



**Redland**  
CITY COUNCIL

# **MINUTES**

## **GENERAL MEETING**

**Wednesday 1 October 2008**

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

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## 1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.00pm.

## 2 DEVOTIONAL SEGMENT

Pastor Glen Gray, of the Minister's Fellowship, led Council in a brief devotional segment.

## 3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

### MEMBERS PRESENT:

Cr M Hobson PSM	Mayor
Cr W Boglary	Councillor Division 1
Cr D Henry	Councillor Division 3 – entered at 4.01pm
Cr P Dowling	Councillor Division 4
Cr B Townsend	Councillor Division 5
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9
Cr H Murray	Councillor Division 10

### EXECUTIVE LEADERSHIP GROUP:

Mr G Stevenson PSM	Chief Executive Officer
Mr L Smith	Acting General Manager Customer Services
Mr R Turner	General Manager Corporate Services
Mr G Soutar	General Manager Redland Water & Waste
Mr G Photinos	Manager Environmental Management

### MINUTES:

Mrs J Parfitt	Corporate Meetings & Registers Officer
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### LEAVE OF ABSENCE:

Moved by:	Cr Boglary
Seconded by:	Cr Henry

That leave of absence from today's meeting be approved for Cr T Bowler and Cr M Elliott who are attending the State Government Tour of Significant 'Best Practice' Developments.

CARRIED

### APOLOGIES:

Cr C Ogilvie and Mr G Underwood.

## **4 RECEIPT AND CONFIRMATION OF MINUTES**

### **4.1 GENERAL MEETING MINUTES OF 27 AUGUST 2008**

Moved by: Cr Townsend  
Seconded by: Cr Reimers

That the minutes of the General Meeting of Council held on 27 August 2008 be confirmed.

CARRIED

### **4.2 SPECIAL MEETING MINUTES OF 17 SEPTEMBER 2008**

Moved by: Cr Townsend  
Seconded by: Cr Murray

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

CARRIED

## **5 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES**

### **5.1 REPORT FROM CHIEF EXECUTIVE OFFICER**

#### **5.1.1 PETITION TO RAISE COUNCIL CONTRIBUTION TO CANAL LEVIES**

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

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

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

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

### **5.1.2 REQUEST FOR REPORT – REVIEW OF CURRENT POSITION ON MANAGEMENT OF SHOPPING TROLLEYS**

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

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

### **5.1.3 REQUEST FOR REPORT – PROTECTING SIGNIFICANT VEGETATION**

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

A report addressing this matter will be presented to the December 2008 Planning & Policy Committee Meeting.

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

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

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

A report addressing this matter will be presented to the 8 October 2008 Planning & Policy Committee Meeting.

### **5.1.5 REQUEST FOR REPORT – RESEARCH ON THE IMPACT OF TRAIL BIKES ON THE REDLANDS**

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

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



## 6 PUBLIC PARTICIPATION

Moved by: Cr Dowling  
Seconded by: Cr Henry

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

CARRIED

1. Mr F Bradley of Cleveland addressed Council in relation to infrastructure, services and communications on the Bay Islands.

## MOTION TO RESUME MEETING

Moved by: Cr Murray  
Seconded by: Cr Reimers

That the proceedings of the meeting resume.

CARRIED

## 7 PETITIONS/PRESENTATIONS

Nil.

## 8 ORDER OF BUSINESS

Moved by: Cr Murray  
Seconded by: Cr Boglary

That a late item, titled *Delegated Authority for Planning & Policy Committee – Redland Bay Centre and Foreshore Master Plan* – be received and discussed as item 15.1.1.

CARRIED

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

1. Cr Boglary declared a material personal interest in item 12.1.5 – *Interim Vegetation Protection Order at 257-259 Wellington Street, Ormiston* – as the owner of the property and left the Chamber for discussion and decision on this item.
2. Cr Dowling declared a conflict of interest in Item 16.1.1 - *Redlands Tourism Grant Funding*, in relation to s.246A (6) of the *Local Government Act 1993*. Cr Dowling remained in the Chamber for discussion and vote on this item, voting in the affirmative.

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**10 PLANNING & POLICY COMMITTEE 10/09/08 - RECEIPT AND ADOPTION OF REPORT**

Moved by: Cr Murray  
Seconded by: Cr Reimers

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

CARRIED

**DECLARATION OF OPENING**

Cr Murray declared the meeting open at 9.02 am.

**RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**Members Present

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

Committee Manager

Mr G Underwood	General Manager Planning and Policy
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Officers

Mr G Stevenson PSM	Chief Executive Officer
Mr R Turner	General Manager Corporate Services
Mr L Smith	Acting General Manager Customer Services
Mr W Dawson	Manager Land Use Planning
Mr M Hunt	Principal Advisor – City Wide Planning
Mr G Photinos	Manager Environmental Management
Mr L Newlands	Advisor - Reserves Management
Mr A Burgess	Manager Economic Development
Mr D Elliott	Manager Infrastructure Planning
Mr L Wallace	Manager Corporate Planning Performance & Risk
Mr T Green	Senior Advisor Environmental Health

Minutes

Mrs J Thomas	Corporate Meetings & Registers Officer
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**APOLOGY**

An apology was noted for Cr K Williams.

**PUBLIC PARTICIPATION AT MEETING**

Nil

**DECLARATION OF INTEREST**

Nil

**MOTION TO ALTER THE ORDER OF BUSINESS**

Nil

Cr Bowler left the meeting at 9.25 am (during item 1.1) and returned at 9.34 am (during item 1.1);

Cr Bowler's absence from the meeting was noted at 10.35 am (during item 1.3);

Cr Hobson left the meeting at 10.51 am (during item 1.3);

Cr Dowling left the meeting at 11.23 am (during general business segment);

Cr Henry left the meeting at 11.30 am (during general business segment);

Cr Ogilvie left the meeting at 11.44 am (during general business segment).

