion and decision on this matter.

10 ITEM DEFERRED FROM DEVELOPMENT ASSESSMENT COMMITTEE OF 19 FEBRUARY 2008

10.1 REPORT FROM CUSTOMER SERVICES

10.1.1 EXTENSION TO EXISTING MARINE SERVICES (BOAT STORAGE FACILITY) – 98 & 102-104 BEVERIDGE ROAD, THORNLANDS

Dataworks Filename: MC010757
Attachment: [Locality Map](#)
Responsible Officer Name: Neil Wilson
 Acting Senior Planner - Project Manager,
 Development Assessment
Author Name: Janice Worland
 Senior Planner Development Assessment

EXECUTIVE SUMMARY

| | |
|--|--|
| Application Type | Code Assessment |
| Proposed Use | Extension to Existing Marine Services (Boat Storage Facility) |
| Property Description | Lot 17 and 18 RP 76813 |
| Location | 98 and 102-104 Beveridge Road Thornlands QLD 4164 |
| Land Area | 64016.2m ² |
| Redlands Planning Scheme | Marine Activity |
| Zoning | Conservation |
| Zoning Sub-Area | Marine Activity sub-area MA2 |
| Designated Community | No |
| Infrastructure | |
| Overlays | Acid Sulfate Soils Bushfire Hazard Bushland Habitat Flood Prone, Storm Tide and Drainage Constrained Land State Koala Policy Waterways, Wetlands and Moreton Bay |
| No. of Public Submissions | Not Applicable |
| Applicant | Thornlands Marina Trust |
| Land Owner | DJ Paterson & JM Goetze As Trustee |
| Date of Receipt | 01/08/2007 |
| Start Decision Stage | 29/11/2007 |
| Statutory Decision Date | 19/02/2008 |
| Revised Statutory Decision Date | Application extended to 28/02/2008 |
| Application Coordinator | Janice Worland |
| Manager | Neil Wilson |

Council has received an application seeking a Development Permit for a Material Change of Use (Code Assessment) for the Extension to an Existing Marine Services Use (addition of a Boat Storage Facility and Fuel Storage Area) on an allotment zoned Marine Activity and Conservation, on land at 98 and 102-104 Beveridge Road, Thornlands.

The proposal, consisting of the addition of a five level boat storage shed and a fuel storage area, has been assessed by relevant internal assessment teams, the majority of which are satisfied with the proposal.

The application was made in accordance with the *Integrated Planning Act 1997* and did not require public consultation. The proposal complies with the intent of the *SEQ Regional Plan 2005-2026* and the proposed use is considered to be consistent with that required in the zone. The application has been assessed against the relevant sections of the *Redlands Planning Scheme*, including the overlays triggered by the application. The proposal is considered to be generally in accordance with this planning scheme, however has not adequately addressed the full requirements outlined in this planning document. It is therefore recommended that the application be granted a **Preliminary Approval**. A development permit will only be issued subject to the applicant meeting additional requirements, as listed below in the Officer's Recommendation.

BACKGROUND

In 1983, Council issued an approval for the site to be used for boat storage and construction. In November 1988, approval was granted to increase the number of boats stored on site to 50, which was followed by a further extension for storage of an additional 10 boats, approved in 1993 (C1601). Reconstruction and improvement works have also been undertaken for the existing slipway, marina and hardstand and car parking areas as per the ERA and Operational Works Approval of 13th June 2007 (MC009285 and OP000685).

CONSULTATION

The Development Assessment Team has consulted with other assessment teams where appropriate. Copies of the original proposal and subsequent amendments to the application were provided to Councillor Debra Henry of Division 3 on 6 August 2007 and 8 October 2007. The Councillor requested that the application be referred to the Development Assessment Committee for determination. Cr Henry has stated that she believes the application to be an over-development of the site.

1.0 DEVELOPMENT PROPOSAL AND SITE DESCRIPTION

1.1 Proposal

The proposal is for the construction of a boat storage shed over the existing outdoor boat storage area (the existing buildings on the eastern side of the site which are used for boat building and maintenance will be retained). The shed will have the capacity to store up to 450 boats within five racking levels. The proposal will have a maximum height of approximately 21 metres and will be constructed of Colorbond metal sheeting. The proposed shed has a total floor area of 5595.8m² (39.97m width

and 140m length). The proposed storage shed is located along the western boundary of the site (in the Marine Activity Zoned portion of the land) and is sited 37.2 metres from the front boundary and 0.25m from the western side boundary.

The applicant has stated that:

“The development will operate in a similar manner to the current situation where clients having boats in storage will park at the front of the site and make their way to the office to direct staff to move their boat to the water. They will then make their way down to the marina and slipway (which have been previously approved through operational works applications) and take possession of the boat once moored to a pontoon and then set off for the day. Upon their return, the boat will be moored in the Marina and will be cleaned and returned to the storage shed by staff”.

The applicant has also proposed a fuel storage area as part of the application. The proposal for a fuel storage area requires an Environmentally Relevant Activity (ERA) approval (ERA11). The proposed fuel storage area involves the construction of three underground tanks with a total maximum capacity of 60 000 Litres. The tanks will be used for refuelling of boats using the facility and will be located adjacent to the existing slipway in the Marine Activity Zoned portion of the land. Responsibility for the ERA approval is devolved to local government in this instance.

1.2 Site

The site is located on the northern side of Beveridge Road, Thornlands, at the end of the road. Lot 17 has an area of 4906.8m² and is zoned Conservation. Lot 18 has an area of 59109m². The front and western portions of the site are zoned Marine Activity sub-area MA2 (a total area of approximately 29622m²), with the north-eastern portion of the site zoned Conservation (a total area of approximately 28120m²). The northern and eastern boundaries of the site adjoin Eprapah Creek and there is an existing slipway and holding berth providing access to the Creek. The site has further been improved with buildings at the south of the site (including a dwelling house) and three sheds along the eastern boundary. Informal car parking is located at the front of the site. The site is relatively flat and includes areas of remnant vegetation (located in the north-eastern and south-eastern portions of the allotment), however the proposal is not located in these areas and will not require the clearing of any vegetation.

1.3 Surrounding Area

Sites in the surrounding area are zoned Marine Activity, Conservation and Environmental Protection. There are a number of private residences along Beveridge Road.

2.0 APPLICATION ASSESSMENT

2.1 Integrated Planning Act 1997 (IPA)

This application has been made in accordance with Chapter 3 (Integrated Development Assessment System, IDAS) of the *Integrated Planning Act 1997* and constitutes an application for code assessment for a material change of use under the *Redlands Planning Scheme*.

2.2 SEQ Regional Plan 2005-2026

The subject land is designated within the Urban Footprint land use category in the SEQ Regional Plan 2005-2026. The Urban Footprint identifies land to provide for the region's urban development needs to 2026. The Urban Footprint includes existing urban areas and greenfield areas potentially suitable for future urban development. The area includes sufficient land to accommodate the full range of acceptable urban uses, such as housing, industry, business, infrastructure, community facilities and urban open spaces projected to be required over the next 20 years.

2.3 State Planning Policies

| State Planning Policy | Applicability to current Application |
|---|--|
| <p>Nature Conservation (Koala) Conservation Plan 2006</p> | <p>The property has been identified as being in the Koala Sustainability Area as defined in the Nature Conservation (Koala) Conservation Plan 2006. The application was referred to the Environmental Protection Agency who granted approval of the proposal subject to conditions which are to be attached to any development approval.</p> |
| <p><u>State Coastal Management Plan</u> Under the Coastal Protection and Management Act 1995 the State Coastal Management Plan and subsequent Regional Coastal Management Plans have the status of State Planning Policies for the purpose of assessing and deciding development applications.</p> | <p>The application was referred to the Environmental Protection Agency who granted approval of the proposal subject to conditions which are to be included in any development approval.</p> |

2.4 Redlands Planning Scheme

Zone Code

The proposal for a boat storage shed and fuel storage on the site is defined as 'Marine Services' in the Redlands Planning Scheme (RPS). 'Marine Services' is defined as the use of premises for any coastal dependent activity on land adjoining Moreton Bay or that part of a waterway subject to tidal influence. The term includes premises used for the launching, berthing, storage, fuelling, servicing and repairing of boats.

The subject site is zoned Conservation and Marine Activity however the proposed shed and fuel storage area are to be located in the Marine Activity zoned portion of the land. Access to the shed and fuel storage area is to be through the Conservation Zone, however the RPS states that:

‘where access is provided as part of a material change of use of premises, and the provision of that access is located in a zone which has a higher level of assessment than would otherwise apply to the use, the level of assessment applicable to the provision of access is the same as the level of assessment applicable to the use’.

Marine Services are a permitted form of development in the Marine Activity Zone, subject to Code Assessment, however is an inconsistent use in the Conservation Zone, requiring Impact Assessment. As the proposed building works is to only occur in the Marine Activity Zone, Code Assessment only has been triggered (the site access and car parking provided have previously been approved – refer to Council application numbers MC009285 and OP000685).

The application has been made in accordance with the provisions of the RPS and is considered to be generally in compliance with the requirements of the Marine Activity Zone. However, in terms of amenity, articulation, building bulk and height, there is considered to be areas of non-compliance with the Code (refer to table below) which need to be further investigated and addressed prior to issue of a development permit. It is considered that insufficient justification has been provided by the applicant at this stage to support the inconsistencies and thus a preliminary approval only is recommended.

| Specific Outcomes | Probable Solutions | Officer’s Comment |
|--|---|---|
| <p>S2.3 (1) Building height respects the waterfront locality.</p> | <p>P2.3 (1) Building height is no greater than - (a) 11 metres</p> | <p>The proposed building is approximately 20 metres high and therefore exceeds, and almost doubles, the probable solution height of 11 metres. In justifying the height of the structure, the applicant provided computer modelled perspectives and a series of photographs from locations in the surrounding area after floating balloons on 20m lines at the proposed shed site. The applicant has stated that there will be few sites from which a view of the shed will be visible due to <i>‘the topography of the land and the amount of vegetation between the vantage point and the development site’</i>. Although this is the case at the moment, the vegetation screening the proposed shed is located on freehold land and therefore the future retention of this vegetation, which would currently provide some visual screening the shed, is not guaranteed. Additionally, the bulk of the building is not considered to be accurately depicted by the balloons and therefore do not give an accurate representation of views to the shed.</p> <p>In relation to the computer modelled perspectives</p> |

| Specific Outcomes | Probable Solutions | Officer's Comment |
|------------------------------------|--------------------------------|---|
| | | <p>provided, Council's Architect has stated that <i>'While these images are useful they give a rather distorted impression of the reality. Firstly the trees on the adjoining site are shown as being densely planted and higher than the building which makes the building appear small. There is no guarantee that these trees will remain and so the eventual result after a few years may be quite different to that portrayed. Also the angle of reference of the perspective is that of looking down from a height higher than the building. This reduces the dominance of the building when compared to views from eye height.'</i></p> <p>It is considered that the proposal has the potential to dominate the surrounding area. At close distances views of the building may be masked by existing surrounding tall vegetation but this cannot be guaranteed to remain. More distant views of the building will be obtained (from the mainland and waterways) where overall height and bulk is more relevant.</p> <p>In this respect, the proposal is not considered to meet overall outcome 2b(ii)(a) of the Zone Code which states that <i>'The scale of uses and buildings contribute to a built form that respects the foreshore location by adopting building heights, width, depth and bulk that minimise visual impacts'</i>. Furthermore, the proposal is not considered to meet overall outcome 2c(i) which states that <i>'Uses and other development achieve a high standard of amenity by:</i></p> <ul style="list-style-type: none"> <i>a. protecting and enhancing places of cultural significance or scenic value;</i> <i>b. maintaining the character and amenity of the foreshore areas of Moreton Bay;</i> <i>c. avoiding adverse impacts on the amenity of surrounding uses'</i>. <p>Additionally, the approval of a shed of this height in the area has the potential to set a precedent for development of the surrounding Marine Activity Zoned Sites. The potential replication of this structure height on adjoining lots would have a negative impact on the amenity of the area and streetscape (which is shared by both residential and marine activity uses).</p> |
| S2.4 (1) Building design | P2.4 (1) No probable | Council's Architect has advised that the proposal is not considered to meet the specific outcome as: (a) the bulk of the building does not permit |

| Specific Outcomes | Probable Solutions | Officer's Comment |
|--|--|---|
| <p>incorporates architectural elements that -</p> <p>(a) integrate with landscape planting and prevailing coastal landscape features;</p> <p>(b) minimise any adverse overshadowing and reflective impacts;</p> <p>(c) incorporate articulated walls with horizontal and vertical variations, shadow detail and colour, to reduce the impact of blank walls.</p> | <p>solution identified.</p> | <p>integration with landscape planting;</p> <p>(b) overshadowing is not minimised due to its height and bulk;</p> <p>(c) walls are unarticulated, being approx 140m long x 17m high.</p> <p>As stated above in relation to P2.3, the proposal is not considered to be adequately articulated and is of a height and bulk which does not respect the locality and its significant scenic value. The proposal for a boat storage shed on the site is considered to be an appropriate use of the site, however it is considered that the design of the building should be amended prior to issue of a development permit to ensure that the proposal will not have a negative impact on the amenity of the area.</p> |
| <p>S2.6</p> <p>Building design and materials in subarea MA2 are compatible with a high quality marine industry design.</p> | <p>P2.6</p> <p>No probable solution identified.</p> | <p>The present design is not considered to comply in terms of size, bulk and appearance. The proposed shed has been articulated only by painted design. It is considered that additional structural articulation (i.e. further articulation of the roof design) should be provided to improve the appearance of the structure and reduce the impact of the bulk of the building.</p> |

Overlay Code

The subject site is affected by the following overlays of the *Redlands Planning Scheme*:

Acid Sulfate Soils Overlay – The entire site is located below 5 metres AHD. As the site is relatively level, no excavation or fill works is required for the proposed shed and the self assessable requirements will be conditioned. Fuel storage is proposed in three underground tanks with a combined capacity of 60,000 litres. The excavation necessary for the tanks will result in removal of about 150 cubic metres of soil. The

tank location is in an area where a previous study indicates the presence of acid sulfate material. The previous study was in respect of the material change of use application for expansion of the marina and changes to the hardstand area (application number MC009285). Any approval conditions for the material change of use would include a requirement for a detailed acid sulfate management plan before the related works commence. The applicant has advised that excavation for the fuel tanks will be carried out at the same time as the bulk earthworks for the material change of use. The subject approval can therefore be conditioned accordingly.

Bushfire Hazard Overlay – A very small portion of the south-east corner of the land is designated as a Medium Bushfire Risk. No development is to occur in or near this designated area and the proposal is therefore self assessable against this code.

Habitat Protection Overlay (Bushland Habitat) – The whole of Lot 17 is designated as an Enhancement Area (no development proposed in this area) and the north-eastern portion of Lot 18 is designated as Marine Habitat. No development is proposed in the Marine Habitat designated area. The proposal complies with the requirements of the Code.

Habitat Protection Overlay (State Koala Policy) – The site is located within a Koala Sustainability Area. The application was referred to the Environmental Protection Agency who granted approval subject to conditions which are to be attached to any development approval.

Advisory

The EPA provided advice that the applicant should consider replanting of about 150 koala habitat trees on an external site, with the cooperation of a local conservation group. While Council would support this, without a nominated conservation group advising Council of its agreement to take part, Council cannot mandate such a condition.

The EPA recommended that Council install additional koala signage along Beveridge Road to warn motorists about koalas, and to review speed limits if appropriate. While Council may consider these items, they cannot be required as conditions to be met by the applicant.

Flood Prone, Storm Tide and Drainage Constrained Land Overlay – The northern portion of the site is located within a storm tide area. The proposed shed and fuel storage area are located outside of this area. Relevant conditions will be included in any decision notice.

Waterways, Wetlands and Moreton Bay Overlay – The site includes a Major Waterway (slipway) and a Waterways and Wetland Buffer (majority of site). The majority of the proposed shed is located outside of the buffer area. The entire site including proposed boat storage and fuel tank areas is gravelled or hardstand, and has had essentially an industrial character for some time. The standard 100 metre waterway buffer extends partially into the boat storage location. The Environmental Protection Agency recognises the existing character and use of the site and considers that rehabilitation and revegetation of the site are not practical.

Advisory

The EPA recommends rehabilitation of an external site in lieu, with the agreement of a local conservation group, as noted above.

General/Other Development Codes

The application has been assessed against the following codes:

- Development Near Underground Infrastructure Code;
- Erosion Prevention and Sediment Control Code;
- Excavation and Fill Code;
- Landscape Code; and
- Infrastructure Works Code.

The proposal is considered to comply with the requirements of the above codes with conditions pertaining to the approval given below.

2.5 Engineering

Road Access and Required Road Frontage Works

The site has street frontage to Beveridge Road.

Beveridge Road:

- Currently has open drainage along the entire frontage of the site discharging into the marine wetlands to the east. It is appropriate to require this drainage to be constructed in conjunction with roadworks to be constructed at the front of the site.
- Currently has no kerb and channel and two driveway entries exist (one sealed and the other not). The site abuts the end of Beveridge Road with an ill-formed gravel turning area which may have impacts on the adjoining marine wetlands. It is appropriate to condition the construction of road widening and turning facilities to Council standards. These works must include the construction of crossovers to suit the proposed development.
- There is no existing footpath along the frontage of the site which is adjacent to the alignment of the proposed Eddie Santaguiliana Way cycle trail. As the verge width is to be only 3.5m between the property alignment and the proposed kerb line, there is insufficient space for a cycleway. To make matters worse, the power pole alignment is located in the middle of the proposed verge. There is an opportunity to provide a 1.5m pedestrian footpath as an interim measure.

Internal Traffic Movement and Car Parking

Internal traffic movements generally comply with AS2890.1.

Car parking numbers are as per the Council's requirements in that there are no specific outcomes for parking numbers. The applicant proposes to provide 158 spaces on site. Of those, 7 are disabled spaces.

Dimensions and layouts of the car parking spaces generally comply with AS2890.1, but the applicant should provide pedestrian movement spaces on site to provide a refuge for patrons from machinery being operated in conjunction with boat launching.

Stormwater

Environmental Assessment has reviewed the stormwater management facilities for the proposed development. Their advice is that the works approved from the previous application on the site caters adequately for this addition to the site.

The related application for the slipway and hardstand expansion (MC009285) included stormwater controls designed by Ross Campbell & Associates. These include a temporary detention system that is partly designed to treat the general slipway wash down area, as conditioned by PPT. The boat storage facility is to be connected to this system so that the stormwater and wash down wastewater take advantage of the same already approved treatment processes.

The relevant approved drawings (for MC009285) are Ross Campbell & Associates:

2001A-08 Rev D
2001A-09 Rev C
2001A-10 Rev E
2001A-11 Rev B
2001A-12 Rev B
2001A-20 Rev E

Sewerage

There is no existing sewerage connection to the site. The application documents identify a proposed amenities block to serve patrons which is to be provided in the future.

The use of the site for storage of such large number of boats would necessitate the provision of public conveniences for large numbers of boat owners. It is not proposed to require the provision of public facilities at this time. It is reasonable though to require the applicant to identify the treatment systems and the disposal areas to be used for such facilities in the future. Unless this is done, the present development proposal may jeopardise the options for waste disposal.

It is appropriate to require the applicant to prepare relevant information about waste disposal with this application.

Water Supply

A water supply is currently available to the site. Conditions for the collection of roofwater from the proposed shed are appropriate and be designed to minimise the demands on Council potable water supply. The collected water should be of sufficient volumes to provide for the proposed toilet facilities, landscaping and boat wash down areas.

Electricity Services

The subject land has access to overhead electricity services.

Telecommunication Services

The subject land has access to telecommunication services.

2.6 Pollution Prevention

The Council's Pollution Prevention Unit has assessed the proposal and considered it satisfactory. Conditions of approval have been provided.

2.7 Environmental Assessment

Council's Environmental Assessment Team has assessed the proposal and considered it satisfactory. Conditions of approval have been applied. Other relevant conditions are included where appropriate as advice from state agencies or attached as concurrence conditions from state agencies.

2.8 Development Assessment Architect

The architect reviewed the applicant's submission dated 14 February, 2008, and provided the following comments:

'The applicant has provided computer generated modelling perspectives from various locations around the site as well as photographs looking back at the site from distant viewpoints in order to determine whether the building will be seen from these locations. Balloons were used on the site to give the approximate height of the building. While these images are useful they give a rather distorted impression of the reality. Firstly the trees on the adjoining site are shown as being densely planted and higher than the building which makes the building appear small. There is no guarantee that these trees will remain and so the eventual result after a few years may be quite different to that portrayed. Also the angle of reference of the perspective is that of looking down from a height higher than the building. This reduces the dominance of the building when compared to views from eye height. Secondly, while the balloons give an indication of the height of the building, they do not accurately represent the bulk of the building. If a balloon can be seen, there is a very likely chance that a good portion of the building will also be seen.'

2.9 Landscaping

Council's Landscaping officer has assessed the proposal and considered it satisfactory. Conditions of approval have been provided.

2.10 Redland Water and Waste

The team did not require conditions of approval to be included for water or waste management.

3.0 Referral Agencies

The application required referral to the following agencies:

| Agency | Referral Type | Issue | Response |
|---------------------------------------|-----------------------------------|---|--|
| Environmental Protection Agency (EPA) | Advice | Within 100m of a wetland | Response provided with advice that must be included with any Development Permit. Increase in boats stored may be unsustainable. Increase in intensity of use poses a risk to the marine environment. Development should be compatible with coastal values and adopt best management practices. Further dredging of Erapah creek will not be supported. <i>Comment: Council does not know whether the development will cause an increase in boat traffic in Erapah Creek and the bay, or only centralise the storage of existing boats. There is no current proposal before Council in relation to dredging of the creek.</i> |
| EPA | Advice | Conservation Estate - within 100m of a marine park | As above |
| EPA | Concurrence | MCU in a Koala Sustainability Area with a total footprint greater than 1000m ² | Approval granted subject to conditions that must attach to any Development Approval |
| EPA | Concurrence | Contaminated Land (land on the Environmental Management Register) | Approval granted subject to conditions that must attach to any Development Approval |
| EPA | Concurrence | Coastal Management District | Approval granted subject to conditions that must attach to any Development Approval |
| Council Pollution Prevention Team | Concurrence (devolved to Council) | Environmentally Relevant Activity (ERA) | Approval granted subject to conditions that must attach to any Development Approval |

4.0 CONCLUSION

The proposed Extension to an Existing Marine Services Use (addition of a Boat Storage Facility and Fuel Storage Area), located at 98 and 102-104 Beveridge Road, Thornlands, has been assessed against the requirements of the Redlands Planning Scheme. The proposal is considered to be generally in accordance with this planning scheme, however has not adequately addressed the full requirements outlined in this planning document. It is therefore recommended that the proposal be issued a Preliminary Approval by Council.

OFFICER'S RECOMMENDATION TO DEVELOPMENT ASSESSMENT COMMITTEE ON 19 FEBRUARY 2008

That Council resolve as follows:

A. PRELIMINARY APPROVAL

That the application submitted to Council on 1 August 2007 under s3.2.1 of the *Integrated Planning Act 1997* for a development approval for a Material Change of Use for the Extension to an Existing Marine Services Use (addition of a Boat Storage Facility and Fuel Storage Area) at 98 and 102-104 Beveridge Road, Thornlands, on land described as Lots 17 and 18 on RP 76813, be granted a Preliminary Approval.

B. ADDITIONAL INFORMATION PRIOR TO DEVELOPMENT PERMIT

1. Plumbing

Provide information regarding the provision of toilets on the site (for the use of employees and visitors) and the required effluent disposal area and show how it complies with Council's Planning Scheme, Onsite Sewage Disposal Code and AS/NZ 1547 2000 Onsite Waste Water Management. The information required is to show that the disposal area is of sufficient size to cater for the proposal, how it complies with setback distances from water sources and environmentally sensitive areas, setbacks to land below RL2.4m AHD, flooding and the reduplication of the area in the event of failure of the disposal system.

2. Building Design

The design of the proposed boat storage facility is to be amended to comply with the requirements of the Marine Activity Zone Code. The building design, articulation and materials used are to be consistent with a high quality marine industrial design. The bulk, dominance and overshadowing of the building and its potential to impact on the scenic amenity of the surrounding area is to be mitigated by reducing the height of the building, providing suitable articulation and by reducing overshadowing through the incorporation of architectural elements. Articulation is to be achieved by means of horizontal and vertical variations, shadow detail and colour to reduce the impact of blank walls.

3. Car Parking Layout

Amend the car parking layout to provide a pedestrian movement network from car parks to the boat receival area. This must be in the form of dedicated pavement which is appropriately line marked and sign posted.

Following the committee meeting on 19 February, applicants submitted additional plans and information and the officers have further considered the application and now recommend a Development Permit with conditions, presented in the following additional report with a new Officer's Recommendation:

Council has received an application seeking a Development Permit for a Material Change of Use (Code Assessment) for the Extension to an Existing Marine Services Use (addition of a Boat Storage Facility and Fuel Storage Area) on an allotment zoned Marine Activity and Conservation, on land at 98 and 102-104 Beveridge Road, Thornlands.

The proposal, consisting of the addition of a five level boat storage shed and a fuel storage area, has been assessed by relevant internal assessment teams. The application was made in accordance with the *Integrated Planning Act 1997* and did not require public consultation. The proposal complies with the intent of the *SEQ Regional Plan 2005-2026* and the proposed use is considered to be consistent with that required in the zone. The application has been assessed against the relevant sections of the *Redlands Planning Scheme*, including the overlays triggered by the application. The proposal is considered to be generally in accordance with this planning scheme. It is therefore recommended that the application be granted a **Development Permit**, subject to conditions. The applicant will be required to obtain a number of additional permits prior to construction of the proposal.

PURPOSE

The purpose of this report is to recommend that a Development Permit with conditions be granted on this application.

BACKGROUND

In 1983, Council issued an approval for the site to be used for boat storage and construction. In November 1988, approval was granted to increase the number of boats stored on site to 50, which was followed by a further extension for storage of an additional 10 boats, approved in 1993 (C1601). Reconstruction and improvement works have also been undertaken for the existing slipway, marina and hardstand and car parking areas as per the ERA and Operational Works Approval of 13th June 2007 (MC009285 and OP000685).

RELATIONSHIP TO CORPORATE PLAN

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

CONSULTATION

The Development Assessment Team has consulted with other assessment teams where appropriate. Copies of the original proposal and subsequent amendments to the application were provided to Councillor Debra Henry of Division 3 on 6 August 2007 and 8 October 2007. The Councillor requested that the application be referred to the Development Assessment Committee for determination and was presented to the meeting on 19 February 2008 and deferred for consideration at the General Meeting on 27 February 2008. Cr Henry has stated that she believes the application to be an over-development of the site.

5.0 DEVELOPMENT PROPOSAL AND SITE DESCRIPTION

5.1 Proposal

The proposal is for the construction of a boat storage shed over the existing outdoor boat storage area (the existing buildings on the eastern side of the site which are used for boat building and maintenance will be retained). The shed will have the capacity to store up to 450 boats within five racking levels. The proposal will have a maximum height of approximately 21 metres and will be constructed of Colorbond metal sheeting. The proposed shed has a total floor area of 5595.8m² (39.97m width and 140m length). The proposed storage shed is located along the western boundary of the site (in the Marine Activity Zoned portion of the land) and is sited 37.2 metres from the front boundary and 0.25m from the western side boundary.

The applicant has stated that:

“The development will operate in a similar manner to the current situation where clients having boats in storage will park at the front of the site and make their way to the office to direct staff to move their boat to the water. They will then make their way down to the marina and slipway (which have been previously approved through operational works applications) and take possession of the boat once moored to a pontoon and then set off for the day. Upon their return, the boat will be moored in the Marina and will be cleaned and returned to the storage shed by staff”.

The applicant has also proposed a fuel storage area as part of the application. The proposal for a fuel storage area requires an Environmentally Relevant Activity (ERA) approval (ERA11). The proposed fuel storage area involves the construction of three underground tanks with a total maximum capacity of 60 000 Litres. The tanks will be used for refuelling of boats using the facility and will be located adjacent to the existing slipway in the Marine Activity Zoned portion of the land. Responsibility for the ERA approval is devolved to local government in this instance.

5.2 Site

The site is located on the northern side of Beveridge Road, Thornlands, at the end of the road. Lot 17 has an area of 4906.8m² and is zoned Conservation. Lot 18 has an area of 59109m². The front and western portions of the site are zoned Marine Activity

sub-area MA2 (a total area of approximately 29622m²), with the north-eastern portion of the site zoned Conservation (a total area of approximately 28120m²). The northern and eastern boundaries of the site adjoin Erapah Creek and there is an existing slipway and holding berth providing access to the Creek. The site has further been improved with buildings at the south of the site (including a dwelling house) and three sheds along the eastern boundary. Informal car parking is located at the front of the site. The site is relatively flat and includes areas of remnant vegetation (located in the north-eastern and south-eastern portions of the allotment), however the proposal is not located in these areas and will not require the clearing of any vegetation.

5.3 Surrounding Area

Sites in the surrounding area are zoned Marine Activity, Conservation and Environmental Protection. There are a number of private residences along Beveridge Road.

6.0 APPLICATION ASSESSMENT

6.1 Integrated Planning Act 1997 (IPA)

This application has been made in accordance with Chapter 3 (Integrated Development Assessment System, IDAS) of the *Integrated Planning Act 1997* and constitutes an application for code assessment for a material change of use under the *Redlands Planning Scheme*.

6.2 SEQ Regional Plan 2005-2026

The subject land is designated within the Urban Footprint land use category in the SEQ Regional Plan 2005-2026. The Urban Footprint identifies land to provide for the region's urban development needs to 2026. The Urban Footprint includes existing urban areas and greenfield areas potentially suitable for future urban development. The area includes sufficient land to accommodate the full range of acceptable urban uses, such as housing, industry, business, infrastructure, community facilities and urban open spaces projected to be required over the next 20 years.

6.3 State Planning Policies

| State Planning Policy | Applicability to current Application |
|--|---|
| Nature Conservation (Koala) Conservation Plan 2006 | The property has been identified as being in the Koala Sustainability Area as defined in the Nature Conservation (Koala) Conservation Plan 2006. The application was referred to the Environmental Protection Agency who granted approval of the proposal subject to conditions which are to be attached to any development approval. |
| State Coastal Management Plan Under the Coastal Protection and | The application was referred to the Environmental Protection Agency who |

| | |
|---|--|
| Management Act 1995 the State Coastal Management Plan and subsequent Regional Coastal Management Plans have the status of State Planning Policies for the purpose of assessing and deciding development applications. | granted approval of the proposal subject to conditions which are to be included in any development approval. |
|---|--|

6.4 Redlands Planning Scheme

Zone Code

The proposal for a boat storage shed and fuel storage on the site is defined as 'Marine Services' in the Redlands Planning Scheme (RPS). 'Marine Services' is defined as the use of premises for any coastal dependent activity on land adjoining Moreton Bay or that part of a waterway subject to tidal influence. The term includes premises used for the launching, berthing, storage, fuelling, servicing and repairing of boats.

The subject site is zoned Conservation and Marine Activity however the proposed shed and fuel storage area are to be located in the Marine Activity zoned portion of the land. Access to the shed and fuel storage area is to be through the Conservation Zone, however the RPS states that:

'where access is provided as part of a material change of use of premises, and the provision of that access is located in a zone which has a higher level of assessment than would otherwise apply to the use, the level of assessment applicable to the provision of access is the same as the level of assessment applicable to the use'.

Marine Services are a permitted form of development in the Marine Activity Zone, subject to Code Assessment, however is an inconsistent use in the Conservation Zone, requiring Impact Assessment. As the proposed building works is to only occur in the Marine Activity Zone, Code Assessment only has been triggered (the site access and car parking provided have previously been approved – refer to Council application numbers MC009285 and OP000685).

The application has been made in accordance with the provisions of the RPS and is considered to be generally in compliance with the requirements of the Marine Activity Zone. However, in terms of amenity, articulation, building bulk and height, there is considered to be areas of non-compliance with the Code (refer to table below). Conditions of approval which address these areas of inconsistency and ensure the proposal meets the Specific Outcomes have been attached to the Development Permit.

| Specific Outcomes | Probable Solutions | Officer's Comment |
|-----------------------------|-----------------------------|--|
| S2.3 (1) Building | P2.3 (1) Building | The proposed building is a maximum of 21 metres high (17.5 metres to eaves) and therefore exceeds, |

| Specific Outcomes | Probable Solutions | Officer's Comment |
|---|--|--|
| <p>height respects the waterfront locality.</p> | <p>height is no greater than - (a) 11 metres</p> | <p>and almost doubles, the probable solution height of 11 metres. In justifying the height of the structure, the applicant provided computer modelled perspectives and a series of photographs from locations in the surrounding area after floating balloons on 20m lines at the proposed shed site. The applicant has stated that there will be few sites from which a view of the shed will be visible due to <i>'the topography of the land and the amount of vegetation between the vantage point and the development site'</i>. Although this is the case at the moment, the vegetation screening the western side of the proposed shed is located on freehold land and therefore the future retention of this vegetation, which would currently provide some visual screening the shed, is not guaranteed (Vegetation on the eastern side of the site and around Eprapah Creek is unlikely to be disturbed as it is listed as Remnant Vegetation). Additionally, the bulk of the building is not considered to be accurately depicted by the balloons and therefore do not give an accurate representation of views to the shed.</p> <p>In relation to the computer modelled perspectives provided, Council's Architect has stated that <i>'While these images are useful they give a rather distorted impression of the reality. Firstly the trees on the adjoining site are shown as being densely planted and higher than the building which makes the building appear small. There is no guarantee that these trees will remain and so the eventual result after a few years may be quite different to that portrayed. Also the angle of reference of the perspective is that of looking down from a height higher than the building. This reduces the dominance of the building when compared to views from eye height.'</i></p> <p>It is considered that the proposal (in its current form) has the potential to dominate the surrounding area. At close distances views of the building may be masked by existing surrounding tall vegetation but this cannot be guaranteed to remain.</p> <p>Additionally, the approval of a shed of this height in the area has the potential to set a precedent for</p> |

| Specific Outcomes | Probable Solutions | Officer's Comment |
|---|---|--|
| | | <p>development of the surrounding Marine Activity Zoned Sites. The potential replication of this structure height on adjoining lots would have a negative impact on the amenity of the area and streetscape (which is shared by both residential and marine activity uses).</p> <p>In response to these issues, conditions of approval including the reduction of the building height and additional structural articulation have been included to reduce the impact of the structure on its waterfront locality. The conditions set by Council officers have been included to ensure that the proposal meets the following overall outcomes of the Zone Code:</p> <ul style="list-style-type: none"> • 2b(ii)(a) which states that <i>'The scale of uses and buildings contribute to a built form that respects the foreshore location by adopting building heights, width, depth and bulk that minimise visual impacts'</i>. • 2c(i) which states that <i>'Uses and other development achieve a high standard of amenity by:</i> <ul style="list-style-type: none"> a. <i>protecting and enhancing places of cultural significance or scenic value;</i> b. <i>maintaining the character and amenity of the foreshore areas of Moreton Bay;</i> c. <i>avoiding adverse impacts on the amenity of surrounding uses'</i>. |
| <p>S2.4 (1) Building design incorporates architectural elements that - (a) integrate with landscape planting and prevailing coastal landscape features; (b) minimise any adverse overshadowing and reflective impacts;</p> | <p>P2.4 (1) No probable solution identified.</p> | <p>Council's Architect has advised that the proposal is not considered to meet the specific outcome as: (a) the bulk of the building does not permit integration with landscape planting; (b) overshadowing is not minimised due to its height and bulk; (c) walls are unarticulated, being approx 140m long x 17m high.</p> <p>As stated above in relation to P2.3, the proposal is not considered to be adequately articulated and is of a height and bulk which does not respect the locality and its significant scenic value. The proposal for a boat storage shed on the site is considered to be an appropriate use of the site, however it is considered that the design of the building should be amended to ensure that the proposal will not have a negative impact on the amenity of the area.</p> |

| Specific Outcomes | Probable Solutions | Officer's Comment |
|---|---|--|
| (c) incorporate articulated walls with horizontal and vertical variations, shadow detail and colour, to reduce the impact of blank walls. | | Conditions of approval relating to Building Design have been included in the development permit that require the applicant to provide amended plans to Council prior to application for Building Works and/or Operational Works approvals. |
| S2.6 Building design and materials in subarea MA2 are compatible with a high quality marine industry design. | P2.6 No probable solution identified. | The present design is not considered to comply in terms of size, bulk and appearance. The proposed shed has been articulated only by painted design. It is considered that additional structural articulation should be provided to improve the appearance of the structure and reduce the impact of the bulk of the building. |

Overlay Code

The subject site is affected by the following overlays of the *Redlands Planning Scheme*:

Acid Sulfate Soils Overlay – The entire site is located below 5 metres AHD. As the site is relatively level, no excavation or fill works is required for the proposed shed and the self assessable requirements will be conditioned. Fuel storage is proposed in three underground tanks with a combined capacity of 60,000 litres. The excavation necessary for the tanks will result in removal of about 150 cubic metres of soil. The tank location is in an area where a previous study indicates the presence of acid sulfate material. The previous study was in respect of the material change of use application for expansion of the marina and changes to the hardstand area (application number MC009285). Any approval conditions for the material change of use would include a requirement for a detailed acid sulfate management plan before the related works commence. The applicant has advised that excavation for the fuel tanks will be carried out at the same time as the bulk earthworks for the material change of use. The subject approval can therefore be conditioned accordingly.

Bushfire Hazard Overlay – A very small portion of the south-east corner of the land is designated as a Medium Bushfire Risk. No development is to occur in or near this designated area and the proposal is therefore self assessable against this code.

Habitat Protection Overlay (Bushland Habitat) – The whole of Lot 17 is designated as an Enhancement Area (no development proposed in this area) and the north-eastern portion of Lot 18 is designated as Marine Habitat. No development is proposed in the Marine Habitat designated area. The proposal complies with the requirements of the Code.

Habitat Protection Overlay (State Koala Policy) – The site is located within a Koala Sustainability Area. The application was referred to the Environmental Protection Agency who granted approval subject to conditions which are to be attached to any development approval.

Advisory

The EPA provided advice that the applicant should consider replanting of about 150 koala habitat trees on an external site, with the cooperation of a local conservation group. While Council would support this, without a nominated conservation group advising Council of its agreement to take part, Council cannot mandate such a condition.

The EPA recommended that Council install additional koala signage along Beveridge Road to warn motorists about koalas, and to review speed limits if appropriate. While Council may consider these items, they cannot be required as conditions to be met by the applicant.

Flood Prone, Storm Tide and Drainage Constrained Land Overlay – The northern portion of the site is located within a storm tide area. The proposed shed and fuel storage area are located outside of this area. Relevant conditions will be included in any decision notice.

Waterways, Wetlands and Moreton Bay Overlay – The site includes a Major Waterway (slipway) and a Waterways and Wetland Buffer (majority of site). The majority of the proposed shed is located outside of the buffer area. The entire site including proposed boat storage and fuel tank areas is gravelled or hardstand, and has had essentially an industrial character for some time. The standard 100 metre waterway buffer extends partially into the boat storage location. The Environmental Protection Agency recognises the existing character and use of the site and considers that rehabilitation and revegetation of the site are not practical.

Advisory

The EPA recommends rehabilitation of an external site in lieu, with the agreement of a local conservation group, as noted above.

General/Other Development Codes

The application has been assessed against the following codes:

- Development Near Underground Infrastructure Code;
- Erosion Prevention and Sediment Control Code;

- Excavation and Fill Code;
- Landscape Code; and
- Infrastructure Works Code.

The proposal is considered to comply with the requirements of the above codes with conditions pertaining to the approval given below.

6.5 Engineering

Road Access and Required Road Frontage Works

The site has street frontage to Beveridge Road.

Beveridge Road:

- Currently has open drainage along the entire frontage of the site discharging into the marine wetlands to the east. It is appropriate to require this drainage to be constructed in conjunction with roadworks to be constructed at the front of the site.
- Currently has no kerb and channel and two driveway entries exist (one sealed and the other not). The site abuts the end of Beveridge Road with an ill-formed gravel turning area which may have impacts on the adjoining marine wetlands. It is appropriate to condition the construction of road widening and turning facilities to Council standards. These works must include the construction of crossovers to suit the proposed development.
- There is no existing footpath along the frontage of the site which is adjacent to the alignment of the proposed Eddie Santagiuliana Way cycle trail. As the verge width is to be only 3.5m between the property alignment and the proposed kerb line, there is insufficient space for a cycleway. To make matters worse, the power pole alignment is located in the middle of the proposed verge. There is an opportunity to provide a 1.5m pedestrian footpath as an interim measure.

Internal Traffic Movement and Car Parking

Internal traffic movements generally comply with AS2890.1.

Car parking numbers are as per the Council's requirements in that there are no specific outcomes for parking numbers. The applicant proposes to provide 158 spaces on site. Of those, 7 are disabled spaces.

Dimensions and layouts of the car parking spaces generally comply with AS2890.1, but the applicant should provide pedestrian movement spaces on site to provide a refuge for patrons from machinery being operated in conjunction with boat launching.

Stormwater

Environmental Assessment has reviewed the stormwater management facilities for the proposed development. Their advice is that the works approved from the previous application on the site caters adequately for this addition to the site.

The related application for the slipway and hardstand expansion (MC009285) included stormwater controls designed by Ross Campbell & Associates. These include a temporary detention system that is partly designed to treat the general slipway wash down area, as conditioned by PPT. The boat storage facility is to be connected to this system so that the stormwater and wash down wastewater take advantage of the same already approved treatment processes.

The relevant approved drawings (for MC009285) are Ross Campbell & Associates:

2001A-08 Rev D
2001A-09 Rev C
2001A-10 Rev E
2001A-11 Rev B
2001A-12 Rev B
2001A-20 Rev E

Sewerage

There is no existing sewerage connection to the site. The application documents identify a proposed amenities block to serve patrons which is to be provided in the future.

The use of the site for storage of such large number of boats would necessitate the provision of public conveniences for large numbers of boat owners. It is not proposed to require the provision of public facilities at this time. It is reasonable though to require the applicant to identify the treatment systems and the disposal areas to be used for such facilities in the future. The applicant has provided the relevant information about waste disposal to Council's Plumbing Team who are satisfied with the proposed design.

Water Supply

A water supply is currently available to the site. Conditions for the collection of roofwater from the proposed shed are appropriate and be designed to minimise the demands on Council potable water supply. The collected water should be of sufficient volumes to provide for the proposed toilet facilities, landscaping and boat wash down areas.

Electricity Services

The subject land has access to overhead electricity services.

Telecommunication Services

The subject land has access to telecommunication services.

6.6 Pollution Prevention

The Council's Pollution Prevention Unit has assessed the proposal and considered it satisfactory. Conditions of approval have been provided.

6.7 Environmental Assessment

Council's Environmental Assessment Team has assessed the proposal and considered it satisfactory. Conditions of approval have been applied. Other relevant conditions are included where appropriate as advice from state agencies or attached as concurrence conditions from state agencies.

6.8 Development Assessment Architect

The architect reviewed the applicant's submission dated 14 February, 2008, and provided the following comments:

'The applicant has provided computer generated modelling perspectives from various locations around the site as well as photographs looking back at the site from distant viewpoints in order to determine whether the building will be seen from these locations. Balloons were used on the site to give the approximate height of the building. While these images are useful they give a rather distorted impression of the reality. Firstly the trees on the adjoining site are shown as being densely planted and higher than the building which makes the building appear small. There is no guarantee that these trees will remain and so the eventual result after a few years may be quite different to that portrayed. Also the angle of reference of the perspective is that of looking down from a height higher than the building. This reduces the dominance of the building when compared to views from eye height. Secondly, while the balloons give an indication of the height of the building, they do not accurately represent the bulk of the building. If a balloon can be seen, there is a very likely chance that a good portion of the building will also be seen.'

A condition of approval has been attached to the Development Permit which requires the applicant to reduce the building height by one stack (from five to four stacks) to reduce the bulk of the building and potential for the structure to be seen from other parts of the Shire.

6.9 Landscaping

Council's Landscaping officer has assessed the proposal and considered it satisfactory. Conditions of approval have been provided.

6.10 Redland Water and Waste

The team did not require conditions of approval to be included for water or waste management.

7.0 Referral Agencies

The application required referral to the following agencies:

| Agency | Referral Type | Issue | Response |
|---------------------------------------|-----------------------------------|---|---|
| Environmental Protection Agency (EPA) | Advice | Within 100m of a wetland | <p>Response provided with advice that must be included with any Development Permit.</p> <p>Increase in boats stored may be unsustainable. Increase in intensity of use poses a risk to the marine environment. Development should be compatible with coastal values and adopt best management practices. Further dredging of Erapah creek will not be supported.</p> <p><i>Comment: Council does not know whether the development will cause an increase in boat traffic in Erapah Creek and the bay, or only centralise the storage of existing boats. There is no current proposal before Council in relation to dredging of the creek.</i></p> |
| EPA | Advice | Conservation Estate - within 100m of a marine park | As above |
| EPA | Concurrence | MCU in a Koala Sustainability Area with a total footprint greater than 1000m ² | Approval granted subject to conditions that must attach to any Development Approval |
| EPA | Concurrence | Contaminated Land (land on the Environmental Management Register) | Approval granted subject to conditions that must attach to any Development Approval |
| EPA | Concurrence | Coastal Management District | Approval granted subject to conditions that must attach to any Development Approval |
| Council – Pollution Prevention Team | Concurrence (devolved to Council) | Environmentally Relevant Activity (ERA) | Approval granted subject to conditions that must attach to any Development Approval |

8.0 CONCLUSION

The proposed Extension to an Existing Marine Services Use (addition of a Boat Storage Facility and Fuel Storage Area), located at 98 and 102-104 Beveridge Road, Thornlands, has been assessed against the requirements of the *Redlands Planning Scheme*. The proposal is considered to be generally in accordance with this planning scheme. Accordingly, it is recommended that the application be approved and a **Development Permit** be granted, subject to conditions.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Dowling
Seconded by: Cr Burns

That Council resolve as follows:

B. MATERIAL CHANGE OF USE – DEVELOPMENT PERMIT

That the application submitted to Council on 1st of August 2007 under s3.2.1 of the *Integrated Planning Act 1997* for a development approval for a Material Change of Use for the Extension to an Existing Marine Services Use (addition of a Boat Storage Facility and Fuel Storage Area) at 98 and 102-104 Beveridge Road, Thornlands, on land described as Lots 17 and 18 on RP 76813, be approved and a development permit be granted subject to the following conditions:

B. CONDITIONS FOR DEVELOPMENT PERMIT

1.0 APPROVED PLANS AND DOCUMENTS

1.1 The approved plans and/or documents for this development approval are listed in the following table:

| Plan/Document Number | Plan/Document Title | Prepared by | Date received by the Council |
|----------------------|---------------------|---------------------------|------------------------------|
| AOO | Perspectives | I ³ consulting | 25 February 2008 |
| AO1 | Site Plan | I ³ consulting | 25 February 2008 |
| AO2 | Floor Plan | I ³ consulting | 25 February 2008 |
| AO3 | Building Elevations | I ³ consulting | 25 February 2008 |
| AO4 | Building Elevations | I ³ consulting | 25 February 2008 |
| 2001AK23 Admt B | Layout Plan | Ross Campbell & Assoc | 26 October 2007 |
| 2001A-23 Admt | Landscape Plan – | Ross Campbell | 8 October 2007 |

| | | | |
|--------------------|---|--------------------------|---------------------|
| D | Beveridge Road (as amended in red by Council) | & Assoc | |
| 2001A-15 Admt E | Signs and Linemarking | Ross Campbell & Assoc | 8 October 2007 |
| Sheet 1 of 1 | Noise Management Plan | Applicant | 24 October 2007 |
| 2001AK26 | Covered Surface Drip Irrigation Proposal Two | Ross Campbell & Assoc | 26 February 2008 |

2.0 DESIGN

2.1 The development must be carried out generally in accordance with the details set out in the application and the approved drawing(s) and/or document(s) listed under Condition 1.1 unless otherwise required by a condition of this approval.

3.0 GENERAL

3.1 The Council and/or other appropriate authority(ies) must be paid the cost of necessary alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development and/or material change of use, or any works required by condition(s) of this approval. Such costs will be determined by the Council and/or the relevant authority(ies) and must be paid prior to commencement of the use.

3.2 All payments to be made to the Council and/or money to be deposited and/or bond to be lodged pursuant to any condition of this approval must be made prior to commencement of the use. Other conditions must, where applicable, be complied with before the use is commenced, unless otherwise required or agreed in writing by the Council or a delegated officer.

3.3 For the construction of the proposed boat storage shed, filling or excavation is limited to excavating or otherwise removing less than 100m³ of soil or sediment or filling of land with less than 500m³ of material, where the average depth of the material is less than 500mm.

4.0 BUILDING DESIGN

4.1 The building height is to be reduced by one stack from the current 19.2metres to 16 metres.

4.2 Prior to applying for building and operational works approvals, the design of the proposed boat storage facility building is to be amended to comply with the requirements of the Marine Activity Zone Code to Council's satisfaction. The building design, articulation and materials used are to be consistent with a high quality marine industrial design. The bulk,

dominance and overshadowing of the building and its potential to impact on the scenic amenity of the surrounding area is to be mitigated. This is to be achieved by a combination of the following measures:

- By providing articulation in the overall length of the built form by breaking up the main building into two (2) or more portions. The separate portions are to be no closer than 8.5m apart and may be connected by a central roofed aisle which also provides side entry. The roof to this connection is to be at least 3.0m lower than the main roof;
- The provision of a 500mm wide landscape strip along the entire east elevation (except for the access doors) next to the buildings as well as larger planting areas at each end and within the car parking bays at no more than 20.0m intervals. (The loss in car park bays may be made up by extending the bays for the full length of the buildings.);
- The fixed metal louvers along each long elevation are to be incorporated into a band of darker colour which extends to the ground, providing a plinth to the building. This plinth is to extend to the end elevations;
- The colours and waved banding is to be continued on the west elevation;
- The decorative “sails” and a raised central section of roof may project 2.0m above the main roof;
- The decorative “sails” are to be of concrete and are to stand proud of the main wall.

4.3 External walls adjacent to side boundaries where there is insufficient space for maintenance to be carried out are to have a maintenance-free finish or a finish which is guaranteed by the manufacturer and the applicant of the finish to be maintenance free for a period of no less than 10 years.

4.4 External walls must also be designed and/or treated to resist graffiti up to a height of no less than 3.0m above the ground or other location giving access to the wall, to the satisfaction of Council or its delegated officer(s). The following graffiti resistant surface treatments are deemed to be satisfactory: -

- Transparent graffiti resistant coating with a minimum 10 years warranty on coating; or
- Use of textured panels instead of smooth surfaces; or
- Use of glass instead of solid walls where possible and if approved by Council of the relevant building certifier; or
- Other ways if approved in writing by Council or a delegated officer.

4.5 Sensor lights in vulnerable locations around the building may be included in addition to the above in order to deter graffiti. Where provided sensor lights must be buffered from adjacent properties and must not cause unreasonable glare to road traffic or pedestrians.

5.0 SIGNAGE

- 5.1 Signage clutter is to be minimised, especially to the external streetscape. This is to be achieved by full compliance with the RPS Advertising Devices Code for all existing and proposed signage.**
- 5.2 Communal signage is to be provided, preferably in the form of an architectural and landscaped feature.**

6.0 PLUMBING

- 6.1 Prior to approval of Operational Works for the development, the applicant is to provide plans to Council's plumbing department indicating the location and design of proposed amenities and effluent disposal area that is to be provided for use of employees and visitors to the approved boat storage shed. The proposed amenities and effluent disposal area is to comply with Council's Planning Scheme, Onsite Sewage Disposal Code and AS/NZ 1547 2000 Onsite Waste Water Management. The proposal is to provide a disposal area of sufficient size to cater for the proposal which complies with the setback distances from water sources and environmental sensitive areas as well as 2.4 AHD setbacks, flooding and the reduplication of the area in the event of failure.**

7.0 WASTE MANAGEMENT

- 7.1 Waste and recycling is to be managed to minimise impacts on the environment and nearby premises by:**
- (a) Ensuring secure storage of containers;**
 - (b) Locating containers on impermeable surfaces;**
 - (c) Screening waste storage areas from view;**
 - (d) Providing unobstructed and safe access for collection vehicles;**
 - (e) Ensuring that traffic flow is not obstructed when collection vehicles service containers;**
 - (f) Minimising odour impacts from containers; and**
 - (g) Incorporating effective solid and liquid waste prevention and minimisation measures into the operational aspects of the use.**

8.0 STORM TIDE LAND

- 8.1 Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood or storm tide flows, such as electrical switch gear and motors, or water supply pipeline air valves are to be located above the storm tide level or designed and constructed to exclude floodwater intrusion/infiltration.**
- 8.2 Infrastructure is to be designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a storm tide level.**

9.0 ENVIRONMENTAL ASSESSMENT

9.1 State Coastal Management Plan

Refer attached conditions from the Environmental Protection Agency.

9.2 Koala Conservation Plan

Refer attached response from the Environmental Protection Agency.

9.3 Acid Sulfate Soil

Excavation for installation of underground fuel tanks and associated identification and treatment of acid sulphate material must be undertaken in conjunction with the excavation and acid sulphate treatment over the marina and hardstand parts of the site, as described in approval MC009285. The relevant conditions were as follows, and apply to this approval for the boat storage facility / fuel tanks:

Before works requiring compliance assessment can commence, the Acid Sulfate Management Plan 6256asmprevfap.06 by Bowler Geotechnical Pty Ltd dated 2 August 2006 shall be revised to include the following elements:

Acid sulfate management items recommended by Department of Natural Resources and Water on 16 October 2006:

Reference to the formerly proposed Bunker Road site shall be removed, and replaced by reference to the Plencove Pty Ltd and National Landfill Technologies sites.

The applicant must ensure that all soil transported away from the site or from adjacent Lot 19 is in fully-enclosed sealed trucks to prevent contaminated material from reaching the external environment.

Soil material must not be taken to any permanent disposal site other than one which is licensed to accept treated or untreated acid sulfate material.

The applicant shall ensure that Council's Environmental Assessment Team and the Department of Natural Resources and Water (South-East Region – Ipswich) are informed:

- (a) If any further alteration to the management plan is found to be necessary, on the advice of a person competent in acid sulfate assessment.
- (b) If any acidic material is released into the external marine or terrestrial environment, apart from at a licensed landfill.

- (c) When final testing of treated acidic material is completed, and the results of such testing certified by a person competent in acid sulfate assessment.
- (d) When all dredging has ceased and all spoil has been removed from the site and transported to permanent landfill.

In addition to the above conditions, if acid sulfate neutralisation is likely to continue after 30 June 2008, the applicant shall, before that date, seek the consent of the owner of Lot 19 RP76813 (94-96 Beveridge Road) to extend the expiry date for consent to use Lot 19. If this is not possible, the applicant shall, before that date, provide Council with written consent of the owners or operators of the permanent landfill disposal site(s) to accept untreated material.

Advisory

As the Environmental Protection Agency states that any future dredging of Epraph Creek will not be supported, Council can give no guarantees in regard to this.

10.0 POLLUTION PREVENTION

10.1 Dangerous Goods Storage - An application for Flammable and Combustible Licence must be made prior to any works being conducted. Prior to any works being conducted, provide details of all dangerous goods proposed to be stored on site and demonstrate compliance with the operators Compliance Guide for Crude Oil or Petroleum Product Storage. (Please note section 10.0 Stormwater Management of the Operators Compliance Guide has been updated, a copy of the updated Operators Compliance Guide has been included for your reference). Include details such as, but not limited to:

- class of liquid
- quantity of each class (Table 2.1 of AS1940 – The Storage and Handling of Flammable and Combustible Liquids).
- proposed storage methods (Section 2 of *AS1940 – The Storage and Handling of Flammable and Combustible Liquids*).
- design and location of storage tanks (including roof and bunds)
- placarding and manifest
- fire fighting and spill equipment
- maintenance systems
- leak detection

Where flammable and combustible liquids are to be stored on site and are above minor storage limits, demonstrate compliance with Section 2.3 *Precautions Applying to Minor Storage of AS1940 The Storage and Handling of Flammable and Combustible Liquids*.

10.2 Noise Management Plan - The noise management plan, titled Noise Management Plan Proposed Boat Storage Facility 98-102 Beveridge Road,

Thornlands, received on the 24 October 2007, must be implemented on site and effective as of this development permit. This plan must be reviewed regularly and Council must be notified of any intended amendments to the noise management plan. Amendments to the noise management plan must not be implemented prior to gaining Council approval.

- 10.3 Waste -** Prior to an application for Operational Works, provide details of all wastes produced from the activity (the refuelling area). This should include details of the type, volume, storage, transport, disposal and final destination (i.e. re-used / recycled / disposed of to general refuse) of the waste. Please include an assessment of methods / practices that may be employed to minimize waste production on site.
- 10.4 Sediment and Erosion Control Plan -** Prior to an application for Operational Works, a sediment and erosion control plan must be submitted that demonstrates the environmental safeguards to be implemented at the site both during and following construction. Any water discharged from the site during the excavation works must be conducted so as to prevent detrimental impact to the surrounding environment and all necessary measures must be taken to prevent contamination of the stormwater system. Refer to Redland Planning Scheme Division 6 – Erosion Prevention and Sediment Control for guidance in complying with this code.
- 10.5 Dust - Pollution Prevention** is not supportive of the use of water for dust suppression. Prior to an application for Operational Works, provide further information regarding alternative dust suppression / minimisation techniques to be used at the site, during both the construction and operational phases. Consideration must be given to all potential dust sources (vehicle manoeuvring whilst moving boats on site) and the proximity of sensitive receiving environments (i.e. residential).
- 10.6 Mechanical Plant -** Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed and installed to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8 dB(A) above background levels as measured from commercial locations.
- 10.7 Lighting -** Where outdoor lighting is required the applicant must locate, design and install lighting which minimises the potential for light spillage to cause nuisance to neighbours.

C. CONDITIONS REQUIRING COMPLIANCE ASSESSMENT

1.0 OPERATIONAL WORKS – COMPLIANCE ASSESSMENT (LANDSCAPING)

- 1.1** The site, including adjacent footpath(s) must be landscaped in accordance with the details indicated on an approved Landscape Plan and any other relevant construction documentation.

- 1.2 Prior to site works commencing, the applicant(s) and/or developer must apply for an approval from the Council for landscaping plan(s) and specifications for the construction of the proposed works. In this regard, the applicant(s) and/or developer shall apply for and receive an approval for Operational Works – Compliance Assessment (Landscaping) from the Council.
- 1.3 Documentation (no less than 5 copies) to be lodged with the application form, shall include performance securities, landscape plans and specifications for the construction of the proposed works.
- 1.4 Documentation must take the form of scaled plan(s) and/or drawing(s) and/or supporting information in accordance with following Redlands Planning Scheme (RPS) documents;
- Part 8 General Codes, Division 8-Landscape;
 - Part 11-Planning Scheme Policy 9 Infrastructure Works-Chapter 11;
 - Schedules, Schedule 9 –Street Trees;
 - Part 9 Schedules, Schedule 10 –Vegetation Species List; and
 - Part 9 Schedules, Schedule 12 – Weed Species List which are available on the Council’s web site www.redland.qld.gov.au ; and
 - generally in accordance with the amended landscape drawings (amendments noted in red) by Ross Campbell & Associates, Dwg No: 2001A-23 .
- 1.5 The documentation is to contain the following information:

Existing Vegetation

- a) Integration of existing vegetation, street trees and overhanging trees on adjacent properties.

Planting Design

- b) A planting design with plant material that is in accordance with Schedules 9, 10 and 12 of the RPS .The planting design must not contain any plant material that has been identified in the RPS as:
- declared environmental weeds;
 - an invasive weed; or
 - a poisonous plant in South-East Queensland. Similarly, any existing vegetation that falls within the above categories shall be removed.

The design is to provide:

- A hierarchy of planting, which includes shade trees, shrubs and groundcovers.
- Provide a shady tree focus.
- Proposed screening any back-of-house service areas, refuse bins from public view.

- c) Provision of street trees to Beveridge Road frontage in accordance with Schedule 9. The proscribed species is *Lophostemon confertus* (as per the amended landscape plans) Stock sizes must be not less than 100 litres with a minimum height of 2 metres, unless otherwise negotiated with the Council. NOTE: Street trees must not conflict with services (underground and overhead). If there are Energex overhead power lines, the tree species selection must not conflict with the height of powerlines and the provision of continuous power.

Irrigation

- d) Watering of all plant material in accordance with Redland Shire's Watering Restrictions to promote health, viability and growth.
- e) Provision of a Management Plan to demonstrate how plant material (including turf) on public land is to be kept alive during the "On Maintenance" period of 12 months.
- f) Provision of Management Plan that includes irrigating from rainwater from on-site storage tanks for plant material (including turf) on private land; and/or use of water-saving products and materials for the site such as soil-wetting agents and aeration products that;
- have the ability to store water and absorb soluble fertiliser;
 - have the potential to reduce the amount of water required by up to 50%;
 - reduce the amount of fertiliser lost to leaching;
 - enable soils and potting mixes to be easily re-wet;
 - gradually release easily available water to the root;
 - increase soil aeration & improving clay soils;
 - increase the water holding ability of sandy loams by up to 70%;and
 - enhance the self-restoring ability of turfed areas.
- g) Details of soil improvements systems to maximise the viability and successful maturity of all plant material. This may include;
- the use of water absorption products mixed in with the soil that allow water and air nutrients to be readily absorbed by the root system;
 - imported compost and topsoil (preferably a premium organic garden blend) ; and
 - organic mulch (not pebbles).

Hard Landscape Works

- h) Fences are:
- to be finished and maintained to be visually attractive and contribute to or blend with planted landscaping and building materials;
 - to be designed and detailed to provide visual interest to the streetscape, Moreton Bay and Eprapah Creek;
 - not to be erected on a boundary directly adjoining Moreton bay, or Eprapah Creek;
 - to provide an effective visual and acoustic screen to adjoining sensitive environments;
 - to assist in highlighting entrances and pedestrian paths;
 - to maximise safety and security.
- h) Location of existing services such as overhead power lines and power poles, underground cabling, etc. which have the potential to impact on the placement of plant material.
- i) Location/s of rainwater tanks.

Lighting Design

- j) Lighting design details showing an integration of external lighting to driveways and other areas of pedestrian and car conflict. Bollards may be used to demarcate pedestrian uses with overhead lighting to provide a high level of illumination.

Design details are to integrate the principles of Crime Prevention through Environmental Design (CPTED) theory. Lighting design is to illuminate potential areas of concealment and is to project illumination so that a human face is easily discernible from 15 metres.

- k) Provision of sufficient night lighting, which renders people, colours, vegetation and objects correctly. i.e. 'white' light. Particular attention should be given to pathways, driveways and common external spaces.

- 1.6 Lighting design and planting design is not to conflict with a safe pedestrian environment.
- 1.7 The cost of any new fencing must be borne by the developer.
- 1.8 Approved landscaping works must be completed prior to the use commencing.

2.0 OPERATIONAL WORKS – COMPLIANCE ASSESSMENT (ENGINEERING)

2.1 Compliance Assessment and Approvals

Prior to the commencement of use of the site, the applicant must receive approval for and complete construction of the following works. In this regard, the developer is required to apply for and receive an Operational Works – Compliance Assessment approval from the Council.

2.2 Signage Prior to Construction

Prior to the commencement of any construction works associated with the development, a sign of approved size detailing the project team must be placed in a prominent position, at the road frontage, at each entrance to the development. The sign must detail the relevant project coordinator for the works being undertaken on the site, and the following parties (where relevant):

Developer
Project Coordinator
Architect / Building Designer
Builder
Civil Engineer
Civil Contractor
Landscape Architect

2.3 Construction Supervision, Required Council Inspections, and Acceptance of Works by the Council

The developer is advised to ensure that their engineering representatives contact the Council as early in the process as possible.

a) Engineering Works – Supervision

All site earthworks, drainage and pavement construction must be designed by and the construction supervised by a Registered Professional Engineer, Queensland (RPEQ). Testing must be carried out by N.A.T.A. registered laboratories.

Prior to occupancy of the units, the developer's Supervising Engineer must submit a certificate to the Council certifying that all work has been satisfactorily completed in accordance with all requirements of the Council, and to accepted engineering standards.

b) Engineering Works – Council Inspections

The Council inspections must be called for, and carried out, at the following stages:-

- i) Pre start – This meeting is to be carried out prior to any works commencing, within an existing road reserve or on any infrastructure that will eventually be transferred to the Council.
 - ii) Installation of erosion and sediment management measures.
 - iii) ‘Box’ inspection of crossover and footpath with reinforcing in place. Reinforcing mesh is to be supported on bar chairs.
 - iv) Stormwater pipelines and manholes bedded and partially backfilled.
 - v) ‘On Maintenance’ inspection of completed works.
 - vi) ‘Off Maintenance’ inspection of works 12 months after acceptance of works on maintenance.
- c) Engineering Works – Acceptance of Works by the Council

The Council’s Design Standards for Developments details all requirements to be complied with prior to works being accepted On and Off Maintenance by the Council.

2.4 As Constructed Requirements

As part of all land or building developments within the Shire Council requires as-constructed details for any road, roofwater, stormwater, water or sewerage infrastructure installed/constructed. The as-constructed details shall:

- a) be supplied and presented in accordance with the standard requirements of Redland Planning Scheme Policy 9 – Infrastructure Works; and
- b) be surveyed and presented on Redland Shire Council’s Co-ordinate System and on AHD vertical datum.
- c) No new Permanent Survey Marks are required

Upon request, the following information can be supplied by Council to assist the developer’s survey and engineering consultants meet the above requirements:

- a) A map detailing co-ordinated and or levelled PSMs adjacent to the site.
- b) A listing of Council (RSC) co-ordinates for some adjacent co-ordinated PSMs.
- c) An extract from Natural Resources and Mines’ SCDB database for each PSM.
- d) Permanent Survey Mark sketch plan copies.

This information can be supplied without charge once Council receives a signed declaration from the consultant agreeing to Council’s terms and conditions in relation to the use of the supplied information.

Refer to Documentation and General Conditions in Chapter 2 of the Infrastructure Works Policy for further details.

2.5 Frontage Works

The developer must construct the following works, to the Council's standards, along the entire frontage of the site to Beveridge Road.

- a) Footpath earthworks, topsoiling and turfing of all disturbed footpath areas;
- b) Construction of kerb and channel on an approved alignment;
- c) Construction of underground drainage across the frontage of the site;
- d) Construction of a turning area at the end of Beveridge Road to Council standard, with kerb and channel, aligned to avoid the loss of any vegetation;
- e) Linkage to the proposed Eddie Santaguiliana Way cycle path;
- f) Entry treatment / access to the site as per the Council's standards;
- g) A minimum 1.5 metre concrete shared footpath to the Council's standards;
- h) Adjustments and relocations necessary to public utility services resulting from these works;
- i) Street lighting to Australian Standards;
- j) Signage and line marking as per the Department of Main Roads' standard, titled the Manual of Uniform Traffic Control Devices (MUTCD);

2.6 Electrical Poles and Construction Considerations

A 300mm gap, in any proposed concrete slabs, is to be maintained around the base of all electricity poles along the frontage of the development. Other readily removable surface treatments are to be constructed up to the base of the pole.

2.7 Stormwater from Roofed and Paved Areas

Stormwater drainage from roofed and paved areas shall be discharged to an approved drainage system within adjoining site.

Construction of driveways and drainage must be to the Council and/or Department of Main Roads standards, including the provision for an ARI 100 year's overland flow through driveways, open space areas or easements over adjoining properties. An assessment of the effect of 50% blockage of inlets must be included in the drainage calculations.

Temporary drainage is to be provided during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to an approved street drainage system or to an approved site

based retention system. This temporary system must be maintained for the duration of building works.

2.8 Stormwater Nuisance and Legal Right of Stormwater Discharge

Overland flow paths and underground drainage is to be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property.

2.9 Rainwater Harvesting

The applicant is to provide collect roofwater runoff from the proposed boat storage shed in a way that enables the reuse of water for public conveniences, boat washing and landscaping. The volume of storage is to meet the needs of the development as determined by a suitably qualified person. Approval and installation of the system is to be carried out under an approval for compliance assessment – plumbing.

The criteria for assessment of this system is to be the minimisation of demands on Council's potable water supply.

2.10 Reticulated Water Supply Connection

The development is already connected to the existing reticulated water supply system.

Where the existing reticulated water supply does not currently meet the needs of the proposed development, the developer is to pay the Council its estimated cost to construct the required connection/s to the site.

Requests for connections and estimates must be made to the Council in writing, with details of work required specified. The payment for such works is to be made prior to works being carried out.

2.11 Sewerage

The applicant must provide public facilities for the use by patrons of the development, including toilets and showers. The facilities are to be capable of meeting the average demands of patrons and be serviced by an approved sewerage treatment and disposal system. The proposed new amenities block and effluent disposal area must comply with Council's Planning Scheme, Onsite Sewage Disposal Code and AS/NZ 1547 2000 Onsite Waste Water Management. The applicant must demonstrate that the disposal area is of sufficient size to cater for the proposal, how it complies with setback distances from water sources and environmental sensitive areas, RL2.4m AHD setbacks, flooding and the reduplication of the disposal area in the event of failure.

2.12 Earthworks

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments that would be used for borrowing or filling and must advise the Council of such works. Any significant borrowing or filling may require the approval of the Council. If clarification is required on the significance of the works to be undertaken, contact should be made with the Council to determine relevant approvals required.

2.13 Car Parking and Internal Driveways

The applicant must construct the car parking facilities and internal driveways. The following issues are to be addressed as part of the design:

- a) Compliance with Australian Standard AS 2890.1: Off Street Parking – Car Parking Facilities.
- b) As the driveway is longer than 20 metres, there will be a requirement to provide a slow point of 15 km/hour into the roadway.
- c) Provision is to be made for vehicles to turn within the subject site so as to enter and exit the property in a forward gear, without encroachment into formal visitor parking spaces.
- d) Parking areas should not be used for general storage or any purpose other than the parking of motor vehicles.
- e) Construction must comply with the following:
 - i) Surfacing is to be a bituminous seal coat, asphalt, concrete, or pavers, and
 - ii) Properly constructed, drained and maintained to good engineering standards.
- f) All site earthworks, drainage and pavement construction are to be designed and supervised by a Registered Professional Engineer, Queensland (RPEQ). Testing is to be carried out by NATA Registered Laboratories. Prior to occupancy or the use commencing, the Supervising Engineer must submit a certificate certifying that all work has been satisfactorily completed to the quality control criteria for this site.
- g) Disabled parking bays are to be located adjacent to the entrance to the proposed development.

2.14 Transport Infrastructure Charges Contributions

As the proposed development is not to be used for residential purposes, a monetary contribution for local transport infrastructure is not required to be paid to Council. In accordance with Council's Policy titled, "Framework for Infrastructure Charges Contributions", roadworks to the frontage of the site are required to be constructed in lieu (as conditioned above).

2.15 Water Supply Headworks

A contribution for water supply augmentation and other works must be made to the Council, at the rate applicable at the time of payment, prior any works commencing.

The amount payable for this development must comply with Planning Scheme Policy 3 – Contributions and Security Bonding. In this regard the following comments are made:

- The current rate for 2007/2008 per equivalent tenement is \$7,148.64
- The conversion factor for water supply headworks payable vary amongst the different uses. Refer to the policy in this regard.
- the amount of contribution for a particular development is determined by multiplying the calculated number of equivalent tenements by the rate per equivalent tenement based on the conversion factor for the particular development included in the table of conversion factors;
- The rate of contribution is reviewed annually on 01 July.

Any headworks previously paid may be claimed as contributing towards the amount due to the Council.

2.16 Sediment and Erosion

Prior to and during the construction and maintenance phases of this development, the developer is to be responsible for the installation and maintenance of erosion and sediment management facilities. These facilities must accord with the specific outcomes of the Erosion Prevention and Sediment Control Code until the site works are completed.

At all times the development is to adhere to the "Erosion Prevention and Sediment Control Code" and chapter 4 "Erosion Prevention and Sediment Control" of Policy 9 "Infrastructure Works".

3.0 Performance Bonding Agreement

3.1 In accordance with Planning Scheme Policy 3 – Contributions and Security Bonding, the lodgement of security with the Council in accordance with the table in Condition 3.2 must be undertaken to

guarantee the execution of works to be done in association with this approval.

- 3.2 All of the following payments must be made to the Council pursuant to any condition(s) of this approval. The performance security can be in the form of cash or bank guarantee and must be made prior to the Council being required to issue any approval for Operational Works – Compliance Assessment or commencement of any site works.

| Item | Amount | Drawn down | Returned |
|---|------------------|---|--|
| Engineering Infrastructure external to the site | \$75,000 | to the greater of \$1,000 and 5% of the value of works, when accepted On Maintenance by the Council | When works are accepted Off Maintenance by the Council (Note – There is a minimum maintenance period of 6 months). |
| Landscaping | \$5,000 | | When works are accepted Off Maintenance by the Council (Note – There is a minimum maintenance period of 6 months). |
| General performance | \$35,000 | not applicable | When all conditions associated with this approval have been complied with, as accepted by the Council. |
| TOTAL | \$115,000 | | |

- 3.3 In the case of failure to comply with the above conditions, the Council may cause the necessary work to be carried out and may deduct the cost thereof from the money deposited and/or bond held. Should such cost exceed the security held, the applicant(s) and/or the developer and/or their successor must on demand pay to the Council the amount of the works.

D. REFERRAL AGENCY CONDITIONS

Referral Agency (Concurrence and Advice Agency) conditions are as per attachments.

Note: The Council's conditions incorporate those of any referral agency.

E. ADDITIONAL PERMITS / APPROVALS REQUIRED

- 1 This approval does not allow development to be carried out. Further development permits are required for building works and plumbing and drainage works.
- 2 Operational Works – Compliance Assessment approvals (from the Council) are required for:
 - Engineering
 - External roadworks and drainage works;
 - Internal car parking and stormwater drainage works
 - Landscaping
- 3 A road opening permit must be obtained from the Council where any works are proposed within an existing road reserve. This approval must be obtained prior to the works commencing.

F. ADVICE**1 Relevant Period**

This development permit for a material change of use will remain current for a period of four (4) years starting the day the approval takes effect, as per sections 3.5.21 and 3.5.19 of the *Integrated Planning Act 1997*.

2 Fire Ants

Certain areas within Redland Shire have been identified as having an infestation of the Red Imported Fire Ant (RIFA). The movement of extracted or waste soil, retaining soil, turf, pot plants, plant material, baled hay/straw or mulch/green waste/fuel into, within and out of the Shire from a property inside a restricted area is subject to approval of the Department of Primary Industries(DPI) - RIFA Movement Controls. Further information can be obtained from the DPI Call Centre 13 25 23 or on their web site www.dpi.qld.gov.au/fireants .

5 Erapah Creek

This development permit does not permit future dredging of Erapah Creek.

6 Environment

The use of the property is to protect the environment from impacts associated with the use including stormwater run-off, water quality, erosion and sediment run-off and weed infestation. Land contamination is to be mitigated by:

- Ensuring storage, use and spillage of potential contaminants does not result in the contamination of land;
- Incorporating waste storage and collection measures that protect against spillage of contaminated materials;
- Ensuring storage areas for potentially contaminating substances are roofed and located on impermeable surfaces; and
- Incorporating space for accidental spill areas to be bunded and the contaminant retained on-site in an impermeable area/system, before removal by an approved means.

7 Amenity

Glare and reflection from the sun is to be minimised through choice of building materials and glazing. Artificial lighting is not to result in unreasonable disturbance to any person or activity. Uses and other development are to minimise emissions of dust and odour and the generation of airborne pollutants. Dust impacts of vehicle movements and stockpiling of materials are to be eliminated or mitigated.

CARRIED

A division was called for.

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

Crs Murray, Elliott, Bowler, Henry and Ogilvie voted in the negative.

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

11 PLANNING & POLICY COMMITTEE 13/02/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Burns
Seconded by: Cr Elliott

That the Planning & Policy Committee Report of 22 January 2008 be received.

CARRIED

DECLARATION OF OPENING

Cr Burns declared the meeting open at 9.00am.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCEMembers Present

| | |
|-----------------|---|
| Cr J L Burns | Chairperson and Councillor Division 5 |
| Cr D H Seccombe | Mayor |
| Cr A G Barker | Councillor Division 1 |
| Cr C B Ogilvie | Councillor Division 2 – entered at 9.02am |
| Cr D A Henry | Councillor Division 3 |
| Cr P J Dowling | Deputy Mayor and Councillor Division 4 |
| Cr T Bowler | Councillor Division 6 |
| Cr M A Elliott | Councillor Division 7 |
| Cr A R Beard | Councillor Division 8 |
| Cr K M Williams | Councillor Division 9 |
| Cr H J Murray | Councillor Division 10 |

Committee Manager

| | |
|----------------|-------------------------------------|
| Mr G Underwood | General Manager Planning and Policy |
|----------------|-------------------------------------|

Officers

| | |
|---------------|----------------------------------|
| Mrs S Rankin | Chief Executive Officer |
| Mr D Elliott | Manager Infrastructure Planning |
| Mr G Photinos | Manager Environmental Management |
| Mr L Newlands | Advisor Reserves Management |
| Mr W Dawson | Manager Land Use Planning |

Minutes

| | |
|---------------|--|
| Mrs J Parfitt | Corporate Meetings & Registers Officer |
|---------------|--|

PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

ORDER OF BUSINESS

It was noted that Item 4.1 *Southern Redland Regional Sport Facility Plan* was withdrawn.

Cr Ogilvie left the meeting at 9.12am during discussion on item 2.2 and returned at 9.16am during discussion on item 2.4.

Cr Bowler left the meeting at 9.44am during General Business.

11.1 CUSTOMER SERVICES**11.1.1 COUNCILLORS' CCBF DIVISION 1 - 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 \$27,000.00 (GST exclusive) to be allocated for the provision of new park shelters with table and seats within Apex Park, Wellington Point and the relocation of an existing shelter to Fellmonger Park, Ormiston.

PURPOSE

The purpose of this report is to seek approval from Council for an allocation from the Division 1 portion of the CCBF for \$27,000.00 (GST exclusive). This funding will be used for the provision of 2 new shelters and associated park furniture for Apex Park and the relocation of an existing shelter in Apex Park to Fellmonger Park.

BACKGROUND

The Councillor for Division 1 contacted the Senior Advisor Urban Landscape with a request to supply a quote for the installation of park furniture in a few parks within Division 1. A quote was provided.

Upon inspection of one of these parks by the Senior Advisor Urban Landscape, it was recommended that this park was not ready for the addition of this infrastructure

and another alternative was proposed. This was to install a new shelter at Fellmonger Park. This proposal was accepted by the Councillor.

Further consultation was initiated with the Advisor Landscape Architecture to define this proposal relevant to master planning of the park. This consultation led to another proposal to provide the CBF funding for the development of Apex Park subject to it having an approved master plan. An on site meeting with Advisor Landscape Architecture was held. The proposal still included the provision of a shelter for Fellmonger Park based on relocating an existing shelter from Apex Park.

Following the on site meeting, a quotation was sought from Council suppliers for the installation of 2 skillion roof shelters, the provision and installation of park furniture for each shelter plus another shelter, and the relocation of an existing shelter in Apex Park to Fellmonger Park. The costs associated with this proposal are:

- Supply and install 2 x Kit 302 Skillion roof Shelters - \$15,375.00 (GST exclusive)
- Supply and install 3 x Gossi Access tables with bench seats - \$4,501.00 (GST exclusive)
- Relocation of existing shelter Apex Park to Fellmonger Park - \$7,124.00 (GST exclusive).

Total cost of project is \$27,000.00 (GST exclusive)

The quotation was submitted to the Division 1 Councillor for approval and sufficient funds are available for this project to proceed.

ISSUES

No issues have been identified.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The Division 1 Councillor supports this project and has sufficient funds to allocate an amount of \$27,000.00 (GST exclusive) from the Division 1 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

Following the initial proposal from the Division 1 Councillor, the Senior Advisor Urban Landscape has facilitated an on site meeting to discuss the proposal with the Advisor Landscape Architect.

The Councillor Division 1 has been consulted regarding the changing of the original proposal through to the final agreed outcome for the upgrade of Apex Park and Fellmonger Park.

The Advisor Landscape Architect has been kept informed of the development of these park upgrades.

OPTIONS

PREFERRED

That Council resolve to approve an allocation of \$27,000.00 (GST exclusive) from the Division 1 portion of the Councillors' Community Benefit Fund for the supply and installation of shelters and associated park furniture for Apex Park, Wellington Point, and Fellmonger Park, Ormiston.

ALTERNATIVE

That Council not approve the allocation of \$27,000.00 (GST exclusive) for this project.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Burns
Seconded by: Cr Elliott

That Council resolve to approve an allocation of \$27,000.00 (GST exclusive) from the Division 1 portion of the Councillors' Community Benefit Fund for the supply and installation of shelters and associated park furniture for Apex Park, Wellington Point, and Fellmonger Park, Ormiston.

CARRIED

11.1.2 COUNCILLORS' CCBF DIVISION 3 - PROVISION OF PARK INFRASTRUCTURE

Datworks 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 \$14,658.00 (GST exclusive) to be allocated for the provision of a new park shelter with table and seats within Crystal Waters Park, Thornlands, and park infrastructure including seats, table and seat setting and drinking tap within Manning Esplanade Foreshore Park, Robert Mackie Park, and William Stewart Park, Thornlands.

PURPOSE

The purpose of this report is to seek approval from Council for an allocation from the Division 3 portion of the CCBF for \$14,658.00 (GST exclusive). This funding will be used for the provision of 1 new shelter and associated park furniture for Crystal Waters Park and park infrastructure including seat, table and seat setting and drinking tap within Manning Esplanade Foreshore Park, Robert Mackie Park, and William Stewart Park, Thornlands, respectively.

BACKGROUND

The Councillor for Division 3 contacted the Senior Advisor Urban Landscape with a request to investigate the upgrading of new public open space acquired from developer contribution. The park is located on Manning Esplanade, Thornlands and is currently known as Manning Esplanade Foreshore. This open space is listed with Environmental Management for future District Park development.

An initial inspection of this park by the Senior Advisor Urban Landscape and Senior Advisor Open Space Planning with the Division 3 Councillor was undertaken in 2007. At this meeting, ideas for district park development were discussed with the resultant proposal that a master plan would be required in the future for this development to proceed.

As the Councillor Division 3 desired to use current CBF funds for this park, a proposal to install a shelter was promoted following a meeting with the Senior Advisor Urban Landscape and another on site meeting with the Division 3 Councillor. Further

consultation was initiated with the Advisor Landscape Architecture to define this proposal relevant to future master planning of the park.

Robert Mackie Park within Division 3 was also visited during this time of on site meeting to assess needs within this park.

Quotations for the supply of a skillion roof shelter and other park infrastructure was sought from Council suppliers.

The Councillor undertook some follow-up consultation with nearby residents to Manning Esplanade Foreshore to gauge their support or otherwise. The outcome of this consultation was that residents preferred to see the master plan developed prior to any major park upgrade taking place.

Consequently the proposal to install a shelter was moved to Crystal Waters Park where an approved master plan already exists.

Therefore after consultation between the Councillor and the Senior Advisor Urban Parkland, a proposal for park upgrades was finalised. The costs associated with this proposal are:

- Crystal Waters Park - Supply and install 1 x Kit 302 Skillion roof Shelter - \$8,362.00 (GST exclusive);
- Crystal Waters Park - Supply and install 1 x Gossi Access table with bench seats - \$1,552.00 (GST exclusive);
- Manning Esplanade Foreshore Park – Supply and install 1 x Gossi park seat - \$942.00 (GST exclusive);
- Robert Mackie Park – Supply and install 1 x Gossi Access table with bench seats - \$1,552.00 (GST exclusive);
- William Stewart Park – Supply and install new drinking tap adjacent to existing skate park - \$2,250.00 (GST exclusive)

Total cost of project is \$14,658.00 (GST exclusive)

The quotation was submitted to the Division 3 Councillor for approval and sufficient funds are available for this project to proceed.

ISSUES

No issues have been identified.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The Division 3 Councillor supports this project and has sufficient funds to allocate an amount of \$14,658.00 (GST exclusive) from the Division 3 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

Following the initial proposal from the Division 3 Councillor, the Senior Advisor Urban Landscape has facilitated an on site meeting to discuss the proposal with the Senior Advisor Open Space Planning and other meetings with the Advisor Landscape Architecture.

The Councillor Division 3 undertook consultation with local residents adjacent to Manning Esplanade Foreshore to determine their current attitude to park development in their area.

The Councillor Division 3 has been consulted regarding the changing of the original proposal through to the final agreed outcome for the upgrade of Crystal Waters Park, Robert Mackie Park, Manning Esplanade Foreshore and William Stewart Park.

OPTIONS

PREFERRED

That Council resolve to approve an allocation of \$14,658.00 (GST exclusive) from the Division 3 portion of the Councillors' Community Benefit Fund for the supply and installation of a shelter and associated park furniture for Crystal Waters Park, and other park infrastructure including seat, table and seat setting and drinking tap within Manning Esplanade Foreshore Park, Robert Mackie Park, and William Stewart Park, Thornlands, respectively.

ALTERNATIVE

That Council not approve the allocation of \$14,658.00 (GST exclusive) for this project.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Burns
Seconded by: Cr Elliott

That Council resolve to approve an allocation of \$14,658.00 (GST exclusive) from the Division 3 portion of the Councillors' Community Benefit Fund for the supply and installation of a shelter and associated park furniture for Crystal Waters Park, and other park infrastructure including seat, table and seat setting

and drinking tap within Manning Esplanade Foreshore Park, Robert Mackie Park, and William Stewart Park, Thornlands, respectively.

CARRIED

11.2 PLANNING AND POLICY

11.2.1 MACLEAY ISLAND CAR PARK EXTENSION

Dataworks Filename: RTT: Carparks

Attachments: [Aerial Photo Macleay Island Car Park Concept Design Extension of Car Park, Macleay Island](#)

Responsible Officer Name: David Elliott
Manager Infrastructure Planning

Author Name: Rod Powell
Technical Officer Marine Projects

EXECUTIVE SUMMARY

The 94 car park spaces currently provided at the ferry terminal on Macleay Island are primarily for long term parking. These long term car park spaces are usually fully occupied by working commuters from early in the morning on most days, thereby restricting other commuters of parking spaces during the day.

A second issue is the use of the current boat ramp for both commercial barge landing operations and recreational boating. Competition for use of the ramp can result in delays to public transport and put the safety of recreational users at risk. In addition, the number of car/trailer units (CTU) spaces allocated and the area dedicated for manoeuvring and rigging/de-rigging of recreational vessels falls far short of Queensland Transport Boating Infrastructure Capital/Maintenance Program (BICMP) guidelines.

All of these issues are well known to Council and it was planned to extend the car-park and provide a second ramp dedicated to recreational users in the 2006/2007 financial year. This project was delayed due to environmental constraints. A "Review of Environmental Factors" (REF) has now been completed.

To progress to a formal pre-design conference with the EPA a code assessable development approval is required for a Material Change of Use for this site which is currently zoned CP12.

This report accords with Council's Transport Plan 2016 – actions HPA2 and A5.54 on the review of parking demand and supply on the bay islands and mainland ferry terminals.

PURPOSE

To update Council on the proposed extension of the current Macleay Island car-park to provide 80 extra car-parking and 13 car/trailer spaces to support the QT funded boat ramp in line with BICMP Guidelines.

BACKGROUND

This project was previously funded for 2006/2007 but has been delayed pending a Review of Environmental Factors (REF). The REF is now completed and QT under the auspices of the BICMP has funding set aside to construct the second boat ramp. This funding is available in a 2 year budget window which commenced in 2006/2007 in line with the original plan. This money may not be available after the end of the 2007/2008 Financial Year.

The available land is zoned CP12 and while a car park is consistent with this zone it is not exempt from the Development Assessment process and a Code Assessable application is required. Once this is complete the approval process can move along to a pre- design conference with EPA.

ISSUES

Recreational boating must share the current boat ramp and facilities with commuters and commercial operations. This contributes to traffic congestion and user safety. The construction of shore side facilities and a dedicated recreational ramp should alleviate this.

The demand for car park spaces exceeds the spaces that can be provided on the limited land at the ferry terminals of the islands. The subsidised trial bus service on Macleay Island did not resolve this parking demand issue and has since been withdrawn. With increasing development on the islands and increasing patronage of both the ferry and barge services the situation can only deteriorate. The proposed increase of 80 parking spaces with provision for improved traffic circulation via the High Central Road connection provided by this development will improve the situation at Macleay Island considerably. However the introduction of a peak hour QT/Translink bus service will be required in the future. Council officers will continue to make representations to QT/Translink in this respect.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The estimated total cost of the car park extension and connecting roadworks is \$1.9 million. It is proposed to undertake the detailed design (\$200,000) in 2008/09 and fund the construction over two (2) financial years (\$700,000 in 2009/10 and \$1,000,000 in 2010/11).

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 Planning and Policy, Divisional Councillor, President Macleay Island Progress Association and Queensland Transport Boating Infrastructure Branch were consulted and all are in general agreement with the preferred options to improve parking usage and boating safety on Macleay Island.

OPTIONS

PREFERRED

That Council resolve to:

1. Note the progress made on obtaining the necessary planning and environmental approvals for the car park extension project; and
2. Endorse the Concept Design as attached.

ALTERNATIVE

Not to proceed with the proposed car-park.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Note the progress made on obtaining the necessary planning and environmental approvals for the car park extension project; and
2. Endorse the Concept Design as attached.

COMMITTEE DISCUSSION

In outlining the proposed project Council's Manager Infrastructure Planning highlighted the fact that there were a number of environmental approvals required before this project could proceed to construction.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Burns

Seconded by: Cr Elliott

That Council resolve to:

1. Note the progress made on obtaining the necessary planning and environmental approvals for the car park extension project; and
2. Endorse the Concept Design, as attached, for planning purposes.

CARRIED

11.2.2 PETITION FOR COUNCIL TO UNDERTAKE A REVIEW OF PARKING & SECURITY - VICTORIA POINT

Datworks Filename: RTT: Maintenance Marine Landing Facilities
Victoria Point

Responsible Officer Name: David Elliott
Manager Infrastructure Planning

Author Name: Michael Pattinson
Senior Advisor Investigations

EXECUTIVE SUMMARY

A petition was received from the residents and visitors of Coochiemudlo Island at the 28 November 2007 General Meeting, relating to safety concerns and security parking at the Victoria Point Reserve. Council considered a similar petition in 2006 and resolved to adopt the outcomes of the Victoria Point Reserve Land Management Plan and Master Plan.

This report revisits the rationale and actions taken in 2006. The preferred option is that Council continues with the current security patrols and does not create a secured parking area.

PURPOSE

To respond to a petition that Council received at its General Meeting on 28 November 2007. The petition reads:

That Council undertake a review of parking and security at Victoria Point with a view to obtaining security improvement program funding to upgrade lighting and other measures and to consider rezoning some of the existing car park to 'Council Purposes' in order that a secure park may be considered.

BACKGROUND

A similar petition was presented to Council in 2006. The 2006 petition read:

We the undersigned, being residents and visitors of Coochiemudlo Island, do hereby petition the Redland Shire Council and relevant State Government authorities to rectify the absence of secure parking at Victoria Point Reserve when compares with other Bay Islands and the current discrimination which applies in the shared parking area on the eastern foreshore. On the vast majority of weekends, few if any vehicles with trailers are found parked in this area while 44 single vehicles are deprived of legal parking in close proximity to water transport to Coochiemudlo Island. We request additional parking space be found, possibly through reclamation.

Council resolved at the General Meeting 26 July 2006:

1. That the adopted outcomes of the Victoria Point Reserve Land Management Plan and Master Plan 2005 remain unaltered;
2. That investigations be carried out to assess the feasibility of upgrading lighting in parking areas;
3. That increased security patrols be trialled in the reserve;
4. That the concerns of the petitioners be forwarded to the Local State Member; and
5. That the principal petitioner be advised in accordance with the content of the report.

ISSUES

Actions arising from the July 2006 resolutions from Council General Meeting:

- Community & Social Planning Section has applied for a grant from the Queensland State Government to upgrade security lighting at Victoria Point. The proposed budget is \$27,100 in 2008/09.
- Security patrols were increased in December 2006 to two patrols per night with a dog.
- The concerns of the petitioners were forwarded to the State Member for Redlands in November 2006.
- The principal petitioner was contacted in December 2006 and advised of Council's decision in relation to the petition.

The Victoria Point Reserve is State owned land, held in trust by Redland Shire Council. During the process of developing the Land Management Plan and Master Plan, the Department of Natural Resources and Water clarified that its main purpose was that of a recreational reserve. Furthermore, they advised that a secure car compound is neither a community purpose consistent with a recreational reserve or the Council zoning of open space.

Public security and safety is a matter for the Queensland Police Service who receive the reports of criminal activities that take place in the reserve. Discussions were held with police to discuss safety concerns; they state that "Police have a tasking objective to patrol Victoria Point Reserve.

Officers patrol the car park several times a night dependent upon availability. Police are aware of the problem with vandalism, with offence times generally at night."

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

No financial implications if the preferred option is adopted.

PLANNING SCHEME IMPLICATIONS

There are no planning implications proposed.

CONSULTATION

The following were consulted; Manager Land Use Planning, Manager Community & Social Planning, General Manager Planning & Policy and Group Manager Infrastructure Planning.

OPTIONS

PREFERRED

That Council resolve as follows:

1. That the adopted outcomes of the Victoria Point Reserve Land Management Plan and Master Plan 2005 remain unaltered;
2. That the proposed security lighting upgrades be considered for approval in the 2008/09 budget deliberations;
3. That the existing security patrols be continued; and
4. That the head petitioner be requested to advise the other petitioners of Council's decision.

ALTERNATIVE

That Council resolve as follows:

1. That no further action be taken on security issues; and
2. The petitioners be advised accordingly.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Burns

Seconded by: Cr Elliott

That Council resolve as follows:

1. That the adopted outcomes of the Victoria Point Reserve Land Management Plan and Master Plan 2005 remain unaltered;
2. That the proposed security lighting upgrades be considered for approval in the 2008/09 budget deliberations;
3. That the existing security patrols be continued; and
4. That the head petitioner be requested to advise the other petitioners of Council's decision.

CARRIED

11.2.3 INTERIM VEGETATION PROTECTION ORDER - HARDY ROAD FIG

Datworks Filename: EM Vegetation Protection
Attachments: [Hardy Road Fig - Aerial Photo](#)
[Hardy Road Fig - Photo](#)
Responsible Officer Name: Gary Photinos
Manager - Environmental Management
Author Name: Richard Collins
Advisor - Habitat Protection

EXECUTIVE SUMMARY

Council resolved at the General Meeting of 28 November 2007 that it begin action to protect the large fig tree on Lot 13 SP 188629.

The fig tree (*Ficus benjamina*) is a significant specimen considered to be 150 years old. While it once stood on farmland it is now within an urban lot but remains an important land mark in the area.

This report outlines the rationale and considerations for the proposed Interim Vegetation Protection Order for the tree.

PURPOSE

That Council resolve to make an Interim Vegetation Protection Order under the provision of Local Law No. 6 "Protection of Vegetation" on a large fig tree located at 31 Hardy Road, Wellington Point (Lot 13 on SP188629).

BACKGROUND

- The fig tree was inspected by Steve Bachman of 'All Tree Care - Independent Consulting Arborist' on 2 February 2004 who recommended that, as part of the conditions for developing the site, the tree should be retained.
- The Environmental Assessment Team suggested that the fig should be retained in public ownership, however, the provision of additional park was rejected and it was recommended by Environmental Management that the fig tree should be retained within a private allotment.
- Redland Shire Council Local Law 6 (Protection of Vegetation) provides for the protection of vegetation through Vegetation Protection Orders.
- Council resolved at the General Meeting of 28 November 2007 to begin action to protect the large fig tree on Lot 13 SP 188629.

ISSUES

The Local Government may make a Vegetation Protection Order (VPO) to protect significant vegetation, as defined under s3. of Local Law 6, on freehold land.

Council may resolve to apply an Interim Vegetation Protection Order which remains in place for 6 months. Within this period, the requirements for establishing a VPO can be undertaken. These include public notification and the consideration of submissions and an expert report. Council may then confirm the VPO.

GROUNDINGS FOR THE VEGETATION PROTECTION ORDER

Local Law 6 defines significant vegetation by providing criteria (a) to (s). It is recommended that the fig tree is protected because it achieves the following criteria;

- (a) a valuable part of the natural heritage of the area;
- (m) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated;
- (n) important for its age, height, trunk circumference or canopy spread; and it is
- (o) important for its unique contribution to the landscape.

The fig tree has been an important part of the landscape of Wellington Point for many years. Originally growing adjacent to farm sheds on the corner of Hardy Road and Marlborough Road, its height and canopy spread should ensure that this fig remains a local landmark reminding residents of the farming past of this suburb.

Subordinate Local Law No. 6 describes the circumstances when vegetation protected by a VPO may be damaged other than by the grant of a permit. These include, if the damage is:-

- within ten (10) metres of a constructed dwelling house lawfully in existence at the date of commencement of this Local Law;
- within three (3) metres of a building or structure (other than a dwelling or fence) or the foundations of a building or structure (other than a dwelling or fence) lawfully in existence at the date of commencement of this Local Law;
- within three (3) metres of the site of a proposed building or structure (other than fence) in respect to which a development permit or preliminary approval has been granted under the provisions of the *Integrated Planning Act 1997* (as amended from time to time) to the carrying out of work pursuant to the provisions of the *Building Act 1975* and Standard Building Local Laws as amended from time to time;
- within three (3) metres of the boundary between land under separate ownership and is reasonably necessary for erecting or maintaining a dividing fence;
- within three (3) metres of the boundary between land under separate ownership and is reasonably necessary for a survey of the boundary by a registered surveyor; within three (3) metres of the boundary between land

under separate ownership and is reasonably necessary to establish or maintain a fire break;

except where a vegetation protection order has been declared for the express purpose of protecting such vegetation.

Therefore, it would be a condition of the VPO that the fig tree would not be subject to these exemptions.

NOTICE OF ORDER

As Council has resolved to begin action to protect the fig tree, the owner of the land will need to be given written notice of the order. In addition, public notice of the order will need to be advertised in the local newspaper. One requirement of the notice is to invite submissions for or against the order.

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 are minor financial implications associated with advertising the order and contracting an expert's report.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has been undertaken with the Environmental Management Group, Development Assessment Group, Operations and Maintenance Group who are all supportive of the recommendation.

As described above, notice of the order will need to be provided to the owner of the land and an advertisement placed in the local paper asking for submissions.

OPTIONS

PREFERRED

That Council resolve to make an Interim Vegetation Protection Order under the provision of Local Law No. 6 "Protection of Vegetation" on a large fig tree located at 31 Hardy Road, Wellington Point (Lot 13 on SP188629) and that the exemptions (i) – (vi) described s27(b) will not apply in this instance.

ALTERNATIVE

That Council resolve to **not** make an Interim Vegetation Protection Order under the provision of Local Law No. 6 “Protection of Vegetation” on a large fig tree located at 31 Hardy Road, Wellington Point (Lot 13 on SP188629) and that the exemptions (i) – (vi) described s27(b) will not apply in this instance.

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

Moved by: Cr Burns
Seconded by: Cr Elliott

That Council resolve to make an Interim Vegetation Protection Order under the provision of Local Law No. 6 “Protection of Vegetation” on a large fig tree located at 31 Hardy Road, Wellington Point (Lot 13 on SP188629) and that the exemptions (i) – (vi) described s27(b) will not apply in this instance.

CARRIED

11.2.4 POWERLINE UNDERGROUNDING UPDATE

Dataworks Filename: Undergrounding Powerlines
Attachments: [Attachment A- Committee Report 14.3.07](#)
[Attachment B- 2007 Priority List for Potential Powerline Undergrounding](#)
Responsible Officer Name: Gary Photinos
Manager- Environmental Management
Author Name: Leo Newlands
Advisor- Reserves Management

EXECUTIVE SUMMARY

At the General Meeting of 28 November 2007, Council resolved that a report be presented to Council on the progress made with Energex regarding undergrounding of powerlines in selected areas.

Council has produced a list of priority areas for undergrounding powerlines in the Shire as per the Memorandum of Understanding between Council and Energex in regards to vegetation near powerlines. This list was provided to Energex by 30th March 2007. Parks and Conservation have and are liaising with Energex and co funding actions to reduce impacts of powerlines on trees in specific locations.

PURPOSE

That Council resolve to note the progress made with Energex regarding undergrounding of powerlines in selected areas.

BACKGROUND

- A MOU (Memorandum of Understanding) between Council and Energex was developed and signed 1st June 2006.
- A Council resolution on 20 December 2006, requested that Council initiate discussions with Energex and report to Council within two months on progress on the potential to implement a program of gradual undergrounding of electric powerlines for the purpose of conservation of urban koala habitat on both public and private land. A report, 'Undergrounding Powerlines for Conservation Purposes' was subsequently submitted to Council in March 2007 (Attachment A).
- A motion was agreed at General Meeting of 28 November 2007 that a report be presented to Council on the progress made with Energex regarding undergrounding of powerlines in selected areas.

ISSUES

ENERGEX MOU (MEMORANDUM OF UNDERSTANDING)

Council has previously considered vegetation management issues in proximity to powerlines resulting in the development of an MOU with Energex on 1st June 2006. The MOU outlines the roles, responsibilities and cooperation required for best practice management of vegetation in proximity to powerlines. The MOU also provides for the identification and submission of a priority list of areas for potential undergrounding. Undergrounding is defined as placement of overhead powerlines underground where retrofitting of services is planned.

MOU PRIORITY LIST FOR UNDER-GROUNDING

In consultation with Parks and Conservation and Energex, a list of prioritised areas for potential undergrounding was collated and supplied to Energex by 30th March 2007. Parks and Conservation are now charged with liaising with Energex and updating this prioritised list by the 30th March annually as per the MOU.

ENERGEX FEEDBACK ON PRIORITY LIST

Energex have provided feedback on the priority list (Attachment B) for undergrounding and have indicated that they will have discussions with Council in early 2008 regarding potential works.

OTHER EFFORTS WITH ENERGEX TO REDUCE POWERLINE IMPACTS

1. Bundling of overhead power cables

Parks and Conservation are also liaising with Energex to conserve habitat trees through powerline modification. Parks and Conservation currently have \$40,000 a year devoted to powerline modifications which tends to be matched dollar for dollar by Energex (hence an \$80,000 program). These funds are mainly used for aerial bundling and the elevation and extension of cross arms to avoid conflict with trees. Undergrounding has not really been undertaken at this stage mainly due to the expense.

2. Removal of potentially surplus redundant overhead powerlines.

Energex have been consulted in regards to the removal of potentially surplus/redundant overhead powerlines in Oak Street, Ormiston and King Street, Thornlands. Feedback from Energex indicated that these lines are still required for load sharing purposes and that removal would not be possible.

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 financial implications however we are not sure the cost of the actions identified in the attached list. Further discussions with Energex regarding the costs and cost sharing arrangements need to occur. Outcomes of such discussions will be brought back to council when required.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Council's Environmental Management Group, Parks and Conservation Unit, Land Use Planning Group and Energex were consulted in the development of this report. A meeting was held on the 31st of January 2008 to discuss the Energex revisions to its policy in regards to undergrounding power.

OPTIONS**PREFERRED**

That Council resolve to note the progress made with Energex regarding undergrounding of powerlines in selected areas.

ALTERNATIVE

That Council resolve not to accept this report and provide further direction regarding this matter.

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

Moved by: Cr Burns
Seconded by: Cr Elliott

That Council resolve to note the progress made with Energex regarding undergrounding of powerlines in selected areas.

CARRIED

11.3 ITEM DEFERRED AT GENERAL MEETING 30 JANUARY 2008

11.3.1 PUBLIC NOTIFICATION - SOUTH-EAST THORNLANDS STRUCTURE PLAN

Datworks Filename: LUP Studies - South-East Thornlands
Responsible Officer Name: Greg Underwood
General Manager Planning & Policy
Author Name: Wayne Dawson
Manager Land Use Planning

EXECUTIVE SUMMARY

At the General Meeting of 30 January 2008, Council resolved that consideration of this matter be deferred.

By letter dated 25 January 2008 the Acting Minister for Infrastructure and Planning has confirmed no State interests would be adversely affected by the proposed South-East Thornlands Structure Plan and associated Redlands Planning Scheme amendments. Accordingly, Council may now proceed to public notification of the proposed planning scheme amendments [and by association, the draft Structure Plan], subject to complying with the following Ministerial condition:

- Insert a footnote in Structure Plan Map 1 - 'Land Use Precincts' against the reference in the legend entitled 'Mixed Use' as follows:

'Note: The State Government has concerns regarding the location of the proposed mixed use precinct, with reference to the preferred option identified in the planning study. The community is encouraged to comment to ensure a comprehensive consideration of all relevant issues prior to final approval of the Structure Plan.

PURPOSE

To seek Council approval to commence the public notification for thirty [30] business days of the proposed South-East Thornlands Structure Plan and associated Redlands Planning Scheme amendments in accordance with section 12 of Schedule 1 of the *Integrated Planning Act 1997*.

BACKGROUND

Council at its Special Meeting on 21 April 2006 adopted the draft South-East Thornlands Structure Plan and associated planning scheme amendments for the purposes of First State Interest Review. Since that time Council has provided a response to comments received from State Agencies and an amended version of the draft structure plan and scheme amendments was submitted to the State in July 2007.

ISSUES

The Department of Infrastructure and Planning has formally reviewed the amended version of the draft structure plan and associated scheme amendments. By letter dated 25 January 2008 the Acting Minister for Infrastructure and Planning has advised that the Regional Level Structure Plan does contain some issues of concern to the State Government including:

1. The proposed location of the local centre/mixed use precinct;
2. The extent of the greenspace network in the southern sector, along Erapah Creek;
3. Koala habitat impacts;
4. Pedestrian and bicycle permeability through the middle portion of the Major Development Area to access the local centre.

However, the Acting Minister recognises that these matters may be resolved at the Second State Interest Review following an examination of any submissions received and the inclusion of additional provisions for several of the issues. Accordingly, the Acting Minister has confirmed that no State interests would be adversely affected by the proposed structure plan and associated scheme amendments and Council may now proceed to public notification subject to complying with the following Ministerial condition:

5. Insert a footnote in Structure Plan Map 1 - 'Land Use Precincts' against the reference in the legend entitled 'Mixed Use' as follows:

'Note: The State Government has concerns regarding the location of the proposed mixed use precinct, with reference to the preferred option identified in the planning study. The community is encouraged to comment to ensure a comprehensive consideration of all relevant issues prior to final approval of the Structure Plan.'

Public notification of the draft structure plan and scheme amendments will involve a number of consultation activities including:

- the preparation and distribution of a newsletter;
- display material in Council's Customer Service Centres and libraries;
- internet material including on-line submission function;
- public information days.

It is estimated that it will take approximately four [4] weeks to prepare the necessary consultation material to support the public notification of the structure plan and associated scheme amendments.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The South East Thornlands Structure Plan is a budgeted project which requires no additional funding to undertake the proposed public exhibition and community engagement strategy.

PLANNING SCHEME IMPLICATIONS

Implementation of the South-East Thornlands Structure Plan will result in amendments to the Redlands Planning Scheme.

CONSULTATION

Land Use Planning has consulted with other groups of Planning and Policy throughout the preparation and First State Interest Review of the structure plan and associated scheme amendments.

OPTIONS

PREFERRED

That Council resolve:

1. To commence public notification of the draft South-East Thornlands Structure Plan and associated Redlands Planning Scheme amendments in accordance with the following:
 - the Ministerial condition to insert a footnote in Structure Plan Map 1 - 'Land Use Precincts' against the reference in the legend entitled 'Mixed Use' as follows:

'Note: The State Government has concerns regarding the location of the proposed mixed use precinct, with reference to the preferred option identified in the planning study. The community is encouraged to comment to ensure a comprehensive consideration of all relevant issues prior to final approval of the Structure Plan and
 - for thirty [30] business days in accordance with section 12 of Schedule 1 of the *Integrated Planning Act 1997*.
2. That the draft South-East Thornlands Structure Plan and associated planning scheme amendments remain confidential pending commencement of public notification.

ALTERNATIVE

That Council resolve not to proceed with public notification of the South-East Thornlands Structure Plan and associated Redlands Planning Scheme amendments.

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

Moved by: Cr Burns
Seconded by: Cr Elliott

That Council resolve as follows:

- 1. To commence public notification of the draft South-East Thornlands Structure Plan and associated Redlands Planning Scheme amendments in accordance with the following:**
 - **the Ministerial condition to insert a footnote in Structure Plan Map 1 - 'Land Use Precincts' against the reference in the legend entitled 'Mixed Use' as follows:**

'Note: The State Government has concerns regarding the location of the proposed mixed use precinct, with reference to the preferred option identified in the planning study. The community is encouraged to comment to ensure a comprehensive consideration of all relevant issues prior to final approval of the Structure Plan and
 - **for thirty [30] business days in accordance with section 12 of Schedule 1 of the *Integrated Planning Act 1997*.**
- 2. That the draft South-East Thornlands Structure Plan and associated planning scheme amendments remain confidential pending commencement of public notification.**

CARRIED

11.4 GENERAL BUSINESS

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

1. Cr Elliott requested a workshop to discuss options for the removal of unregistered vehicles parked on roadways.
2. Cr Williams requested a workshop to discuss the issue of abandoned shopping trolleys.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Burns

Seconded by: Cr Elliott

That the General Business items be noted.

CARRIED

12 REDLAND WATER AND WASTE COMMITTEE 20/02/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Barker
Seconded by: Cr Dowling

That the Redland Water and Waste Committee Report of 20 February 2008 be received.

CARRIED

DECLARATION OF OPENING

Cr Barker declared the meeting open at 9.00am.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Members Present

| | |
|-----------------|---|
| Cr A G Barker | Chair and Councillor Division 1 |
| Cr C B Ogilvie | Councillor Division 2 |
| Cr D A Henry | Councillor Division 3 |
| Cr P J Dowling | Deputy Mayor and Councillor Division 4 |
| Cr J L Burns | Councillor Division 5 – entered at 9.02am |
| Cr T Bowler | Councillor Division 6 – entered at 9.01am |
| Cr M A Elliott | Councillor Division 7 |
| Cr A R Beard | Councillor Division 8 |
| Cr K M Williams | Councillor Division 9 |

Committee Manager

| | |
|-------------|---------------------------------------|
| Mr G Soutar | General Manager Redland Water & Waste |
|-------------|---------------------------------------|

Officers

| | |
|---------------|--|
| Mrs S Rankin | Chief Executive Officer |
| Mr S Cantrell | Acting Manager Technical Support |
| Mr P Milner | Acting Manager Customer Service & Business Performance |

Minutes

| | |
|---------------|--|
| Mrs J Parfitt | Corporate Meetings & Registers Officer |
|---------------|--|

LEAVE OF ABSENCE

Moved by: Cr Ogilvie
Seconded by: Cr Dowling

That leave of absence from today's meeting be approved for Cr H J Murray.

CARRIED

ABSENT

Cr D H Seccombe, Mayor.

PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

Cr Burns left the meeting at 9.11am during discussion on item 1.1 and returned at 9.34am.

Cr Ogilvie left the meeting at 9.29am during discussion on item 1.1 and returned at 9.33am.

12.1 REDLAND WATER AND WASTE**12.1.1 REDLAND WATER & WASTE COUNCIL BUSINESS UNIT REPORT –
JANUARY 2008**

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

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

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

Author Name: Gary Soutar
General Manager, Redland Water & Waste

EXECUTIVE SUMMARY

The Redland Water & Waste (RWW) Council Business Unit report is presented to Council for noting. The report provides the business unit's performance for the month of January 2008 and covers financial and non-financial indicators for water, wastewater and waste.

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

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

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

PURPOSE

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

BACKGROUND

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

ISSUES

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

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

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

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

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

RELATIONSHIP TO CORPORATE PLAN

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

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

FINANCIAL IMPLICATIONS

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

CONSULTATION

Consultation has occurred with:

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

OPTIONS**PREFERRED**

That Council resolve to accept the Redland Water & Waste Council business unit report for January 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 Barker
Seconded by: Cr Elliott

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

CARRIED

13 FINANCE AND CORPORATE MANAGEMENT COMMITTEE 20/02/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Williams
Seconded by: Cr Dowling

That the Finance and Corporate Management Committee Report of 20 February 2008 be received.

CARRIED

DECLARATION OF OPENING

Cr Williams declared the meeting open at 2.00 pm.

RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

Members Present

| | |
|-----------------|---|
| Cr K M Williams | Chair and Councillor Division 9 |
| Cr D H Seccombe | Mayor |
| Cr A G Barker | Councillor Division 1 |
| Cr C B Ogilvie | Councillor Division 2 |
| Cr D A Henry | Councillor Division 3 |
| Cr P J Dowling | Deputy Mayor and Councillor Division 4 |
| Cr J L Burns | Councillor Division 5 |
| Cr T Bowler | Councillor Division 6 |
| Cr M A Elliott | Councillor Division 7 Entered at 2.02 pm |
| Cr A R Beard | Councillor Division 8 |
| Cr H J Murray | Councillor Division 10 Entered at 2.08 pm |

Committee Manager

| | |
|-------------|------------------------------------|
| Mr R Turner | General Manager Corporate Services |
|-------------|------------------------------------|

Officers

| | |
|----------------|---|
| Mrs S Rankin | Chief Executive Officer |
| Mr G Underwood | General Manager Planning and Policy |
| Mr G Soutar | Manager Operations and Maintenance |
| Ms K Phillips | Manager Financial Services |
| Mr M Elliott | Property Services Manager |
| Mr W van Wyk | Manager Corporate Planning Performance & Risk |

Minutes

| | |
|--------------|--|
| Mrs J Thomas | Corporate Meetings & Registers Officer |
|--------------|--|

PUBLIC PARTICIPATION AT MEETING

Nil

DECLARATION OF INTEREST

Nil

MOTION TO ALTER THE ORDER OF BUSINESS

Nil

Cr Burns left the meeting at 2.22 pm (during item 2.1)
Cr Bowler left the meeting at 2.35 pm (during item 2.4)
Cr Dowling left the meeting at 2.57 pm (during general business)
Cr Seccombe left the meeting at 2.57 pm (during general business)
Cr Barker left the meeting at 2.57 pm (during general business)
Cr Beard left the meeting at 2.57 pm (during general business)
Cr Ogilvie left the meeting at 3.00 pm (during general business)
Cr Henry left the meeting at 3.00 pm (during general business)

13.1 OFFICE OF CEO**13.1.1 DELEGATED AUTHORITY - COUNCIL ELECTION PERIOD**

Datworks Filename: GOV Delegation – LGA s472

Responsible Officer Name: Susan Rankin
Chief Executive Officer

Author Name: Anne Roseler
Manager Legal Services

EXECUTIVE SUMMARY

The final General Meeting of Council prior to the 2008 local government elections will occur on 27 February 2008. The quadrennial local government elections take place on 15 March 2008. Within fourteen days of the election, a statutory post-election meeting must be held to consider matters which include the appointment of its standing committees and the day and time for holding council and committee meetings. During the period from 28 February 2008 until the first General Meeting of the new Council, it will be necessary to put in place appropriate delegations.

It is proposed that for the period from 28 February 2008 until the first General Meeting of the new Council, the Chief Executive Officer be delegated the authority, in accordance with the requirements of the *Local Government Act 1993* and other relevant legislation, to:

- decide development applications under the Integrated Planning Act 1997;
 - decide applications under the Redlands Planning Scheme;
 - provide instructions to legal counsel for litigation including appeal matters actioned under Chapter 4 of the Integrated Planning Act 1997;
-

- make vary and discharge contracts with a value in excess of \$500,000;
- have the ability to apply to the Minister for Local Government for approval for any major policy decision during the caretaker period in accordance with section 441D of the *Local Government Act 1993*.

The *Local Government Act 1993* restricts a local government from making major policy decisions during the caretaker period. The delegation of these powers will be subject to those same restrictions.

Other delegations already in place for Council officers through the Chief Executive Officer will remain unchanged and in effect.

PURPOSE

The purpose of this report is to recommend that Council delegates the powers of the Development Assessment Committee, the ability to provide instructions in litigation and the ability to make vary and discharge contracts in excess of \$500,000, to the Chief Executive Officer, for the period after the last meeting in the term of the current council and the first scheduled meeting of the term of the new Council after the 15 March 2008 elections.

BACKGROUND

The next quadrennial local government election is set for 15 March 2008. Council is currently in a caretaker period since the election was called on 2 February 2008 when the public notice of the holding of the election was given under section 301(1) of the *Local Government Act 1993*.

There is no requirement under the Act that meetings not be held in a caretaker period, however, section 441D of the *Local Government Act 1993* prohibits councils from making major policy decisions, as defined by section 441C of the Act.

The last General Meeting to be held in the term of the current council will be on 27 February 2008. Within fourteen days of the election, a statutory post-election meeting must be held to consider matters which include the appointment of its standing committees and the day and time for holding council and committee meetings.

During the period from 28 February 2008 until the first General Meeting of the new Council, it will be necessary to put in place appropriate delegations to ensure that the business of Council is able to continue.

ISSUES

It is intended that a report be presented to the first General Meeting detailing all matters determined under the proposed delegated authority during the subject period.

It is proposed to delegate these powers to the Chief Executive Officer alone and not conjointly with the Mayor as has been the practice in the past, to ensure consistency with arrangements being put in place for amalgamating councils, which advice indicates is applicable to all councils.

Powers of Development Assessment Committee

The existing powers conferred on 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 the powers conferred on the Development Assessment Committee to the Chief Executive Officer.

Legislative Restrictions on Powers

Any decisions made under the proposed delegations will be subject to any and all legislative restrictions on the local government's exercise of its powers, for example the restrictions in section 441D of the *Local Government Act 1993* on making major policy decisions during the caretaker period. Section 441D of the *Local Government Act 1993* requires the approval of the Minister for Local Government before any major policy decision is made or contract entered whose value is greater than 1% of council's net rates and utility charges. Therefore the ability to make such an application to the Minister should the need arise is also sought to be delegated.

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

Nil

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

This delegation is consistent with the practice adopted by this Council since the beginning of its term, whenever there is an extended period without any meetings.

OPTIONS**PREFERRED**

1. That under section 472(1) of the *Local Government Act 1993* Council delegate to the Chief Executive Officer for the period from 28 February 2008 until the first Development Assessment Committee Meeting and General Meeting after the 15 March 2008 local government quadrennial election the following powers:-
 - a. to decide development applications under the *Integrated Planning Act 1997*;
 - b. to decide applications under the Redlands Planning Scheme;
 - c. to provide instructions to legal counsel for litigation including appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*;
 - d. to make vary and discharge contracts with a value in excess of \$500,000 subject to the requirements of the *Local Government Act 1993*;
 - e. to apply to the Minister for Local Government for approval for any major policy decision during the caretaker period in accordance with section 441D of the *Local Government Act 1993*;
2. That the above delegations only be exercised subject to the requirements of the *Local Government Act 1993*, *Integrated Planning Act 1997* and any other relevant legislation; and
3. That all matters determined under this delegated authority during the subject period be reported to the first General Meeting of the new Council.

ALTERNATIVE

That Council resolve to adopt the Officer's Recommendation with amendments.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve as follows:

1. **That in accordance with section 472(1) of the *Local Government Act 1993*, delegate to the Chief Executive Officer for the period from 28 February 2008 until the first Development Assessment Committee Meeting and General Meeting after the 15 March 2008 local government quadrennial election the following powers:**
 - a. **to decide development applications under the *Integrated Planning Act 1997*;**

- b. to decide applications under the Redlands Planning Scheme;
 - c. to provide instructions to legal counsel for litigation including appeal matters actioned under Chapter 4 of the Integrated Planning Act 1997;
 - d. to make vary and discharge contracts with a value in excess of \$500,000 subject to the requirements of the Local Government Act 1993;
 - e. to apply to the Minister for Local Government for approval to make any major policy decision during the caretaker period in accordance with section 441D of the Local Government Act 1993;
2. The above delegations are to be exercised subject to the requirements of the Local Government Act 1993, the Integrated Planning Act 1997 and any other relevant legislation; and
3. That all matters determined under the above delegations be reported to the first General Meeting of the new Council.

CARRIED

13.1.2 REDLANDS RUGBY UNION & RECREATION CLUB - DIVISION 8 CCBF REQUEST

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

EXECUTIVE SUMMARY

Council annually allocates in its budget an amount for discretionary spending by Divisional Councillors known as the Councillors' Community Benefit fund (CCBF). In accordance with the requirements of the CCBF Policy and Guideline requests for expenditure over \$5,000.00 require Council approval.

PURPOSE

The purpose of this report is to seek Council approval to allocate \$5,194.36 (GST Exc) from the Division 8 portion of the CCBF to assist the Redlands Rugby Union with the purchase of 106 junior football jerseys for the Redlands Rugby Union Club.

BACKGROUND

The Redlands Rugby Union Club submitted a CCBF application on the 31 January 2008 for assistance to purchase junior football jerseys for the club.

The club advises that the football jerseys would be made available to the local youth who actively participate in Rugby Union at the club's facilities. Furthermore, the club has advised in writing that the jerseys would remain their property to pass from player to player, each season.

Cr Alan Beard considered the club's request and on 31 January 2008 advised the Office of the CEO of his support.

ISSUES

As per CCBF Guidelines (GL-2034), 2 written quotes have been provided.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The Division 8 portion of the CCBF has sufficient funds to support this request.

CONSULTATION

Cr Alan Beard has consulted with the Redlands Rugby Union & Recreation Club as to their project requirements.

OPTIONS**PREFERRED**

That Council approve the allocation of \$5,194.00 (GST Exc) from the Division 8 portion of the CCBF to assist the Redland Rugby Union & Recreation Club with the purchase of 106 junior football jerseys.

ALTERNATIVE

That Council not approve the allocation of \$5,194.00 (GST Exc) from the CCBF.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve to approve the allocation of \$5,194.00 (GST Exc) from Division 8 portion of the CCBF to assist the Redland Rugby Union & Recreation Club with the purchase of 106 junior football jerseys.

CARRIED

13.1.3 ROTARY CLUB OF REDLANDS BAYSIDE - DIVISION 5 CCBF REQUEST

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

EXECUTIVE SUMMARY

Council annually allocates in its budget an amount for discretionary spending by Divisional Councillors known as the Councillors' Community Benefit Fund (CCBF). In accordance with the requirements of the CCBF Policy and Guideline requests for expenditure over \$5,000.00 require Council approval.

This report details Cr Burns' request to allocate \$5,000.00 (GST Exclusive) from the Division 5 portion of the CCBF to assist with the construction of a computer room at the Redland Bay Community Hall, located at Banana Street, Redland Bay.

PURPOSE

The purpose of this report is to seek Council approval to allocate \$5,000.00 (GST Exclusive) from the Division 5 portion of the CCBF to assist the Rotary Club of Redlands Bayside with the construction of a computer room at the Redland Bay Community Hall, located at Banana Street, Redland Bay.

BACKGROUND

In June 2007 Council acknowledged the Rotary Club of Redlands Bayside to fund an extension at the Redland Bay Community Hall and requested supporting documentation.

At Council's General Meeting of 1 August 2007 a report was prepared by Customer and Community Services regarding the proposed extension to the Redland Bay Community Hall. This report stated that the project would require partial funding (\$5,000.00) Cr John Burns' Division 5 portion of the CCBF and a further \$20,000.00 (GST Exc) would be allocated from the 2007/08 Council budget.

On 5 September 2007 the Rotary Club of Redlands responded to Council's correspondence dated 22 June 2007 and provided one quotation from Devonbourne Homes (Volrose Constructions).

In late October 2007 a CCBF application was forwarded to the Rotary Club of Redlands Bayside and was returned to Council mid November 2007.

Cr John Burns supports this request and seeks Council approval to allocate \$5,000.00 (GST Exc) from the Division 5 portion of the Councillors' Community

Benefit Fund to assist with the computer room construction costs at the Redland Bay Community Hall.

ISSUES

Council's Community and Social Planning Group had already accepted the quotation from Devonbourne Homes (Volrose Constructions) before the CCBF application was made; therefore it was not reasonable to request quotes to meet the CCBF guidelines.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The Division 5 portion of the Councillors' Community Benefit Fund has sufficient funds to support this request.

The Rotary Club has provided a quotation from Devonbourne Homes (Volrose Constructions) in relation to the \$20,000.00 (GST Exc) Grant issued by Council. This quotation is also to be used for the allocation of \$5,000.00 (GST Exc) from the Division 5 portion of the CCBF.

CONSULTATION

Cr Burns has met with a representative from the Rotary Club of Redlands Bayside to discuss the construction of the computer room at the Redland Bay Community Hall.

Further consultation has occurred between the Office of the CEO and Community and Customer Services and advice has been provided from Integrated Commercial that the construction has met final building certification requirements (BD.140957).

OPTIONS

PREFERRED

That Council approve the allocation of \$5,000.00 (GST Exclusive) from the Division 5 portion of the Councillors' Community Benefit Fund to assist the Rotary Club Redlands Bayside with the construction of a computer room at the Redland Bay Community Hall, located at Banana Street, Redland Bay.

ALTERNATIVE

That Council not approve the allocation of \$5,000.00 (GST Exclusive) from the Division 5 portion of the Councillors' Community Benefit Fund to assist with the construction of a computer room at the Redland Bay Community Hall.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve to approve the allocation of \$5,000.00 (GST Exclusive) from the Division 5 portion of the Councillors' Community Benefit Fund to assist the Rotary Club Redlands Bayside with the construction of a computer room at the Redland Bay Community Hall, located at Banana Street, Redland Bay.

CARRIED

13.1.4 VICTORIA POINT-REDLAND BAY MEALS ON WHEELS - DIV 4 CCBF REQUEST

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

EXECUTIVE SUMMARY

Council annually allocates in its budget an amount for discretionary spending by Divisional Councillors known as the Councillors' Community Benefit Fund (CCBF). In accordance with the requirements of the CCBF Policy and Guideline requests for expenditure over \$5,000.00 require Council approval.

This report details Cr Dowling's request to allocate \$6,338.37 (GST Exc) from the Division 4 portion of the CCBF for the purpose of assisting the Victoria Point–Redland Bay Meals on Wheels, (Council owned facility at 140–142 Link Road, Victoria Point) with electrical upgrading of the main switch board, mains cable and dishwasher installation.

PURPOSE

The purpose of this report is to seek Council approval to allocate \$6,338.37 (GST Exc) from the Division 4 portion of the CCBF to assist Victoria Point–Redland Bay Meals on Wheels, a Council owned facility by upgrading the main switch board, mains cable and installation of a dishwasher.

BACKGROUND

The Victoria Point–Redland Bay Meals on Wheels currently lease from Council the facility at 140–142 Link Road, Victoria Point (Lot 1 on RP198374).

This community group recently acquired a dishwasher to assist with their volunteer work; however during the quotation process for the dishwasher installation it was identified that the upgrade of the main switchboard and mains cable was also required due to the following:

1. The electrical mains cable feeding the main board is grossly overloaded and no extra loading can be put on the system.
2. The Switchboard was not designed for a commercial kitchen. There are currently 7 x separate individual modules (add-on after add-on).
3. Energex meters are attached to a backing board which is not fire resistant and requires replacement.
4. The electrical service conductor point on the attachment box and hook bolt need to be upgraded to the new Energex requirements when new mains are installed.

The unexpected expense of the electrical upgrade prompted the community group to contact Cr Dowling to seek funding assistance from the Division 4 portion of the CCBF.

ISSUES

As per Councillors' Community Benefit Fund (GL-2034), two written quotations have been provided.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The Division 4 portion of the Councillors' Community Benefit has sufficient funds to support the allocation of \$6,338.37 (GST Exc). Planning Scheme Implications

CONSULTATION

The Victoria Point – Redland Bay Meals on Wheels consulted with Cr Dowling on their project requirements.

Cr Dowling also discussed Energex requirements with the contractor.

OPTIONS

PREFERRED

That Council approve the allocation of \$6,338.37 (GST Exc) from the Division 4 portion of the Councillors' Community Benefit Fund to assist Victoria Point–Redland Bay Meals on Wheels with the upgrade of the main switchboard, mains cable and dishwasher installation at the Council owned facility located at 140-142 Link Road, Victoria Point.

ALTERNATIVE

That Council not approve the allocation of \$6,338.37 (GST Exc) from the Division 4 portion of the Councillors' Community Benefit Fund to assist Victoria Point–Redland Bay Meals on Wheels with the upgrade to the main switchboard, mains cable and dishwasher installation at 140–142 Link Road, Victoria Point.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve to approve the allocation of \$6,338.37 (GST Exc) from the Division 4 portion of the Councillors' Community Benefit Fund to assist the

Victoria Point–Redland Bay Meals on Wheels with the upgrade of the main switchboard, mains cable and dishwasher installation at the Council owned facility located at 140-142 Link Road, Victoria Point.

CARRIED

13.2 CORPORATE SERVICES

13.2.1 FINANCIAL STATUS

Datworks Filename: FM Financial Planning
Responsible Officer Name: Ray Turner
General Manager
Author Name: Ray Turner
General Manager

EXECUTIVE SUMMARY

This report will review the financial position of Council over the past four years of this Council's term and also show the estimated financial outcome in terms of key financial measures over the next four years.

For the past four years, all key financial measures have been maintained at better than target levels across every year. This reflects the strong emphasis placed on reviewing Council decisions against the financial impacts on a monthly, quarterly and annual basis.

Operating revenues have increased at an annual compound rate of **5.9%** over the past four years. General **operating costs** have increased at an annual compound rate of **8.5%** over this time.

Overall equity of Council has grown from \$1.158 billion on 1 July 2004 to an estimated \$1.927 billion on 30 June 2008, **an increase of \$769 million**. Asset revaluations accounted for approximately \$669 million of this increase.

Council's debt has increased from \$105.7 million on 1 July 2004 to an estimated \$128.6 million on 30 June 2008, an increase of \$22.9 million. During the same period, Council outlaid \$207.9 million on capital works. Council's debt servicing ratio was maintained within the target range of the Financial Strategy.

All key financial measures are maintained for the next four years at better than the targets set in the current Financial Strategy.

These results are subject to a number of assumptions that have been made to project revenues, expenditure and our financial position forward:

PURPOSE

The purpose of this report is to advise current and prospective councillors of the financial status of Redland Shire Council.

BACKGROUND

Redland Shire Council adopted a Financial Strategy in February 2003 with the purpose of *'ensuring the short, medium, and long-term financial viability of the Redland Shire Council.'*

The Strategy contains a range of assumptions, parameters, and financial measures and ratios. Every month, Council receives a financial report that contains a suite of financial statements and a scorecard showing how the organisation is tracking against key financial measures.

Each annual budget, and any amendments to the budget throughout the year, is evaluated against the key financial measures to ensure budget decisions maintain the financial viability of the organisation.

This report will review the financial position of Council over the past four years of this Council's term and also show the estimated financial outcome in terms of key financial measures over the next four years.

ISSUES

Current Four Year Council Term

Key Financial Measures

Table 1 displays the key financial measures identified in the Financial Strategy and the results for the past four years. The revised budget position has been used for 2007/08.

Financial Stability Ratios – Table 1

| <i>Ratio</i> | <i>Target</i> | <i>2004/05</i> | <i>2005/06</i> | <i>2006/07</i> | <i>2007/08</i> |
|--|---------------|----------------|----------------|----------------|----------------|
| Level of dependence on rate revenue | < 80% | 72.2% | 76.8% | 77.6% | 78.2% |
| Ability to pay our bills – current ratio | ≥ 1.1 | 1.74 | 1.94 | 1.62 | 1.38 |
| Ability to repay our debt – debt servicing ratio | ≤ 17% | 13.9% | 15.6% | 15.7% | 16.0% |
| Cash balances – cash capacity in months | 3 to 4 mths | 7.4 | 8.3 | 8.5 | 5.2 |
| Longer term financial stability – debt to assets ratio | ≤ 15% | 8.6% | 7.5% | 6.3% | 6.1% |
| Operating Performance | ≥ 15% | 20.3% | 24.2% | 24.5% | 17.0% |

All measures have been maintained at better than target levels across every year. This reflects the strong emphasis placed on reviewing Council decisions against the financial impacts on a monthly, quarterly and annual basis.

With the use of any ratio or indicator, one-off events or anomalies can provide distortions to the results.

The only major one-off financial event of significance that occurred over the past four years that had such an effect was the payment by Council of in excess of \$7 million compensation for a land resumption. A major proportion of this payment was for road purposes which is classified as an operating cost as this land is transferred to the State by legislation.

This transaction was accrued to the 2006/07 accounts but was paid in early 2007/08 and has detrimentally affected the Operating Performance ratio for the 2007/08 year. Notwithstanding the impact of this transaction, this ratio is still in excess of the targets set in the Financial Strategy.

Operating Position

Operating revenues have increased at an annual compound rate of **5.9%** over the past four years. This reflects price increases and growth.

A dissection of revenue reveals compound increases of:

- General rates 6.2%;
- Utility charges 10.1%;
- Fees and charges 3.8%;
- Operating subsidies and contributions -7.7%.

General rate price increases have been 2.5% for 2004/05, and 4% for each of the following three years. The remaining increase in general rates revenue was related to growth in rateable properties.

The reduction in operating subsidies and contributions is directly related to Council divesting itself of Child Care operations during this term.

Significant revenues were also lost from the reduction in water usage across the shire over the past couple of years due to the drought conditions and restrictions applicable in the SEQ area.

General **operating costs** have increased at an annual compound rate of **8.5%** over the past four years. A dissection of these costs shows increases of:

- Employee costs 6.0%;
- Materials and services 10.9%.

Employee wage increases account for 3.9% of the increase per year, increases in the employee provisions around 1%, and growth in numbers around 1%.

There has been significant cost increases for materials and services as a result of market forces. However, this component of expenditure is strongly influenced by cyclical major operational projects undertaken such as dredging and canal maintenance works.

It should be noted that these cost increases have been reduced by the loss of the Child Care business.

Financial Position

Overall equity of Council has grown from \$1.158 billion on 1 July 2004 to an estimated \$1.927 billion on 30 June 2008, **an increase of \$769 million**. Asset revaluations accounted for approximately \$669 million of this increase.

Cash levels have remained strong across the four years, with Council's ability to pay all debts when due consistently well above the minimum target.

Debt

Council's debt has increased from \$105.7 million on 1 July 2004 to an estimated \$128.6 million on 30 June 2008, an increase of \$22.9 million. During the same period, Council outlaid \$207.9 million on capital works. Council's debt servicing ratio was maintained within the target range of the Financial Strategy.

Next Four Years

Financial Stability Ratios – Table 2

Table 2 displays the estimated results for key financial measures over the next four years.

| Ratio | Target | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|--|---------------|----------------|----------------|----------------|----------------|
| Level of dependence on rate revenue | <80% | 79.5% | 79.6% | 55.0% | 57.1% |
| Ability to pay our bills – current ratio | ≥ 1.1 | 2.30 | 3.46 | 3.69 | 3.69 |
| Ability to repay our debt – debt servicing ratio | ≤ 17% | 3.2% | 2.9% | 3.7% | 3.6% |
| Cash balances – cash capacity in months | 3 to 4 mths | 5.0 | 5.9 | 8.4 | 8.9 |
| Longer term financial stability – debt to assets ratio | ≤ 15% | 2.7% | 4.9% | 4.7% | 4.6% |
| Operating Performance | ≥ 15% | 17.6% | 20.5% | 18.2% | 17.7% |

All measures are maintained for the four years at better than the targets set in the current Financial Strategy.

These results are subject to a number of assumptions that have been made to project revenues, expenditure and our financial position forward:

1. \$120 million of bulk water assets will be transferred to the State from 1 July 2008. Compensation will be \$72.9 million which will be applied to our existing debt with the State.
2. From 1 July 2008, RSC will purchase bulk, treated water from the State and distribute and on sell that water through council's assets. At this time the State has not provided any indication of possible water pricing to RSC for the next two years while Council will still undertake water retailing.

For modelling purposes, a purchase price of 90 cents per kilolitre has been applied for 2008/09 and 92.2 cents per kilolitre for 2009/10. Under a regulated pricing regime, Council is able to reflect any changes to those cost estimates in our pricing and thus amend revenue streams accordingly.

A water price increase of 25% per year in each of the next two years has been modelled to reflect the buying price from the State and to move towards full cost pricing in five years as per current RSC policy.

A current review of regulated pricing of existing water assets will inform 2008/09 and 2009/10 budget decisions on pricing.

3. From 1 July 2010, all remaining Council water and sewerage assets will be moved to a separate entity. RSC will receive an annual dividend payment based on an estimated \$500 million equity position in the new entity. No other water and sewerage revenue, expenditure or balance sheet effects are included in the RSC financials after 1 July 2010.
4. General rate and fees and charges increases are aligned to an estimated RSC blended CPI of 4.5%.
5. Wastewater increases of ten percent have been applied for each of the next two years in accordance with existing Council decisions to move to full cost pricing in ten years. A current review of regulated pricing of wastewater assets will inform 2008/09 and 2009/10 budget decisions on pricing.
6. The current Council policy on infrastructure charging and related capital expenditure has been applied to future estimates.

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 our assets and finances are well managed, our corporate knowledge is captured and used to best advantage, and that we market and communicate our services effectively

FINANCIAL IMPLICATIONS

This is an information report only.

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

Council's ten year financial plan as reviewed from time to time by the Executive Leadership Group and Council has been used in the compilation of this report.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve that this report, on the financial performance of Council over the past four years and projections for the next four years, be noted.

CARRIED

13.2.2 JANUARY 2008 - MONTHLY FINANCIAL REPORTS

Dataworks Filename: FM Monthly Financial Reports to Committee
Attachment: [EOM Financial Reports January 2008](#)
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 interim January 2008 financial statement of accounts to Council and provide detailed analytical commentary.

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

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

The two indicators which fell outside the target range are the operating performance and the debt servicing ratios. The operating performance KPI of 12.9% for January fell short of the target of 15% due to less than budgeted cash received from both rates/utilities and fees/charges. The debt servicing ratio of 20.0% for January was outside the target level of under 17% due to the early payment of QTC loan instalments during the first part of the financial year as well as budget phasing. These are expected to be timing differences only and will come into range before year end.

The operating financial result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of budget by nearly \$7.2 million, with operating expenditure favourable by \$3.8 million and operating revenue favourable by \$3.4 million.

Capital expenditure is \$5.2 million behind budget expenditure levels at the end of January.

The cash flow position for the year is behind forecast levels by \$0.8 million at the end of January 2008.

PURPOSE

The purpose is to present the January 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 the Shire and provide public accountability in financial management. For organisational effectiveness, it is important that Council receive and understand the monthly financial statements.

ISSUES

The following elements, shown in the attachments, comprise the interim End of Month Financial Reports for January 2008:

Corporate Financial Report Card (A)

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

Report Card Analysis (B)

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

Council Financial Report 1 (C)

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

Council Financial Report 2 (D)

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

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

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to support the organisation's capacity to deliver services to the community by building a skilled, motivated and continually learning workforce, ensuring assets and finances are well managed, corporate knowledge is captured and used to best advantage, and that services are marketed and communicated effectively.

FINANCIAL IMPLICATIONS

The overall financial position remains strong with EBITD of \$29.1 million (approaching \$7.2 million ahead of budget). This result is due to total operating revenue of \$96.0 million (\$3.4 million ahead of budget) and total operating costs of \$66.9 million (favourable variance of \$3.8 million).

The capital expenditure program is \$5.2 million behind targeted expenditure levels at the end of January 2008.

The investment of surplus funds for the month returned a weighted average rate of return of 6.89% that compares unfavourably to the benchmark UBS Australia Bank Bill Index of 6.93%. These returns are reported on a monthly weighted average return. In turn Council benchmarks the funds against the UBS Australia Bank Bill Index. Interest return is reported on both an annual effective and nominal rate of return. On a YTD basis it is slightly below due to the volatility of world markets.

The Cash Enhanced Funds have now under performed for 6 of the last 7 months due to the uncertainty of world financial markets. A reduction was made in these types of investments mid September 2007. A further decision was made in December 2007 to transfer the balance in the Q I C Cash Enhanced Fund to the QTC Cash Fund and the situation to be kept under review during the coming months.

The cash balance exceeds the target range of \$32 million to \$42 million at \$50.7 million, equivalent to 4.9 months cash capacity. The balance is behind the YTD budget due to the large QTC repayments made in December and is expected to increase during the next period from rates and utilities payments.

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 January 2008 and explanations as presented in the attachments.

ALTERNATIVE

That Council requests additional information.

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

Moved by: Cr Williams

Seconded by: Cr Elliott

That Council resolve to note the End of Month Financial Reports for January 2008 and explanations as presented in the following attachments:

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

CARRIED

13.2.3 2007/08 QUARTER 2 BUDGET REVIEW

Datworks Filename: FM Budget Review Committee Reports
Attachments: [2007/08 Quarter 2 Budget Review](#)
Responsible Officer Name: Kerry Phillips
Manager - Financial Services
Author Name: Gavin Holdway
Service Manager - Budget, Financial Modelling
and Group Support

EXECUTIVE SUMMARY

A review of the 2007/08 budget was conducted at the end of December 2007 to consider the required and or requested budget adjustments to Council's 2007/08 Revised Budget.

The proposed revised budget for 2007/08, based on the December 2007 Budget Review, is now presented to Council for adoption in accordance with the attachments and the Local Government Finance Standard 2005.

Attached to this report are the following financial reports and information:

- Budgeted Statement of Cash Flows to 30 June 2008;
- Budgeted Statement of Financial Position (Balance Sheet);
- Revised 2007/08 Operating Statement, Capital Funding Statement and Other Items;
- December 2007 Budget Review Information (Summary and Details);
- Revised Key Financial Performance Indicators (KPI's); and
- Revised 2007/08 Strategic Priority Operating and Capital Funding Statement.

Overall, the proposed budget review produces a cash surplus of \$11.649 million, which improves Council's June 2008 ending cash forecast from \$45.554 million to \$57.203 million.

It is proposed that Council resolve to adopt the revised budget for 2007/08 at Redland Shire Council (RSC) consolidated level. In addition to this and in accordance with Section 520 of the *Local Government Act 1993*, it is proposed that Council resolve to adopt the Redland Water & Waste financial statements that are presented in the attached financial documentation. The relevant pages are outlined within the Officer's Recommendation further in this report.

PURPOSE

To address the known budget expectations and significant forecast variances, and to consider budget review submissions.

BACKGROUND

This report presents a review of the 2007/08 revised budget as at December 2007. As a part of Council's financial management framework, comprehensive quarterly budget reviews are conducted by all departments. The December 2007 budget review usually focuses on considering forecast under and over-expenditure based on the half year financial position, while incorporating any new/changed programs or priorities for the year.

Council last revised the 2007/08 Budget in November 2007 in accordance with the September 2007 Budget Review (Item No. 12.2.2 of the General Meeting Minutes dated 28th November 2007).

ISSUES

Budget review submissions have been categorised as:

- New Projects – Projects and initiatives proposed by officers that have not previously been approved by Council for any level of expenditure;
- New Projects Councillor/Committee – Projects and initiatives that have been referred by Councillors or Council/Committee meetings that have not received previous approval for any level of expenditure;
- New Submissions – Adjustments and variations to existing projects or services and revenue estimates that would affect Council's surplus/deficit or cash position;
- Transfers – Adjustments and variations to existing projects or services and revenue estimates that would not affect Council's surplus/deficit or cash position.

A total of 179 individual submissions have been included in this budget review and a summary of the December 2007 Budget Review Submissions is provided in the attachments.

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 our assets and finances are well managed, our corporate knowledge is captured and used to best advantage, and that we market and communicate our services effectively.

FINANCIAL IMPLICATIONS

In comparison to the revised budget adopted from the September 2007 quarterly review, it is now forecast that Council will increase its June 2008 cash ending balance by \$11.649m. This favourable cash movement has been influenced by various proposed adjustments to the 2007/08 revised budget. The high level movements influencing this cash movement include the following forecast changes;

- **Favourable – An increase in operational revenue of \$3.207m**
(Primarily influenced by a transfer of capital revenue to operational revenue of \$3m for the Heinemann Rd #3 Reservoir. However, offsetting this was a reduction of expected revenue for water consumption of \$0.699m)
- **Unfavourable - A reduction in operational expenditure of \$0.860m**
(Primarily influenced by savings in salary and wages of \$1.074m – mainly attributable to permanent savings realised from unfilled / vacant positions, however, offset by a transfer of capital to operational expenditure for the Heinemann Rd #3 Reservoir)
- **Favourable - An increase in expected interest revenue of \$0.250m**
- **Favourable - A reduction in capital expenditure of \$13.207m**
(Primarily attributable to various capital projects being deferred to the 2008/09 financial year. Additionally, some savings have been taken to account for various projects coming under budget)
- **Unfavourable - A reduction in capital grants & subsidies of \$5.782m**
(Primarily attributable to various capital revenues and contributions moving with the deferred capital expenditure projects into 2008/09. As mentioned above, a transfer of \$3m for work associated with the Heinemann Rd #3 Reservoir has influenced this movement)
- **Favourable – An increase in proceeds from sale of PP&E of \$1.628m**
(Primarily influenced by the proceeds forecast for the sale of SMBI land)
Please note that the above listing includes only the major cash flow movements, however all budget submissions can be reviewed on pages 10 to 23 of the attached reports.

All of the key performance indicators are favourable against their respective targets and this proposed budget still provides Council with a sound financial base for 2007/08. This in turn, does not impact Council's ability to make payments as they fall due.

CONSULTATION

Budget review submissions were considered at the ELG Meeting of 4 February 2008 and joint Councillor/ELG workshop of 6 February 2008. The review contains only those submissions and adjustments which were presented or discussed at the Councillor/ELG workshop.

OPTIONS

PREFERRED

1. That Council resolve to adopt the Revised Budget for 2007/08 at Redland Shire Council consolidated level. This refers to adopting the following:

- a) RSC Budgeted Statement of Cash Flows – Page 2 of attachments;
 - b) RSC Statement of Financial Position (Balance Sheet) – Page 3 of attachments;
 - c) RSC Operating and Capital Funding Statement – Page 4 of attachments;
 - d) RSC Strategic Priority Operating and Capital Funding Statement – Page 24 of attachments; and
2. To meet the requirements of Section 520 of the Local Government Act 1993, that Council resolve to adopt the Redland Water & Waste Operating and Capital Funding Statement - Page 7 of the attached financial information.

ALTERNATIVE

That Council resolve to not adopt the revised budget for 2007/08 as presented in the Officer's Recommendation below.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve as follows:

1. **To adopt the Revised Budget for 2007/08 at Redland Shire Council consolidated level. This refers to adopting the following:**
 - a) **RSC Budgeted Statement of Cash Flows – Page 2 of attachments;**
 - b) **RSC Statement of Financial Position (Balance Sheet) – Page 3 of attachments;**
 - c) **RSC Operating and Capital Funding Statement – Page 4 of attachments;**
 - d) **RSC Strategic Priority Operating and Capital Funding Statement – Page 24 of attachments; and**
2. **To meet the requirements of Section 520 of the *Local Government Act 1993*, that Council resolve to adopt the Redland Water & Waste Operating and Capital Funding Statement - Page 7 of the attached financial information.**

CARRIED

13.2.4 DISPLAY OF LAND ZONE INFORMATION ON RATE NOTICE

Datworks Filename: R&V Council Resolutions
Responsible Officer Name: Kerry Phillips
Manager Finance
Author Name: Noela Barton
Service Manager Revenue & Recovery

EXECUTIVE SUMMARY

The adoption of new differential rating categories for 2007/2008 financial period demonstrated that a small number of Bay Island land owners were confused about what a rating category was. It appeared there was a misconception that there was a link between the zoning of a property and the rating category. Subsequent to this, a request was received from the Council via the CEO for the zoning information to appear on the Rate Notice.

The rating category is established under the differential rating scheme applied by Council and used for the purpose of levying a general rate. The land zone means an identified geographical area that is based on land use allocations under the Redland Planning Scheme. Planning and building applications received by Council are assessed according to the provisions of the Redland Planning Scheme and other relevant legislation and Council policies.

Zoning information is available free on the RSC internet site. The public domain are able to navigate to the Planning & Development web page and have access to mapping information using the property address or Lot and Plan details, plus information is also available on the same web page through a property inquiry using the property address or property number.

Zone information has not appeared on the Rate Notice for more than 10 years. As a comparison exercise 10 other local governments, picked at random, were contacted to ascertain if zone information appeared on the Rate Notice. None included the zone information on the rate notice.

A number of issues currently exclude the easy placement of the land zone on the Rate Notice.

The Redland Planning Scheme has 24 zones, 55 sub-area zones and 12 overlays. The scheme is applied per land parcel and a land parcel may have one or more zones, sub-area zones, or overlays. A property record consists of one or more land parcels. Dependent on the zoning information that applies to a land parcel, a property record may have a substantial amount of zoning information attached that is all relevant in determining the development potential of the land.

Due to the amount of zone information available on each property in some cases it would extend the Rate Notice by one or more pages. This increases the cost to print significantly. Consideration has been given to how much information should be

displayed. Overlays provide extra information about the land parcel such as hazard, value, resource or amenity issues. An overlay on any part of a land parcel affects some types of development on that land parcel. While the overlay information is essential in regard to the development of the land it is considered highly impractical to include due to the large amount of data that applies to properties.

Certain zones contain sub areas which may vary the:

- types of development expected to occur;
- level of assessment of some development; and
- assessment criteria for some development.

For example a dwelling house is recognised as a code assessable use in the conservation zone and would be expected to receive planning approval. However, within the Conservation zone sub area CN1, a dwelling house is identified as impact inconsistent and would be unlikely to receive the relevant planning approvals. Therefore, if information is to be provided in a printed document it should, as a minimum, contain information regarding both zoning and sub-areas.

To provide the zone and sub-area zone information would still require a large area on the Rate Notice to accommodate all property scenarios. The rate notice is an invoice, not a planning instrument. Its legislated purpose is to notify the land owner of the rates and charges levied on the property. The information currently displayed on the Rate Notice is primarily financial, with a small amount of information that enables the property owner to identify the parcel/s of land on which the rates and charges apply.

Three alternative options to including the zone information on the Rate Notice are:

1. Include the zone information in a separate document that is issued along with the Rate Notice in July annually. The estimated cost to accommodate one issue per annum is \$4,500.
2. Include on the Rate Search document a reference to conduct a Planning and Development Search for zoning information to ascertain the development potential of the land.
3. Council adopt differential rating categories for 2008/2009 that ensure no relationship can be drawn between the rating categories and the zone.

Council officers recommend that rather than introduce a new element to the Rate Notice when the information is available free on the RSC internet site that Council resolve to:

1. Include on the Rate Search document a reference to conduct a Planning and Development Search for zoning information to ascertain the development potential of the land; and

2. Change the name of the differential rating categories for 2008/2009 to ensure no relationship can be drawn between the rating categories and the zone.

PURPOSE

The purpose of this report is to inform Council of the issues concerning placement of zoning information on the Rate Notice and to make recommendation on how the matter is addressed.

BACKGROUND

A request was received from Council via the CEO for the zoning information to appear on the Rate Notice.

ISSUES

The adoption of new differential rating categories for 2007/2008 financial period demonstrated that a small number of Bay Island land owners were confused about what a rating category was. It appeared there was a misconception that there was a link between the zoning of a property and the rating category. Subsequent to this, a request was received via the CEO for the zoning information to appear on the Rate Notice.

The rating category is established under the differential rating scheme applied by Council and used for the purpose of levying a general rate. The land zone means an identified geographical area that is based on land use allocations under the Redland Planning Scheme. Planning and building applications received by Council are assessed according to the provisions of the Redland Planning Scheme and other relevant legislation and Council policies.

Zoning information is available free on the RSC internet site. The public domain are able to navigate to the Planning & Development web page and have access to mapping information using the property address or Lot and Plan details, plus information is also available on the same web page through a property inquiry using the property address or property number.

Zone information has not appeared on the Rate Notice for more than 10 years. As a comparison exercise 10 other local governments, picked at random, were contacted to ascertain if zone information appeared on the Rate Notice. None included the zone information on the rate notice. Councils contacted were: Brisbane City Council, Gold Coast City Council, Caboolture Shire Council, Maroochy Shire Council, Caloundra City Council, Logan City Council, Townsville City Council, and Cairns City Council.

A number of issues currently exclude the easy placement of the land zone on the Rate Notice.

Land Zones

The Redland Planning Scheme adopted 15 March 2006 has 24 zones, 55 sub-area zones and 12 overlays. The scheme is applied per land parcel and a land parcel may have one or more zones, sub-area zones, or overlays. A property record consists of one or more land parcels. Excluding Council & State owned & occupied land we have approximately 60,343 rateable properties consisting of a single land parcel and 1,741 properties with more than one land parcel. Dependent on the zoning information that applies to a land parcel a property record may have a substantial amount of zoning information attached that is all relevant in determining the development potential of the land.

There are many examples in our database of properties where multiple zones apply. As an example, property number 293960, located at Sheldon, has one land parcel that is zoned - Environmental Protection, Community Purposes and Rural Non-Urban and a sub-area of CP3 - Educational Facility zone, plus it has 7 overlays. Property number 2385, located at Cleveland, has 8 land parcels, 4 are zoned Urban Residential, 4 are zoned Open Space and each land parcel has 1 or more overlays that apply.

Amount of Zone Information Recorded

Due to the amount of zone information available on each property consideration has been given to how much zone information should be recorded on the Rate Notice as in some cases it would extend the Rate Notice by one or more pages. This increases the cost to print significantly.

Overlays provide extra information about the land parcel such as, hazard, value, resource or amenity issues. An overlay on any part of a land parcel affects some types of development on that land parcel. While the overlay information is essential in regard to the development of the land it is considered highly impractical to include due to the large amount of data that applies to properties.

Certain zones contain sub areas which may vary the:

- types of development expected to occur;
- level of assessment of some development; and
- assessment criteria for some development.

For example a dwelling house is recognised as a code assessable use in the conservation zone and would be expected to receive planning approval. However, within the Conservation zone sub area CN1, a dwelling house is identified as impact inconsistent and would be unlikely to receive the relevant planning approvals. Therefore, if information is to be provided in a printed document it should, as a minimum, contain information regarding both zoning and sub-area.

Alternative Options to placement on the Rate Notice

To provide the zone and sub-area zone information would still require a large area on the Rate Notice to accommodate all property scenarios.

The rate notice is an invoice, not a planning instrument. Its legislated purpose is to notify the land owner of the rates and charges levied on the property. The information currently displayed on the Rate Notice is primarily financial, with a small amount of information that enables the property owner to identify the parcel/s of land on which the rates and charges apply.

Council officers are concerned that by placing the zoning information on or with the Rate Notice that uninformed ratepayers or buyers may rely on the information to establish the development potential of the land, when full development potential can only be assessed with consultation of Schedule 8 of IPA, the Redlands Planning Scheme and relevant Council policies.

Council officers suggest three alternative options to including the zone information on the Rate Notice:

1. Include the zone information in a separate document that is issued along with the Rate Notice in July annually. The estimated cost to accommodate one issue per annum is \$4,500.
2. Include on the Rate Search document a reference to conduct a Planning and Development Search for zoning information to ascertain the development potential of the land.
3. Council adopt differential rating categories for 2008/2009 that ensure no relationship can be drawn between the rating categories and the zone.

Council officers recommend that rather than introduce a new element to the Rate Notice when the information is available free on the RSC internet site, that Council resolve to:

1. Include on the Rate Search document a reference to conduct a Planning and Development Search for zoning information to ascertain the development potential of the land; and
2. The name of the differential rating categories for 2008/2009 be changed to ensure no relationship can be drawn between the rating categories and the zone.

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 our assets and finances are well managed, our corporate knowledge is captured and used to best advantage, and that we market and communicate our services effectively.

FINANCIAL IMPLICATIONS

A quote has been obtained from our current Rate Notice printer to produce a document with the zone information. The estimated cost is \$4,517 per rate run.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

- General Manager Corporate Services;
- Rating Services;
- Land Use Planning;
- Information Systems.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To include on the Rate Search document a reference to conduct a Planning and Development Search for zoning information to ascertain the development potential of the land; and
2. To change the name of the differential rating categories for 2008/2009 to ensure no relationship can be drawn between the rating categories and the zone.

ALTERNATIVE

In addition to the free zoning information that is available on the RSC internet site, the zone and zone sub-area information is printed on a separate document that is issued along with the Rate Notice in July annually.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve as follows:

1. To include on the Rate Search document a reference to conduct a Planning and Development Search for zoning information to ascertain the development potential of the land; and

2. To change the name of the differential rating categories for 2008/2009 to ensure no relationship can be drawn between the rating categories and the zone.

CARRIED

13.2.5 SALE OF LAND FOR OVERDUE RATES

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

EXECUTIVE SUMMARY

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

Section 1040 of the *Local Government Act 1993* provides Council with the power to sell properties in instances defined by section 1039 - where the rates remain unpaid for:

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

The 23 properties identified in Schedule A are suitable to consider for sale of land for overdue rates. All properties are located on Russell Island, 21 are vacant land and 2 are residential properties which will be sold as vacant possession being the responsibility of the purchasers. The properties share the following characteristics:

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

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

Council officers recommend that Council resolve to:

1. Commence proceedings for the sale of land described in Schedule A dated 20 February 2008 on which overdue rates remain unpaid for a period of 3 years or longer;
 2. Offer the land for auction, if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale, have not been paid;
 3. Obtain a market value on all land that will be offered for sale by auction;
-

4. Use the lesser of the market value and the Unimproved Capital Value on each property offered at auction as the reserve price;
5. Carry out a property assessment on all vacant land offered for sale to ensure prospective buyers are aware of development potential; and
6. Approve use of the Council Seal by the Mayor and Chief Executive Officer to sign Transfer Documents for land sold at this auction in accordance with Section 38 of the *Local Government Act 1993*.

PURPOSE

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

BACKGROUND

A review of properties with rates outstanding greater than 3 years has been conducted. Section 1040 of the *Local Government Act 1993* provides Council with the power to sell properties where rates remain unpaid for:

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

ISSUES

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

Section 1040 of the *Local Government Act 1993* provides Council with the power to sell properties in instances defined by section 1039 - where the rates remain unpaid for:

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

The 23 properties identified in Schedule A are suitable to consider for sale of land for overdue rates. All properties are located on Russell Island; 21 are vacant land and 2 are residential properties that will be sold as vacant possession being the responsibility of the purchasers. The properties share the following characteristics:

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

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

Council officers recommend that Council resolve to:

1. Commence proceedings for the sale of land described in Schedule A dated 20 February 2008 on which overdue rates remain unpaid for a period of 3 years or longer;
2. Offer the land for auction, if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale, have not been paid;
3. Obtain a market value on all land that will be offered for sale by auction;
4. Use the lesser of the market value and the Unimproved Capital Value on each property offered at auction as the reserve price;
5. Carry out a property assessment on all vacant land offered for sale to ensure prospective buyers are aware of development potential; and
6. Approve use of the Council Seal by the Mayor and Chief Executive Officer to sign Transfer Documents for land sold at this auction in accordance with Section 38 of the Local Government Act 1993.

Sale of Land for Overdue Rates

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

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

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

Development potential of Bay Island Land

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

RELATIONSHIP TO CORPORATE PLAN

The recommendation 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

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

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

OPTIONS

PREFERRED

Council officers recommend that Council resolve as follows:

1. To commence proceedings for the sale of land described in Schedule A dated 20 February 2008 on which overdue rates remain unpaid for a period of 3 years or longer;
2. To offer the land for auction, if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale, have not been paid;
3. To obtain a market value on all land that will be offered for sale by auction;

4. To use the lesser of the market value and the Unimproved Capital Value on each property offered at auction as the reserve price;
5. To carry out a property assessment on all vacant land offered for sale to ensure prospective buyers are aware of development potential; and
6. To approve use of the Council Seal by the Mayor and Chief Executive Officer to sign Transfer Documents for land sold at this auction in accordance with Section 38 of the *Local Government Act 1993*.

ALTERNATIVE

Continue to pursue property owners for rate arrears through collection activity such as: phone, letter and legal action.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve as follows:

1. To commence proceedings for the sale of land described in Schedule A dated 20 February 2008 on which overdue rates remain unpaid for a period of 3 years or longer;
2. To offer the land for auction if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale have not been paid;
3. To obtain a market value on all land that will be offered for sale by auction;
4. To use the lesser of the market value and the Unimproved Capital Value on each property offered at auction as the reserve price;
5. To carry out a property assessment on all vacant land offered for sale to ensure prospective buyers are aware of development potential; and
6. To approve use of the Council Seal by the Mayor and Chief Executive Officer to sign Transfer Documents for land sold at this auction in accordance with Section 38 of the *Local Government Act 1993*.

CARRIED

13.2.6 CLEVELAND LIBRARY RESTAURANT

Dataworks Filename: P.163335
Responsible Officer Name: Brian Lewis
Manager Corporate Acquisitions Fleet & Facilities
Author Name: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

At its meeting held on 30 January 2008, Council granted approval for tenders to be called for the leasing of the restaurant in the Cleveland Library building. Council also granted approval to waive rental under the old lease from 1 February 2008 to 1 March 2009. Rental was owing to 1 February 2008 and the original report suggested that all rental owing to 1 February 2008 would be recovered.

PURPOSE

The purpose of the report is to obtain approval from Council for the recovery of rent outstanding by taking possession of all equipment, furniture and fittings in the restaurant.

BACKGROUND

Council have been attempting to recover outstanding rental from the previous lessees for some months to no avail. Problems with service of warrants etc have been encountered due to the inability to locate the previous lessees. Even if the warrants are served, there is no guarantee that all the debt will be recovered.

Council has the legal right to recover the debt by taking possession of all operational equipment, furniture and fittings which is owned by the previous lessees and which has been agreed to by the lessees. The equipment will then be sold to the successful tenderer for the amount owing under the lease.

The other option to recover the debt is far more fraught with problems. First of all, a Statement of Claim has to be served on the lessees. Council has been endeavouring to do this for some months without success, as the lessees are either interstate or overseas. If and when the claim is served, a Judgement needs to be given by the relevant Court. Following Judgement, an Enforcement Hearing is then called and a Statement of Assets is inspected with a view to taking possession by way of Warrant of Execution. Following the Warrant of Execution and the seizure of the goods and equipment, a Bailiff's Auction is then held. The amount recovered at a Bailiff's Auction is generally far less than market value.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

None identified in respect to the resolution.

CONSULTATION

Property Services Manager has consulted with Council's Solicitors.

OPTIONS**PREFERRED**

That Council resolve as follows:

1. To enter into an agreement with the previous lessees of the Cleveland Library restaurant to take possession of all operational equipment, furniture and fittings located in the Cleveland Library restaurant;
2. To waive all rental and expenses owing in respect to the previous lease;
3. To include the sale of all operational equipment, furniture and fittings in the tender for the new lease arrangements; and
4. To delegate authority to the Mayor and Chief Executive Officer to sign and seal all necessary documentation.

NOT PREFERRED

That Council resolve to recover all outstanding rent and expenses in respect to the Cleveland Library restaurant by way of Judgement, Enforcement Hearing, Warrant of Execution and Bailiff's Auction.

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

Moved by: Cr Williams

Seconded by: Cr Elliott

That Council resolve as follows:

- 1. To enter into an agreement with the previous lessees of the Cleveland Library restaurant to take possession of all operational equipment, furniture and fittings located in the Cleveland Library restaurant;**
- 2. To waive all rental and expenses owing in respect to the previous lease;**
- 3. To include the sale of all operational equipment, furniture and fittings in the tender for the new lease arrangements; and**
- 4. To delegate authority to the Mayor and Chief Executive Officer to sign and seal all necessary documentation.**

CARRIED

13.2.7 EXTENSION OF LEASE AREA - AMITY POINT COMMUNITY CENTRE

Dataworks Filename: P.100450
Attachments: [Aerial Photograph – Amity Pt Community Centre](#)
Responsible Officer Name: Brian Lewis
Manager Corporate Acquisitions Fleet & Facilities
Author Name: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

The Amity Point Community Centre hold the lease over Council land at Claytons Road, Amity Point on which is constructed a community centre building. The building encompasses a lease area of 770sqm and a request has been made to extend the lease area by approximately 6m on the club's western, eastern and southern boundaries to allow for the enclosure of an existing open veranda and the construction of an open veranda and kitchen facility.

Preliminary discussions with the Department of Natural Resources & Water have indicated that they will grant approval to the proposal.

PURPOSE

Council approval is required under the *Local Government Act* to the lease of any Council land and therefore this report will recommend that Council grant approval to the extension of the lease area.

BACKGROUND

The Amity Point Community Centre Incorporated holds an existing lease of 770sqm of Council land for the purposes of community centre which is constructed on this site. The lease expires in the year 2021. The Club has requested a minor extension to the lease area to allow for a further extension to the building. This request is in line with existing Council policy and has the support of the local Councillor and Manager Community and Social Planning.

ISSUES

Council holds in trust, under the *Land Act*, Lot 19 on SL806442 containing 20 hectares. The Amity Point Community Centre site containing 770sqm is located on the western boundary of the site. The balance of the land is utilised for sporting and recreational purposes. The extension of the lease by approximately 6 metres will not affect any of the sporting or recreational activities on the balanced land. The Department of Natural Resources & Water has given preliminary approval to the extension. The extension is also in accordance with the recently approved Management Plan for the 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.

FINANCIAL IMPLICATIONS

All costs of lease preparation will be met by the applicant.

CONSULTATION

Property Services Manager has consulted with the local Councillor and the Manager Community and Social Planning.

OPTIONS

PREFERRED

It is recommended that Council resolve as follows:

1. To grant approval to the extension of the lease area on Lot 19 SL806442 by an area of approximately 6 metres on the western, eastern and southern boundaries of the lease site;
2. That all costs associated with legal, survey and other expenses related to amending the lease area be met by the applicant;
3. That approval be obtained from the Department of Natural Resources & Water to the extension of the lease area; and
4. To delegate authority to the Mayor and Chief Executive Officer to sign and seal all necessary documentation.

ALTERNATIVE

NOT PREFERRED

That Council not agree to the extension of the lease area.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve as follows:

1. **To grant approval to the extension of the lease area on Lot 19 SL806442 by an area of approximately 6 metres on the western, eastern and southern boundaries of the lease site;**
2. **That all costs associated with legal, survey and other expenses related to amending the lease area be met by the applicant;**

3. That approval be obtained from the Department of Natural Resources & Water to the extension of the lease area; and
4. To delegate authority to the Mayor and Chief Executive Officer to sign and seal all necessary documentation.

CARRIED

**13.2.8 NORTH STRADBROKE ISLAND RUGBY LEAGUE & ALLSPORTS CLUB
INC -FORMERLY NSI ALLSPORTS & SOCIAL ASSOC INC**

Dataworks Filename: P.200864
Attachments: [Site Plan – NSI Rugby League & Allsports Club Inc.](#)
Responsible Officer Name: Brian Lewis
Manager Corporate Acquisitions Fleet & Facilities
Author Name: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

The North Stradbroke Island All Sports & Social Association Inc. (The Club) have a lease from Council for the period 3 June 1991 to 2 June 2021 over land at Dunwich described as Part Lot 1 on D904.14 and Lot 2 on D9048. The leased area is improved with a club house that is built over the 474m² of the lease area. The Club has applied for an extension of the lease area.

BACKGROUND

The Club has requested an extension of the lease area from 474m² to 1,036m² to cater for future expansion. The Club's main objective is to provide sports opportunities and facilities for the youth of North Stradbroke Island and in recent years this goal has been extended to include opportunities for youth on the Bay Islands.

Membership has increased from 12 in 1991 to 763 in 2007 and has resulted in immense strain on the resources of the club house, built many years ago within the existing lease area. In recent years, activities have been increased to cater for senior citizens.

Other factors influencing the request for extra space and facilities are the new smoking laws and the diversification of the Club's activities which sometimes results in two activities taking place at the same time and insufficient space being available for both activities.

ISSUESLand Management Plan

The Dunwich Sport & Recreation Reserve Land Management Plan has been recently approved by Council. The report describes the facilities within the reserve as:

The Dunwich reserve is a designated Camping and Sport & Recreation Reserve. The Reserve is described as Lot 1 on D90414 and Lot 12 on CP865858 and situated at 2 Ballow Road, Dunwich, which is located in the centre of Dunwich, west of Ballow Road, between Cunningham and Junner Streets, on the Moreton Bay foreshore. The reserve is occupied by the North

Stradbroke Island All Sports and Social Association under a 30 year lease agreement which expires in 2021. The Reserve is also occupied by the Tourist Information Association which shares office space with Straddie Holiday Parks.

Facilities within the reserve include:

- a clubhouse comprising of a kitchen, dining area, poker machines, squash court, umpire change rooms, meeting area, gym and storage;
- Fenced outdoor multipurpose courts;
- Fenced oval with night lights and cricket pitch;
- Two sheds;
- Car parks;
- Picnic pergolas and BBQs;
- Swimming enclosure;
- Playground;
- Historical ruins.

The Reserve provides a host of sport and recreation opportunities for the community, inclusive of tennis, rugby league, touch football, social cricket, basketball, fitness training, social events, weddings and balls, skate park, picnics and barbecues, water play and swimming, dog exercising and walking.

The long term vision for the Dunwich Sport and Recreation Reserve is for:

a high quality, attractive sport and recreation Reserve which will become a major focus for rugby league, indoor sport, recreation and social activities for the Dunwich community and visitors to North Stradbroke Island.

One of the features and recommendations contained within this report is to expand the lease area of the Club to include proposed extensions and entry redesign.

Approval of the extension of the lease area is consistent with Council policy and procedures for granting of leases and is also consistent with the approved management plan for the subject reserve.

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 are to be met by the Club.

CONSULTATION

Property Service Manager has consulted with local Councillor and Senior Adviser Sport & Recreation.

OPTIONS**PREFERRED**

That Council resolve as follows:

1. To grant approval to the North Stradbroke Island Rugby League & All Sports Club Inc. for an extension of the lease area as shown on the plan attached;
2. To grant a new lease subject to Department of Natural Resources & Water approval to the North Stradbroke Island Rugby League & All Sports Club Inc. in accordance with Council approved policy in respect to leases to community/sporting clubs; and
3. To delegate authority to the Mayor and Chief Executive Officer to sign and seal all necessary documentation.

ALTERNATIVE

That Council not agree to the extension of the lease area.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve as follows:

1. **To grant approval to the North Stradbroke Island Rugby League & All Sports Club Inc. for an extension of the lease area as shown on the plan attached;**
2. **To grant a new lease subject to Department of Natural Resources & Water approval to the North Stradbroke Island Rugby League & All Sports Club Inc. in accordance with Council approved policy in respect to leases to community/sporting clubs; and**
3. **To delegate authority to the Mayor and Chief Executive Officer to sign and seal all necessary documentation.**

CARRIED

13.2.9 REDLANDS UNITED FOOTBALL CLUB INC. - TRUSTEE LEASE - CLEVELAND SHOWGROUNDS

Dataworks Filename: P.121608
Attachments: [Aerial Photograph – Redlands United Football Club](#)
Responsible Officer Name: Brian Lewis
Manager Corporate Acquisitions Fleet & Facilities
Author Name: Merv Elliott
Property Services Manager

EXECUTIVE SUMMARY

The Redlands United Football Club Inc. hold a term lease from the Department of Natural Resources & Water over their clubhouse situated at the Cleveland Showgrounds. The lease is between the Club and DNRW. The Club has made application to Council for Council to take trusteeship of the site from DNRW and enter into a trustee lease with the Club.

PURPOSE

To recommend to Committee that Council accept trusteeship of the land.

BACKGROUND

The Redlands United Football Club Inc. is one of the few clubs within the Shire that lease property directly from DNRW. Most clubs within the Shire lease land directly from Council.

The Club has requested to lease the property directly from Council. To achieve this outcome, DNRW are required to agree to set the subject land aside as a Reserve under the control of Council. DNRW recently approved two similar applications from Council, i.e. North Stradbroke Island Golf Club Inc. and Redlands Multi Sports Club Inc. The advantage to Council with what is proposed is that Council will become the owner of the facility. The advantage to the Club is that the rental will be substantially lower than what is currently being charged by DNRW.

Council holds in trust the adjoining Showground, therefore it is appropriate to rationalise Council's property holdings into one entity.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

Costs of this proposal will be met by the Club and income to Council will be generated in accordance with Council's recently adopted policy on leasing.

CONSULTATION

Property Services Manager has consulted with Cr Ogilvie and Senior Adviser Sport & Recreation.

OPTIONS**PREFERRED**

That Council resolve as follows:

1. To accept trusteeship of Lot 2 CP864383 as a Reserve stipulated by the Department of Natural Resources & Water;
2. To enter into a lease with Redlands United Football Club Inc. in accordance with current policy; and
3. To delegate authority to the Mayor and Chief Executive Officer to sign and seal all necessary documentation.

ALTERNATIVE

That Council not agree to accept trusteeship of Lot 2 CP864383 as a Reserve, in which case the current term lease by the Redlands United Football Club Inc. will continue.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve as follows:

1. To accept trusteeship of Lot 2 CP864383 as a Reserve stipulated by the Department of Natural Resources & Water;
2. To agree to enter into a lease with Redlands United Football Club Inc. in accordance with current policy; and
3. To delegate authority to the Mayor and Chief Executive Officer to sign and seal all necessary documentation.

CARRIED

13.3 CUSTOMER SERVICES

13.3.1 CLEVELAND SHOWGROUNDS IMPROVEMENTS – DELEGATED AUTHORITY

Datworks Filename: Project No. 42169
Cleveland Showgrounds Site Entry, Plaza Roof & Trail

Responsible Officer Name: Michelle Pipia
Acting Group Manager, Project Delivery Group

Author Name: Nigel Carroll
Acting Service Manager, Project Management Services Unit

EXECUTIVE SUMMARY

The Cleveland Showgrounds Improvements project forms part of the implementation of the priorities in the Cleveland Showgrounds Master Plan.

The project includes design and construction of:

1. Paved site entry statement and plaza which will form a new central spine and entrance for the Showgrounds;
2. A large freestanding metal roof canopy over the central section which will provide an all weather display and event space which links the entrance, Albert Morris Pavilion and the proposed future multi purpose pavilion;
3. A heritage trail throughout the showgrounds; and
4. Other associated minor works including a retaining wall and landscape works.

Council applied for and was successful in obtaining \$486,825.00 funding under the Queensland 150th Legacy Infrastructure Program (Q150) for this project.

It is a requirement of the Q150 funding to deliver this project by 31 December 2008. To expedite the project to meet the funding timeframes, it is recommended to delegate authority to the Chief Executive Officer to make, vary and discharge all contracts over \$500,000 inclusive of GST for the Cleveland Showgrounds improvements project, in accordance with the requirements of the *Local Government Act 1993*.

PURPOSE

To seek Council approval to delegate authority to the Chief Executive Officer to make, vary and discharge all contracts over \$500,000.00 inclusive of GST for the Cleveland Showgrounds improvements project in accordance with the requirements of the *Local Government Act 1993*.

BACKGROUND

The Cleveland Showgrounds Improvements project forms part of the implementation of the priorities in the Cleveland Showgrounds Master Plan. The Master Plan was developed through a comprehensive consultation process with the community, Council and user groups.

The project includes design and construction of:

1. Paved site entry statement and plaza which will form a new central spine and entrance for the Showgrounds;
2. A large freestanding metal roof canopy over the central section which will provide an all weather display and event space which links the entrance, Albert Morris Pavilion and the proposed future multi purpose pavilion;
3. A heritage trail throughout the showgrounds; and
4. Other associated minor works including a retaining wall and landscape works.

Subsequent to the development of the Master Plan, Council applied for and was successful in obtaining \$486,825.00 funding under the Queensland 150th Legacy Infrastructure Program (Q150) for this project. As outlined in the guidelines for this funding program, it is necessary for approved projects to be completed by 31 December 2008. The Q150 projects will become part of the State-wide and Local Community celebrations in 2009 to celebrate Queensland's 150th anniversary since separation as a colony from New South Wales.

ISSUES

The delegation to the Chief Executive Officer is being sought to expedite the procurement process due to the requirement of the Q150 funding agreement, that the project is to be completed by 31 December 2008.

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 budget for this project is \$1,233,565.00. The amount of \$208,550.00 has been allocated in the 2007/08 budget year to allow for preliminary project expenses and the design costs. Any funds not spent in 2007/08 will be carried forward into 2008/09 financial year. The 2008/09 Capital Works Program currently has a proposed budget allocation of \$1,025,015.00 of which \$486,825.00 is the Queensland 150th Legacy Infrastructure Program (Q150) funding.

| | 2007/08 | 2008/09 | TOTAL |
|----------------|--------------|--------------|----------------|
| Budget | \$208,550.00 | \$538,190.00 | \$746,740.00 |
| (Q150) Funding | | \$486,825.00 | \$486,825.00 |
| Total Budget | | | \$1,233,565.00 |

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 Service Manager Project Management Services Unit, Manager Project Delivery Group and Manager Legal Services have been consulted in the preparation of this report.

OPTIONS

PREFERRED

That Council resolve to delegate authority to the Chief Executive Officer to make, vary and discharge all contracts over five hundred thousand dollars (\$500,000.00) inclusive of GST for the Cleveland Showgrounds Improvements project, in accordance with the requirements of the *Local Government Act 1993*.

ALTERNATIVE

That Council resolve to not delegate this authority, which may result in delays with the project which could jeopardise the Q150 funding.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve to delegate authority to the Chief Executive Officer to make, vary and discharge all contracts over five hundred thousand dollars (\$500,000.00) inclusive of GST for the Cleveland Showgrounds Improvements project, in accordance with the requirements of the *Local Government Act 1993*.

CARRIED

13.3.2 PROPOSED ROAD OPENING FROM LOT 1 ON RP 30620 AND LOT 261 ON S311779

Dataworks Filename: 45370
Attachments: [PDG-45370 Proposed Works](#)
[Proposed New Road from Lot 1 on RP30620](#)
[Proposed New Road from Lot 261 on S311779](#)
Responsible Officer Name: Jason Masters
Acting Survey Services Manager
Author Name: Michelle Steel
Survey Administration Officer

EXECUTIVE SUMMARY

Due to the proposed bitumen widening at Double Jump Road, Mount Cotton from Mount Cotton Road to Warren St, two separate road openings are required to facilitate the rehabilitation and widening of this road. The widening will allow for safer use of the road for traffic including higher visibility around corners and also provide improvements with traffic flow.

A truncation of approximately 301m² will be required from Council owned Lot 1 on RP30620. The existing road already encroaches on this parcel and on commencement of the proposed works, in particular the drainage and earthworks batters, it will further encroach into the existing property boundaries. The new boundary alignment is designed to match neatly with existing property boundaries.

A second truncation of approximately 4275m² will be required from privately owned Lot 261 on S311779. The existing road already, in part, encroaches on this parcel. The future alignment will be approximately 10m from the existing property boundary and will match adjoining properties.

This report recommends the dedication of part of Council owned Lot 1 on RP30620 for road purposes and that the Mayor and Chief Executive Officer be authorised to sign and seal all relevant documentation in accordance with the *Land Title Act 1994*. In addition, it is recommended that the Chief Executive Officer negotiate to purchase part of Lot 261 on S311779. If negotiations to purchase are unsuccessful then Council proceed to resume the land under the *Acquisition of Land Act 1967*. The acquired land is then dedicated as road pursuant to Section 51 of the *Land Title Act 1994*.

PURPOSE

1. To seek Council approval to dedicate approximately 301m² of Lot 1 on RP30620 to road as shown on drawing AD001-1-1 pursuant to Section 51 of the *Land Title Act 1994*;
2. To seek Council approval for the Chief Executive Officer to negotiate with the owner of the subject lot to acquire part of the land located at Lot 261 on S311779,

as shown on drawing A D001-2-1, for road purposes, pursuant to Section 36(2)(b) of the *Local Government Act 1993*;

3. That if negotiations to acquire the land were unsuccessful, the Chief Executive Officer be delegated authority to proceed with resumption action under Section 5(1)(b) of the Acquisition of Land Act 1967.

BACKGROUND

As part of the 08/09 Roadworks Program, the rehabilitation and widening of Double Jump Road, Mount Cotton will be completed. As this is a popular and busy road, the widening will allow for higher visibility and improved safety as well as improvements with traffic flow.

The proposed widening, in particular the drainage and earthworks batters, will further encroach on both Lot 1 on RP30620 and Lot 261 on S311779. The acquisitions are designed to facilitate the proposed works to Council standards and rectify the existing encroachments. The new property boundaries will match in neatly with adjoining property boundaries once the land is acquired.

ISSUES

In order to upgrade and widen the existing road, it is proposed to dedicate approximately 301m² from Council owned land and approximately 4275m² from privately owned land as road. The widened road will improve safety and accommodate any new services that may be required.

Any works for road widening should consider all environmental issues, with particular attention to vegetation protection in the first instance and where the vegetation loss is unavoidable, the appropriate offsets will be provided.

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

It is anticipated that the survey and legal costs associated with the road widening for Council owned Lot 1 on RP30620 will be in the order of \$3,500.

The survey and legal costs associated with the road widening for privately owned Lot 261 on S311779 will be in the order of \$6,500. The valuation, legal costs and compensation will be approximately \$20,000.

The total cost for the new road land actions will be \$30,000. Both land actions will need to proceed to facilitate the rehabilitation and widening works and the budget will be allocated from the Capital Works project funding.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has occurred with the following officers:

- Manager Infrastructure Planning;
- Planning Engineer for Redland Water & Waste;
- Manager Land Development;
- Property Services Manager;
- Principal Advisor for Urban and Rural Planning;
- Survey Services Manager;
- Principal Senior Design Technician;
- Manager Environmental Management;
- Manager Customer Service and Business Performance;
- Manager Operations and Maintenance.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To dedicate part of Lot 1 on RP30620 as road under Section 51 of the *Land Title Act 1994*;
2. To acquire part of Lot 261 on S311779 for road purposes;
3. That the Chief Executive Officer be delegated authority to negotiate the purchase of part of Lot 261 on S311779, pursuant to Section 36(2) (b) of the *Local Government Act 1993*;
4. If negotiations are unsuccessful with the owner, that the Chief Executive Officer be delegated authority to proceed with resumption action under Section 5(1)(b) of the *Acquisition of Land Act 1967* and the acquired land is then dedicated as road pursuant to Section 51 of the *Land Title Act 1994*; and
5. That the Mayor and Chief Executive Officer be authorised to sign and seal any documentation relating to these matters.

ALTERNATIVE

That Council resolve to not dedicate both Lot 1 on RP30620 and Lot 261 on S311779 as road, resulting in the rehabilitation and widening works not proceeding and the issues of safety, traffic flow and existing encroachments still remain.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve as follows:

1. To dedicate part of Lot 1 on RP30620 as road under Section 51 of the *Land Title Act 1994*;
2. To acquire part of Lot 261 on S311779 for road purposes;
3. That the Chief Executive Officer be delegated authority to negotiate the purchase of part of Lot 261 on S311779, pursuant to Section 36(2) (b) of the *Local Government Act 1993*;
4. If negotiations are unsuccessful with the owner, that the Chief Executive Officer be delegated authority to proceed with resumption action under Section 5(1)(b) of the *Acquisition of Land Act 1967* and the acquired land is then dedicated as road pursuant to Section 51 of the *Land Title Act 1994*; and
5. That the Mayor and Chief Executive Officer be authorised to sign and seal any documentation relating to these matters.

CARRIED

13.3.3 LOCAL DISASTER MANAGEMENT PLAN VOLUME 10 - PUBLIC HEALTH

Dataworks Filename: CS Local Disaster Management Plan

Attachments: [Local Disaster Management Plan Volume 10 – Public Health](#)

Responsible Officer Name: Joseph Casabella
Service Manager Health and Environment

Author Name: Emily Fletcher
Environmental Health Project Coordinator

EXECUTIVE SUMMARY

The first nine volumes of the Local Disaster Management Plan (LDMP) were approved and adopted by Council on 31 January 2007 as required under the *Disaster Management Act 2003*. Volume 10 (Public Health) is now complete and forms an integral part of Council's preparedness for a natural disaster. It will be reviewed annually and updated as required.

PURPOSE

The purpose of this report is to seek Council approval for Volume 10 (Public Health) of the Local Disaster Management Plan, under the Disaster Management Act 2003.

BACKGROUND

The Disaster Management Act 2003, commenced by proclamation on 31 March 2004, provides the legislative basis for disaster management arrangements in Queensland.

The primary focus of Queensland's disaster management arrangements is to mitigate the effects of disasters on the community wherever possible or practical, while preparing to respond when disasters do occur.

The Disaster Management Act requires local government to develop, review and approve a Local Disaster Management Plan (LDMP). Redland Shire Council's LDMP was approved by Council in January 2007 (Volumes 1-9). Further Volumes were to be added as deemed necessary or following further studies.

The existing nine Volumes cover various aspects of Emergency Management, including:

- LDMP Volume 1 – Emergency Management
- LDMP Volume 2 – Operations and Support
- LDMP Volume 3 – Community Recovery and Welfare
- LDMP Volume 5 – Fire Management Strategy (Mainland and SMBI)
- LDMP Volume 6 – North Stradbroke Fire Management Plan

- LDMP Volume 7 – Natural Disaster Risk Management Study
- LDMP Volume 8 – Evacuation
- LDMP Volume 9 – Communications Strategy

It was identified that a public health sub plan will be beneficial to the Redlands, and following the recommendations of the Australian Institute of Environmental Health for all local governments to have a public health sub plan for disaster management, LDMP Volume 10 Public Health was developed.

Council employed a consultant to assist in the development of Volume 10 Public Health. The project was funded by a grant received from Emergency Management Australia's Working Together to Manage Emergencies, Local Grants Scheme.

The Plan is in line with national standards and adheres to the guidelines of the Australian Institute of Environmental Health for the development of Public Health Sub Plans for Disaster Management.

Aim of the Plan

In any emergency event, public health risks or incidents can add to the hazards confronting the community and emergency personnel. Plans must be prepared in advance to enable such risks to be eliminated or mitigated.

The Redland Shire Council (Council) Public Health Emergency Management Plan is a sub plan of the Redland Shire Council Emergency Management Plan and operates within the context of Commonwealth, State and Council disaster management arrangements.

The Public Health Sub Plan may also operate in conjunction with the regional and/or State Public Health Plans, without activation of other local arrangements.

The Public Health Sub Plan records local public health disaster management arrangements. This includes notification, identification of available resources and specific instructions as to how resources should be used.

Officers with roles and responsibilities in Council emergencies should have a comprehensive knowledge of the Public Health Sub Plan, prior to an emergency.

The Public Health Sub Plan should be read in conjunction with the Redland Shire Council Disaster Management Plan and all other Sub Plans.

Scope of the Plan

The Public Health Sub Plan applies to emergencies that are a direct consequence of a natural disaster causing disruption to essential services. It can also be used as a guide for Council's support role in specific public health emergencies. It applies to specific settings such as emergency relief centres, where public health risks need to be managed.

The Public Health Sub Plan includes contact directories, activation and communication procedures and the roles and responsibilities of Council environmental health officers and other external agencies providing public health and related services in an emergency. It covers planning, training of staff and available resources.

Standard operating procedures (SOPs) address some key activity areas, including post impact assessment following an emergency, guidelines for managing public health risks in an emergency, assessing emergency affected housing, emergency relief centre venues and activating and managing emergency relief centres.

The Public Health Sub Plan does not specifically include other emergency situations that may arise from causes other than natural disasters.

In summary the Public Health Sub Plan addresses the following public health risk areas:

- Providing safe and adequate water;
- Shelter;
- Food safety and hygiene;
- Providing emergency ablution facilities;
- Wastewater treatment;
- Refuse collection and disposal;
- Vermin and vector control;
- Infectious disease control;
- Personal hygiene;
- Disposal of human bodies.
- Disposal of dead stock/animals
- Disinfection of buildings
- Power supplies

The plan covers all of the Redland Shire area, and Moreton Bay Islands including:

- North Stradbroke Island (part of RSC);
- Coochiemudlo Island (RSC);
- Macleay Island (RSC);
- Lamb Island (RSC);
- Karragarra Island (RSC);
- Russell Island (RSC);
- Moreton Island (BCC);

- South Stradbroke Island (GCCC);
- Other small islands such as Peel (RSC) and St Helena (BCC).

Planning Principles

Council has the responsibility to:

- consider all relevant information regarding the hazard, the public health risks upon the community, and means for the elimination or mitigation of these;
- develop arrangements for the timely and effective response to a public health disaster or emergency, particularly in respect of the responsibilities of Council's Health and Environmental Services division and the coordination of Council activities with those of Queensland Health (Brisbane Southside);
- Generally, information available in other Volumes of the LDMP has not been duplicated in this Plan.

Distribution

Once Volume 10 has been approved by Council it will be distributed on compact disk to relevant agencies, including Emergency Services and Government departments in the South East Queensland region. It will also be available to the public on the Council's web site and in libraries.

Reviews and Updates

All Local Disaster Management Plans will be reviewed, and where necessary updated on an annual basis. Major revisions will be routinely presented to Council for formal approval.

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 consultant used in the development of Volume 10 was funded under a Federal Grant from Emergency Management Australia.

PLANNING SCHEME IMPLICATIONS

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

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

Moved by: Cr Williams
Seconded by: Cr Elliott

**That Council resolve to approve and adopt Local Disaster Management Plan
Volume 10 – Public Health, as attached.**

CARRIED

13.4 PLANNING AND POLICY

13.4.1 MONTHLY BALANCED SCORECARD FOR JANUARY 2008

Datworks Filename: GOV - Corporate Balanced Scorecard Monthly Report To Committee

Attachment: [Balanced Scorecard– January 2008](#)

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

Author Name: Grant Bennett
Service Manager Corporate Planning & Performance

EXECUTIVE SUMMARY

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

This report provides the performance results and comments for the month of January 2008. Performance is shown in one of four ranges: Outstanding (green), above standard (yellow), satisfactory (orange) or unsatisfactory (red). The overall rating for each Perspective is determined by the relative weightings of each KPI it includes.

The overall rating for Redland Shire Council for the month of January 2008 is Outstanding.

PURPOSE

To provide Council with the Corporate Balanced Scorecard report for the month of January 2008.

BACKGROUND

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

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

ISSUES

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

Financial Perspective

December Rating: Outstanding

Proven Earnings Before Interest Tax & Depreciation (EBITD) Savings to Budget (weighting 20%) rated at the outstanding level, with a budget of \$22 million actual \$29.1 million. The favourable variance is mainly due to timing of completion of the Heinemann Road Reservoir, timing issues with goods and services, and employee costs. Full details are provided in the monthly finance report.

Cash Levels Within Targets (weighting 8%) rated in the above standard range with the result remaining steady at 4.9 months.

The Capital Works Program Financial Performance KPI (weighting 12%) compares expenditure on finalised projects with budget. The current result is a 12.47% saving, although this is expected to come back to around 8% next month when the results of the budget review come into effect. PDG projects continue to be delivered with savings, with a budget of \$7,896,979 and actual expenditure of \$7,258,743.

Customer Perspective

December Rating: Outstanding

Capital Works Program Practical Completion (weighting 15%) reports on the % of capital project milestones achieved compared to plan. PDG is currently managing 356 capital works projects, and have achieved 396 milestones. 81 projects have reached practical completion. Redland Water and Waste continues to be ahead of target with 26 milestones due and 29 achieved. In Corporate Services, Information Management and Corporate Assets, Fleet and Facilities all planned milestones have been met.

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

Compliance with our EPA Licence for Wastewater (weighting 2.5%) currently rates as satisfactory, with 2 non-conformances during January at Capalaba WWTP that were caused by illegal dumping of trade waste (diesel based substance) into the system. Despite this, due to the increased volume of flow in December and January, the total % complaint flow improved slightly.

Development Application Assessment Performance Index Timeliness (weighting 10%) achieved an above standard rating. This index reflects the performance of each of the 3 categories of applications - Integrated Commercial, Land Development and Development Assessment. Recent staff recruitments have assisted to meet

deadlines and continued monitoring of staff resources will help to ensure continued performance.

Internal Perspective

December Rating: Outstanding

Asset Management Plans Actions Completed (weighting 7.5%) was above standard with 93% completed on time.

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

People & Learning Perspective

December Rating: Above standard

% of Funded Workplace Health and Safety Management Plan Actions (weighting 10%) rated as above standard. The new Workplace Health and Safety plan has now been endorsed and all audit actions are progressing as planned.

The Lost Time Injury Frequency Rate (weighting 5%) is expressed as a rolling 12 month average and rated as above standard. There was only one minor injury during January.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

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

OPTIONS

PREFERRED

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

ALTERNATIVE

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

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

Moved by: Cr Williams
Seconded by: Cr Elliott

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

CARRIED

13.4.2 QUARTERLY OPERATIONAL PLAN REPORT FOR DECEMBER 2007

Dataworks Filename: Gov- Corporate Performance Reporting Quarterly
Attachment: [Quarterly Operational Plan Report - December 2007](#)
Responsible Officer Name: Warren van Wyk
Manager, Corporate Planning, Performance & Risk
Author Name: Grant Bennett
Service Manager Corporate Planning & Performance

EXECUTIVE SUMMARY

The Corporate Plan for 2006 – 2010 was adopted by Council on 21 December 2005. In June 2007 the Corporate Plan was refined to reduce overlap between programs, to simplify terminology and to reduce the number of internally focused strategic priorities. Implementation of the Corporate Plan occurs through the annual Operational Plan.

The 2007-08 Operational Plan, as adopted in June 2007 and amended in October 2007, highlights to the Council and the community the key initiatives that Council will pursue this financial year towards achievement of the Corporate Plan's long term objectives.

In line with the *Local Government Finance Standard 2005*, the 2007-08 Operational Plan sets out the Key Outputs that will be delivered during the 2007-08 financial year for each of the Strategies in the Corporate Plan, and the Key Performance Indicators (KPI's) for those Outputs. This quarterly report shows the actual achievements to date towards delivering on those KPI's, and by doing so also ensures that Council meets its obligations to monitor progress on delivering its Corporate and Operational Plans as required by the *Local Government Act 1993*.

The reporting system is designed to rate performance against each KPI in one of four ranges:

- Outstanding – Green (or ☆ in the summary);
- Above Standard – Yellow (✓);
- Satisfactory – Orange (▲);
- Unsatisfactory – Red (✖).

PURPOSE

This report ensures Council complies with the requirements of the *Local Government Act* and enables Council to monitor its business performance against its approved Operational Plan.

BACKGROUND

The Corporate Plan 2006 – 2010 includes 127 Strategies. To ensure a more strategic focus is maintained and reports are manageable, Council identified in this year's Operational Plan only the most significant Outputs scheduled to occur this year for each Strategy. For some Strategies there are no Key Outputs identified this year because they, either have been delivered in the previous financial year or are scheduled to be delivered in later years of the Corporate Plan.

This is the normal "exceptions" based report which focuses on KPI's performing in the unsatisfactory or outstanding ranges. A full report detailing results for all KPI's is available from the Corporate Planning Performance & Risk Group (CPPR) and will be posted on the intranet. A copy of the 2007-08 KPI Register; which includes comprehensive details of all KPI's including detailed definitions, sources of data, calculation methodology, targets each quarter, responsible officers and associated information; is available from CPPR and has been provided in the Councillors resource area for information.

The targets for some KPI's are shown in the report as Satisfactory 0, Above Standard 1 and Outstanding 2. This indicates that there were no planned action/s in the relevant quarter. These ranges are required due to limitations with the current reporting software, and allow the system to assign scores when an actual result is entered.

ISSUES

Overall Performance – December Quarter (refer to the Attachment p.7)

Performance against the Operational Plan as a whole rated in the outstanding range this quarter.

The overall performance of all strategic priorities this quarter was outstanding.

KPI Performance Summary

There are 115 KPI's that are reportable in the Operational Plan for the 2007-08 year. These KPI's rated as follows:

- Outstanding – 87 KPI's (71%)
- Above Standard – 2 KPI's (2%)
- Satisfactory – 18 KPI's (16%)
- Unsatisfactory – 8 KPI's (7%) performed below expected levels.

Summary comments on the performance against each Strategic Priority follow. Comments on specific KPI's are included where an unsatisfactory result has occurred this quarter.

Natural Environment (refer to the Attachment pp. 8 - 12)

- Environmental Performance and Biodiversity Programs performed at an outstanding level with all key initiatives either on or ahead of their delivery schedule.
- Coastal & Waterways program rated above standard with initiatives proceeding as scheduled.

Land Use (refer to the Attachment pp. 13-17)

Council should note that the process of gaining approvals and commitments from the State Government for a number of Land Use projects and initiatives is affected by decisions of the State Government to put many significant matters on hold until after the local government elections have been completed.

- The Rural Landscape & Green Space and Integrated Planning Programs rated as outstanding and all initiatives are meeting or exceeding planned milestones.
- Local Area Planning and Program achieved a satisfactory result with all initiatives on target to meet planned milestones.
- Development Assessment program met targets, with DA's overall being processed within timeframes.

Essential Services (refer to the Attachment pp.18-30)

- Water Supply, Wastewater, Transport, Roads and Drainage Programs achieved an outstanding rating, with all projects bar one, which rated satisfactory, performing at the outstanding level.
- Waste Management Program and Marine Facilities programs achieved an above standard rating this quarter, with most projects progressing to schedule. The exceptions were the project to support the strategy to develop waste reduction and recycling opportunities for construction and demolition waste: Council decided to defer this project until a private DA for a waste facility has been finalised. The development of a Council position on marina infrastructure is behind schedule due mainly to the complexity in establishing the responsibility for maintaining these assets. A draft Council position is being prepared and should be ready by the end of the next quarter.

Community Health & Wellbeing (refer to the Attachment pp.30 -42)

- Arts and Culture, Strong Communities and Disaster Management Programs achieved an outstanding rating. The only initiative behind schedule was the Community Action Plan, which has yet to be finalised with the indigenous community but is expected to be back on track by the end of the year.
- Sport and Recreation and Community Health and Safety Programs achieved an above standard result, with most KPI's well on target. The recreation program review experienced delays out of our control – the State Government has not yet released its grants program as scheduled; and the Community Safety Committee

priority project is behind schedule due to the resignation of the Community Safety Officer.

Economic Prosperity (refer to the Attachment pp.43-47)

- Business Attraction and Tourist Development Programs rated in the outstanding range. All initiatives are on schedule.
- Business Retention and Expansion Program achieved an above standard rating this quarter. Key Outputs are progressing to schedule.

Governance (refer to the Attachment pp.48 - 53)

- Governance and Financial Planning and Disclosure Programs rated in the outstanding range. All initiatives are on schedule.
- Strategic Planning Program rated in the above standard range with all initiatives which were due on schedule. Some initiatives do not commence until future quarters.

Corporate Services (refer to the Attachment pp.54 – 63)

- Treasury, Asset Management, Marketing and Communications and Human Resource Management programs all achieved an outstanding result with most initiatives progressing well. The only KPI behind target is the Updated Remuneration and Benefits Strategy, which is being addressed with the allocation of a dedicated resource, which will bring this project in on target by the end of the year.
- Information Management and Learning Programs rated as above standard with the vast majority of initiatives on schedule. Some initiatives are scheduled to commence later in the year. A delay in the development of the leadership development program has occurred due to priority being given to completing e-learning modules, and the “Dataworks” interface has been put on hold due to the takeover of the product vendor, and as a result other options are now being investigated.
- Organisational Improvement program rated as satisfactory, whilst the change leadership program is on schedule, the tender process for the leadership development program for senior management is behind schedule as resources have been dedicated to the e-learning project.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

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

OPTIONS**PREFERRED**

That Council resolve to note the attached Operational Plan Report for the 2007 December Quarter, as attached.

ALTERNATIVE

That Council resolve to note the Operational Plan Report for the 2007 December Quarter and seek additional information.

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

Moved by: Cr Williams

Seconded by: Cr Elliott

That Council resolve to note the attached Operational Plan Report for the 2007 December Quarter, as attached.

CARRIED

13.5 TENDERS FOR CONSIDERATION

The following tenders were presented for consideration:

13.5.1 MOSQUITO AERIAL TREATMENT CONTRACT

Dataworks Filename: PH Programs - PH Arboviral (Mosquito) Control

Responsible Officer Name: Joseph Casabella
Team Leader Health and Environment

Author Name: Emily Schmid
Environmental Health Project Coordinator

EXECUTIVE SUMMARY

The contract for the Aerial Application of Mosquito Control Agents was advertised for tender on 15 December 2007. Council received two applications for the provision of services:

1. McDermott Aviation;
2. Air Work Helicopters.

The contract is for a period of two years, with the option to extend for a further two years.

Council's previous contract for the aerial application of mosquito control agents was for a period of five years from 1997, and was extended for a further five years to November 2007. The contract was with McDermott Aviation.

For the previous ten year contract McDermott Aviation developed a good rapport with Council. They displayed commitment and have a significant understanding and knowledge of our systems, the area and treatment sites and methods.

Both applicants have quoted competitive prices. The price variation formulas were significantly different with McDermott's being more reliable and cost effective in the long term, even though their basic quotation per hectare is only slightly more expensive.

The approximate cost per annum is anticipated to be \$200,000. The two year contract plus the two year extension will be approximately \$800,000.

PURPOSE

Redland Shire is characterised by a diverse range of environments including bushlands, freshwater wetlands and the Moreton Bay Islands, which provide a variety of ecosystems for our flora and fauna. These environments also provide significant breeding sites for mosquitoes. Nuisance is also affected by rapidly growing

population in the Shire. Under the *Public Health Act 2005*, mosquitoes are defined as a designated pest.

BACKGROUND

History

The previous contract that was awarded to McDermott Aviation was for a period of five years from 1997 and was extended for a further five years, ending in November 2007. McDermott's have provided a quality service and value for money and Council has developed a good rapport with this company. McDermott's Aviation intimately knows the Shire, the treatment and breeding areas, our operating systems and procedures.

The previous contract was calculated on a per hour basis with the new contract being charged on a per hectare basis. The basis for this decision was formed on research and efficiencies that benefit council such as:

- Reduction in pilot error and the application time being dependent upon pilot competency. A per hectare rate eliminates the time factor and results in a saving to Council.
- Improvement and qualification of land mass and size via GIS, improving the accuracy of breeding areas.
- GPS positions and IT improvement allowing improved management of treatment sites.
- Simpler and easier budget and financial management of costs based on land size will result in an accurate costing. A per hour rate treatment would vary more than a fixed area treatment. Costs are more controlled.

Surrounding Councils and other SEQ Councils that utilise McDermott Aviation for mosquito treatment include Gold Coast, Caloundra, Maroochy, Noosa and Hervey Bay. Brisbane City Council have previously utilised McDermott Aviation; however, the contract has expired and is currently out for tender.

Tender Deliverables

McDermott Aviation fulfil and exceed the Tender Deliverables and scored the highest (94.5%) in the criteria assessment.

- McDermott Aviation has a variety of short and long range helicopters available with a fast 2-6 hour response time for the Contract to meet our needs, including in the event of an emergency:
 - Five x Bell 47T / KH4 (short range);
 - Two x Bell 206L (long range);
 - Three x Bell 204 (long range).
- McDermott's have the necessary loading, mixing and CASA approved calibrated equipment and application systems:

- Isolair on board airborne solid application equipment;
 - Isolair spray system;
 - Micronairs rotary atomisers beecomist;
 - Underslung bucket.
- The Safety Management Plan, Environmental Management Policy and Environmental Plan have been reviewed and evaluated to be at an exceptional standard.
 - 11 pilots and 10 ground crew are available for treatments, with all pilots having the necessary certification, qualifications and experience, including:
 - Spraysafe;
 - Chemical rating;
 - Dangerous Goods Certification;
 - Flying in the Wires Obstruction Course;
 - Combined experience in aerial mosquito control applications of 73 years.
 - Data recording systems are adequate and capable of being overlaid into a Geographical Information System.
 - McDermott's are certified for Quality Assurance to ISO9001:2000.
 - They have all the necessary insurance, including Public Liability to \$10 million, Product Liability to \$10 million, Motor Vehicle Third Party Property Damage, Work Cover and Aviation Liability to \$20 million.

Cost

McDermott Aviation's tendered quote ranged from \$22.00+GST per hectare for solid applications at 3 kg per hectare for the first 200ha (\$16.00+GST thereafter), to \$34.00+GST per hectare for Low Volume liquid applications at 6L per hectare for the first 200ha (\$25.00+GST thereafter). This is outlined in Table 1.

| Agent | Application rate per ha | Cost per ha for first 200ha (GST excl) \$ | Cost per ha for additional areas above 200ha (GST excl) \$ |
|------------------|--------------------------------|--|---|
| Solid | 3kg | 22 | 16 |
| Solid | 4kg | 25 | 18 |
| Liquids | 3L | 22 | 16 |
| Ultra Low Volume | Up to 3L | 22 | 16 |
| Low Volume | 4L | 25 | 18 |
| Low Volume | 5L | 30 | 22 |
| Low Volume | 6L | 34 | 25 |

Table1: Per hectare rates tendered by McDermott Aviation

Ferrying costs range from \$660.00 (incl GST) per hour for the Bell 47, to \$990.00 for the Bell 206L, and \$1,145.00 for the Bell 204. Maximum ferrying time is 2 hours, 1.3 hours and 1.1 hours, respectively.

The price variation formula submitted by McDermott Aviation takes into consideration the price variations in labour, aviation fuel, spare parts, insurance, office and R&D.

The approximate cost per annum is anticipated to be \$200,000. The two year contract plus the two year extension will be approximately \$800,000.

The previous contract was for a period of five years from 1997 and was extended a further five years, ending in November 2007. The previous contract was with McDermott Aviation.

ISSUES

Corporate Policy POL-2710 Mosquito and Biting Midge Management

The Shire has approximately 710ha of salt marsh mosquito production areas that are currently treated. Treatment is a larvicide, targeting mosquitoes in the larvae stage. The frequency of treatment is primarily dependent upon season, tidal activity and rain events.

There are seven main species of mosquitoes that affect the Shire. Treatment is required for both health and nuisance value. Mosquitoes breed in upper inter-tidal salt marshes and mangrove areas, freshwater pools or artificial containers. The major mosquito nuisance affecting the Redlands is the salt marsh-breeding *Aedes vigilax*. This mosquito is an efficient vector of Ross River virus and Barmah Forest virus and has been noted to travel distances of up to 50 kms from breeding sites.

Historically, the primary role of the mosquito management program has been the short-term physical control of mosquitoes through the application of mosquito control agents. In recent years, the mosquito management program has broadened to investigate and provide longer terms control through habitat modification (Runnelling).

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 Mosquito Management annual budget for aerial contract treatments averages \$200,000 for an average season. Depending on type of seasonal activity and treatment frequency this cost may exceed the predicted annual budgeted amount.

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.

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

Moved by: Cr Williams
Seconded by: Cr Elliott

That Council resolve to approve McDermott Aviation as the successful Tenderer and award the Contract for the Aerial Application of Mosquito Control Agents for Redland Shire.

CARRIED

13.5.2 PROVISION OF MAINTENANCE TO THE FUEL REDUCTION ZONES 1158-2008-PCO

Dataworks Filename: FM Tendering Supply Services
Responsible Officer Name: Lex Smith
Manager Operations and Maintenance
Author Name: Jillian Jones
Procurement Coordinator

EXECUTIVE SUMMARY

The previous contract for these services – contract 2317 expired on 31 January 2008.

In accordance with section 484(1) of the *Local Government Act 1993*, Council invited tenders for the Provision of Maintenance to the Fuel Reduction Zones.

The tender was advertised in the Courier Mail on 5 January 2008.

Twenty eight (28) documents were issued and submissions were received from the following contractors:

- Lewis Lawns Pty Ltd;
- T & H Levai Pty Ltd;
- Richard Heaps;
- Imita Ridge Pty Ltd t/as Bayside Slashing;
- Brisbane City Works;
- Vegsol Pty Ltd.

This report presents the evaluation of tenders received. The tender considered to be the most advantageous to Council is being recommended under Sections 481, 483, 484 and 490 of the *Local Government Act* relating to tendering, and the principles governing the making of contracts.

PURPOSE

To seek Council approval to award a contract to Imita Ridge Pty Ltd., t/as Bayside Slashing, for Provision of Maintenance to the Fuel Reduction Zones for an annual value of \$167,064 exclusive of GST, commencing 1 March 2008 for a period of two (2) years with the option to extend for a further three (3) one (1) year periods.

BACKGROUND

The Contract covers general maintenance of nominated Council's Parks and Conservation Fuel Reduction Zones. Maintenance of Fuel Reduction Zones includes, but is not limited to, grass cutting/trimming, tree trimming/removal, removal

of tree ground debris (branches and larger sticks), rubbish removal and reporting of activities undertaken.

Tenderers were asked to respond to the requirements below and the evaluation was weighted as follows:

| TENDER EVALUATION CRITERIA | | |
|---|---|------------------------------|
| Mandatory Criteria | Tender Deliverable Attachment in Section B | Evaluation Weightings |
| • Form of Tender | Tender Deliverable Attachment – A | - |
| Other Criteria | Tender Deliverable Attachment in Section B | Evaluation Weightings |
| • Risk and Benefit to RSC | All Tender Deliverable Attachments | - |
| • Statement of Non Compliance | Tender Deliverable Attachment – B | - |
| • Tendered Sum | Tender Deliverable Attachment – C | 30% |
| • Insurances | Tender Deliverable Attachment – D | - |
| • Referees | Tender Deliverable Attachment – E | 15% |
| • Previous Experience with RSC | Tender Deliverable Attachment – F | - |
| • Notice of Sub Contractors | Tender Deliverable Attachment – G | - |
| • Safety Management Plan | Tender Deliverable Attachment – H | - |
| • Environmental Management Plan | Tender Deliverable Attachment – I | - |
| • General Operational Capability and Experience | Tender Deliverable Attachment – J | 55% |

For those areas without an evaluation weighting these were assessed as either acceptable or not acceptable to Council.

Please refer to Appendix A Summary of Tender Evaluation for details of the evaluation and Appendix B for the Evaluation Scoring.

ISSUES

Clarifications were sought from all suppliers ranging from missing referee details to safety management plan incomplete information.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

Parks and Conservation has sufficient funds in the 2007/08 budget for these services and will budget accordingly for the 2008/09 year.

The cost per annum for the sites included in this service is \$167,064 exclusive GST, with a potential, if all three one year options to extend are taken up, to take the contract value to \$835,320 exclusive GST, over the maximum five year period.

This contract is linked to Queensland CPI for non fuel related costs and to a variation formula for fuel costs for the annual review. The figures above are subject to this review.

CONSULTATION

Consultation has occurred with:

- Senior Conservation Officer;
- Conservation Fire Management Officer;
- Procurement Coordinator.

Workplace Health and Safety were consulted to ensure the suitability of the supplier's safety management plans and safe work method statements.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Williams

Seconded by: Cr Elliott

That Council resolve as follows:

- 1. To award the contract to Imita Ridge Pty Ltd, t/as Bayside Slashing, for Provision of Maintenance to the Fuel Reduction Zones for an annual value of \$167,064 exclusive of GST, commencing 1 March 2008 for a period of two years, with the option to extend for a further three (3) one (1) year periods;**
- 2. To delegate authority to the Chief Executive Officer to:**
 - a. Make, vary and discharge the contract in accordance with the agreed contract terms for any changes; and**
 - b. Sign all relevant documentation.**

3. That the documents “Summary of Tender Evaluation” and “Evaluation Scoring” remain confidential.

CARRIED

13.6 GENERAL BUSINESS

The following items of general business were raised:

1. Cr Elliott raised several electoral issues including location of pre-poll stations.
2. Cr Murray enquired about Council's practice in respect to the archiving of records.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Williams
Seconded by: Cr Elliott

That the general business items be noted.

CARRIED

14 MAYORAL MINUTE

14.1 SPONSORSHIP – REDLAND FOUNDATION LIMITED

Background

The Redland Foundation Limited (RFL), a philanthropic community organisation, was registered in January 2008 to encourage individuals, families, companies, trusts and institutions to invest in the Redland's future quality of life. RFL is a not for profit company limited by guarantee and managed by a local Board of Directors with a strong commitment to the Redland community. Funds are kept in trust with the income to be used for grants.

The RFL is registered under the *Commonwealth Corporations Act 2001* and will operate as a Deductible Gift Recipient (DGR) under Australian Taxation Office guidelines, allowing donations to be tax deductible.

There are sufficient funds in the Mayor's Community Fund to support this request.

The Mayor declared a conflict of interest in the Mayoral Minute in that he is one of three people appointed to see the establishment of the Redland Foundation Limited through to a general meeting to appoint a board.

COUNCIL RESOLUTION

Moved by: Cr Seccombe

That the Redland Foundation Limited be sponsored in the amount of \$5,000 excluding GST from the Mayor's Community Fund. Due to the nature of this sponsorship the requirement under GL-2035 relating to written quotations is not able to be met.

CARRIED

15 DIRECT TO COUNCIL REPORTS

15.1 REPORT FROM CUSTOMER SERVICES

15.1.1 DELEGATED AUTHORITY - ENVIRONMENTAL PROTECTION ACT 1994 ANTI-LITTER PROVISIONS

Dataworks Filename: L & E Litter and Rubbish Control
Attachments: [EPA Instrument of Delegation](#)
Responsible Officer Name: Timothy Donovan
Manager Assessment Services
Author Name: Thorbjorg Dunn
Team Leader - CMR Team

EXECUTIVE SUMMARY

The Queensland Government has amended the *Environmental Protection Act 1994* to allow for stronger, more flexible and enforceable anti-litter provisions, particularly in relation to littering offences involving a vehicle.

Local governments, the Environmental Protection Agency (EPA) and Queensland Parks and Wildlife Service will be responsible for implementing the new laws, which commenced on 11 February 2008.

The EPA has issued Council with an Instrument of Delegation (attached) which enables Council to delegate these powers to the Chief Executive Officer, to sub-delegate to appropriately qualified employees of Council.

It is recommended that in accordance with section 516(2) of the *Environmental Protection Act 1994*, Council delegate to the Chief Executive Officer, the power to appoint authorised persons pursuant to section 445(1)(c) of the *Environmental Protection Act 1994*.

PURPOSE

The purpose of this report is to request that Council delegate the power to appoint authorised persons to enforce the new anti-litter provisions of the *Environmental Protection Act 1994*.

BACKGROUND

- Parliament passed new litter laws in October 2007;
 - The EPA have advised that there is a three-month amnesty period before the new laws commence;
 - The new laws commenced on 11 February 2008;
 - The EPA have conferred the power to appoint authorised persons under the *Environmental Protection Act 1994* to Council by way of an Instrument of Delegation;
-

- To ensure the efficient administration of this matter, it is recommended that Council delegate the power to appoint authorised persons to the Chief Executive Officer.

ISSUES

In October 2007 Parliament passed the *Environmental Protection Amendment Bill 2007* amending the *Environmental Protection Act 1994* to create a new part for offences relating to depositing litter. These new laws commenced on 11 February 2008.

The Environmental Protection Agency has issued the attached Instrument of Delegation to Council, which replaces previous Instrument of 2 March 2001 and provides the appropriate powers to local government authorised officers to enforce the new laws.

Section 63 of the *Environmental Protection Regulation 1998* states that employees of a local government appointed as authorised officers by the local government's Executive Officer are an approved class of person for section 445 of the *Environmental Protection Act 1994*. This allows local government authorised officers to enforce provisions of the Act. The attached Instrument of Delegation states the specific sections that may be enforced.

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 delegation of powers to the Chief Executive Officer.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The author consulted with the Manager Legal Services, Regulatory and Health Services Manager and Team Leader Local Laws, who all agreed that for administrative efficiency, these powers should be delegated to the Chief Executive Officer, for sub-delegation to appropriate council officers.

OPTIONS**PREFERRED**

That Council resolve as follows:

1. To delegate authority to the Chief Executive Officer the power:
 - a. To appoint authorised persons pursuant to section 445(1)(c) of the *Environmental Protection Act 1994*;
 - b. To issue an identity card to each authorised person pursuant to section 448 of the *Environmental Protection Act 1994*; and
 - c. to issue certificates pursuant to section 490 of the *Environmental Protection Act 1994*;
2. That the above powers be subject to the following limitations:
 - a. That the only powers under the *Environmental Protection Act 1994* the authorised person who is appointed is to exercise are:
 - i. Sections 440J, 452, 453, 455, 456, 457, 459, 460, 461, 462, 463A, 463, 464, 465 and 466 of the *Environmental Protection Act 1994*; and
 - ii. Only to be used in relation to those matters referred to in section 440D of the *Environmental Protection Act 1994* and section 68 of the *Environmental Protection (Waste Management) Regulation 2000*; and
 - b. That the certificates issued pursuant to section 490 of the *Environmental Protection Act 1994* are only used in respect of Court proceedings in relation to those matters referred to in section 440D of the *Environmental Protection Act 1994* and section 68 of the *Environmental Protection (Waste Management) Regulation 2000*.

ALTERNATIVE

To not delegate these powers to the Chief Executive Officer and leave the powers to appoint authorised persons with Council.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That Council resolve as follows:

1. To delegate to the Chief Executive Officer the power:
 - a. To appoint authorised persons pursuant to section 445(1)(c) of the *Environmental Protection Act 1994*;
 - b. To issue an identity card to each authorised person pursuant to section 448 of the *Environmental Protection Act 1994*; and
 - c. to issue certificates pursuant to section 490 of the *Environmental Protection Act 1994*;

2. That the above powers be subject to the following limitations:
- a. That the only powers under the *Environmental Protection Act 1994* the authorised person who is appointed is to exercise are:
 - i. Sections 440J, 452, 453, 455, 456, 457, 459, 460, 461, 462, 463A, 463, 464, 465 and 466 of the *Environmental Protection Act 1994*; and
 - ii. Only to be used in relation to those matters referred to in section 440D of the *Environmental Protection Act 1994* and section 68 of the *Environmental Protection (Waste Management) Regulation 2000*; and
 - b. That the certificates issued pursuant to section 490 of the *Environmental Protection Act 1994* are only used in respect of Court proceedings in relation to those matters referred to in section 440D of the *Environmental Protection Act 1994* and section 68 of the *Environmental Protection (Waste Management) Regulation 2000*.

CARRIED

Cr Bowler declared a conflict of interest in the following item and remained in the Chamber for the discussion and decision on this item.

15.2 REPORT FROM CHIEF EXECUTIVE OFFICER

15.2.1 CODE OF CONDUCT MATTER RELATING TO CR TONI BOWLER

Datworks Filename: GOV Councillors - Code of Conduct

Attachments: [Att 1 Conduct Review Panel Report](#)
[Att 2 Letter from Nathan Lawyers](#)
[Att 3 Independent Legal Advice](#)
[Att 4 Email Response from CRP Convenor](#)

Responsible Officer Name: Susan Rankin
Chief Executive Officer

Author Name: Susan Rankin
Chief Executive Officer

EXECUTIVE SUMMARY

Attached is a report and recommendations from the SEQ Code of Conduct Panel dealing with a Code of Conduct referral concerning Cr Toni Bowler.

This matter deals with a formal complaint by a shire resident that Cr Bowler was absent from Council on personal business without providing appropriate prior notice to Council in accordance with a Council guideline dealing with Councillor Attendance, and also that the Councillor was, therefore, unavailable to represent her constituents. The complaint also makes other allegations in relation to behaviour of Cr Bowler inappropriately attempting to interfere with a building matter.

PURPOSE

To provide Council with the report from the SEQ Code of Conduct Panel for Council's consideration and decision regarding this matter.

BACKGROUND

The complainants had a building application with Council for the construction of a shed. This application had issues to resolve with respect to the placement of the shed and clearing of associated vegetation. The complainants were unsatisfied with Council's treatment of their application and made a written complaint to the CEO regarding the matter.

This original complaint was investigated in accordance with Council's Complaint Management policy and guideline by the Manager Internal Audit, who was subsequently able to mediate a resolution which was agreeable to all parties.

Cr Bowler is the complainants' Divisional Councillor and was absent overseas during this time and also during the period when their original complaint was investigated.

Prior to the finalisation of the decision on the shed application, Cr Bowler called the matter to Council for final determination, as she is entitled to do as the Divisional Councillor.

Based on Cr Bowler's alleged behaviour in this matter, the complainants lodged a second written complaint in relation to Cr Bowler under the Councillor Code of Conduct.

As the Manager Internal Audit had previously been successful in mediating an outcome to the original complaint she was requested to contact the complainants to see if mediation was an alternative and to clarify the substantive allegations of the complaint.

The complainants advised that mediation was not a course of action they wished to pursue and the matter was subsequently referred to the Convenor of the SEQ Code of Conduct Panel. The initial referral was for advice as to whether or not, based on her experience as Convenor, she considered this matter was of a trivial nature. The Convenor advised that she did not consider the matter trivial and provided several examples in relation to the Code which she believed may be considered by the panel. Therefore, the matter was formally referred to the Convenor for appropriate action.

Details of the process and consideration of this matter are contained in the Panel's report (Attachment 1) which was received at 9pm on 12 February 2008. A copy of this report was provided to Cr Bowler at 10am on 13 February 2008.

On 21 February a response was received from Nathan Lawyers, who are representing Cr Bowler in this matter. A copy of their correspondence is also attached for Council's information (Attachment 2). Given the nature of some of the comments in the Nathan Lawyers correspondence, independent advice was obtained and a copy of this advice is also attached for Council's information (Attachment 3). A copy of the response from the Convenor of the SEQ Panel to Nathan Lawyers is also attached for noting (Attachment 4).

The matter is now presented to Council in Accordance with section 250S of the *Local Government Act 1993* for Council's decision.

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 implementing the recommendations of this report.

CONSULTATION

Consultation has occurred with the Convenor of the SEQ Code of Conduct Panel and Panel members.

OPTIONS

OPTION 1

Council resolve to accept the recommendations of the SEQ Code of Conduct Panel, namely that:

1. the Councillor be given a written reprimand for her breach of section 8.1.3 of the Councillor Code of Conduct;
2. the Chief Executive Officer Provide written advice to Chairs of Committees and General Meetings of the need for care and rigour in the recording of absences of councillors from scheduled meetings; and
3. the Chief Executive Officer take appropriate action so as to ensure that councillors are properly briefed in relation to the need for councillors to give a full-time commitment to their role and to attend Council meetings whenever required.

OPTION 2

Council resolve not to accept the recommendations of the SEQ Code of Conduct Panel and make some other resolution regarding this matter.

COUNCIL RESOLUTION

Moved by: Cr Beard
Seconded by: Cr Ogilvie

That this item be deferred to the first General Meeting of Council after the March 2008 Election.

CARRIED

16 IN APPRECIATION

The Mayor thanked the Chief Executive Officer, members of the Executive Leadership Group and all Council staff for their contribution and assistance during his term as Mayor.

Cr Elliott left the meeting at 5.16pm.

17 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 5.17pm.

Signature of Chairperson: _____

Confirmation date: _____