## 10.1 PLANNING AND POLICY

### 10.1.1 SOUTH STREET NOISE INVESTIGATION

**Dataworks Filename:** LUP Studies - South Street Noise Investigation  
**Attachments:** [South Street Industrial Noise Assessment](#)  
**Responsible Officer Name:** Wayne Dawson  
Manager Land Use Planning  
**Author Name:** Martin Hunt  
Principal Advisor - City Wide Planning

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### EXECUTIVE SUMMARY

Since late 2005, Council has received a series of complaints from a number of residents in the residential area to the south of South Street, Cleveland regarding industrial activities generating noise after standard business hours. Some of the complainants have also raised concerns about the level of noise being generated by industrial traffic on South Street.

On the 18 July 2007 a report was presented to the Planning and Policy Committee detailing an investigation into the concerns. The report advised Council on traffic noise and amenity issues that impact on the Low Density Residential zoned area in the vicinity of the Cleveland Industrial precinct and proposed a number of options that could have potentially addressed the identified impacts.

At the General Meeting of 1 August 2007, Council chose not to adopt any of the options and instead chose to carry out a further detailed design and cost evaluation on improved acoustic barriers to South Street.

As a result, an independent professional noise investigation of the area was undertaken. The results of this report indicate that noise within the residential estate is generally within normally accepted levels apart from rare occurrences (a single incident in the testing period) from the industrial estate late at night. In relation to traffic noise, noise levels are generally at accepted levels apart from isolated occasions on South Street, again late at night.

The only two options presented in the report which would effectively prevent these occurrences of excessive noise are to either restrict trucks using South Street at night after 10pm or the construction of a 8 metre high noise barrier along South Street. Other options presented include addressing the noise problem both at the source and at the sensitive receiving environment (houses) by constructing a range of noise dampening measures.

### PURPOSE

The purpose of this report is to advise Council on the action undertaken to date and the results of the professional noise assessment undertaken in the area.

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Further, based on the outcomes of the independent assessment, Council direction is sought on proceeding with the matter.

## BACKGROUND

- At the General Meeting of 20 December 2006, Council resolved that a petition requesting Council undertake a master planned upgrade of the interface between industrial and residential lands along South Street, Cleveland, with a view to resolving matters including noise buffering, visual amenity, vehicular/motorist safety, be received and referred to the appropriate area of Council for a report.
- At the Planning and policy Committee Meeting of the 18 July 2007 a report was presented which looked at this petition and recommended a series of options for Council to consider addressing the issues. Committee recommended the adoption of option 3A.
- Council, at its General meeting of the 1 August 2007, rejected the Committee's recommendation and the options presented and instead adopting option 2C (Officer's Recommendation) with the amendment to carry out further detailed design and cost evaluations on improved acoustic barriers to South Street and further consultation with property owners.

## ISSUES

### OPTION 2C: PLANNING AND POLICY COMMITTEE MEETING 18 JULY 2007

At the General Meeting of 20 December 2006, Council resolved that a petition requesting Council undertake a master planned upgrade of the interface between industrial and residential lands along South Street, Cleveland, with a view to resolving matters including noise buffering, visual amenity, vehicular/motorist safety, be received and referred to the appropriate area of Council for a report.

At the Planning and Policy Committee Meeting of the 18 July 2007 a report was presented which looked at this petition and recommended a series of options for Council to consider in order to address the issues. From these options, Council staff recommended the adoption of Option 2C as set out below:

*"Closure of Swallow Street at South Street intersection/ 180 metres of vegetated earth mound with 2 metre high acoustic barrier along southern edge of South St / Incorporation of threshold treatment on South Street west of Lorikeet Dr [traffic calming] / Left in only from South Street into Lorikeet Drive [dependant on traffic modelling in relation to the Panorama Drive / Wellington Street intersection configuration and link to Goddard Road]"*

### ADVANTAGES

1. Maintains satisfactory vehicle access for traffic accessing the residential area;
  2. Significant reduction in traffic noise to adjacent residential area;
  3. Significant reduction of industrial noise to adjacent residential area;
-

4. No access by residential vehicles onto South Street. This removes significant adverse safety conditions associated with mixing residential traffic and industrial traffic (heavy vehicles);
5. Separation of incompatible land uses;
6. Cul-de-sac head does not trigger resumption of private land.

## DISADVANTAGES

1. Significant costs associated with construction of noise attenuation measures;
2. Increased costs associated with construction of new cul-de-sac to facilitate closure of Swallow / South Street intersection;
3. Increased costs associated with the construction of a left-only into Lorikeet Drive from South Street;
4. Significant removal of vegetation along open space strip for noise attenuation barriers;
5. Potential for vandalism on Noise Attenuation Barrier (ie Graffiti);
6. Reduced ability for fauna crossing across South Street.

## ESTIMATED COST OF OPTION 2C

Closure of Swallow St (cul-de-sac)	\$40,000
Vegetated earth mound and acoustic barrier [180m]	\$60,000
Threshold treatment (tactile treatment)	\$20,000
Left in only into Lorikeet Dr from South St	\$50,000
<b>Total:</b>	<b>\$170,000</b>

OPTION 3A: PLANNING AND POLICY COMMITTEE MEETING 18 JULY 2007

The Planning and Policy Committee rejected this option 2C and instead recommended that Council adopt option 3A namely:

*Closure of Swallow Street at South Street intersection / Closure of South Street west of South Street and Lorikeet Drive intersection / Extend wildlife corridor across South Street*

## ADVANTAGES:

1. Significant reduction in industrial vehicles using South Street and subsequent reduction in traffic noise to adjacent residential area;
2. Minimal access by residential vehicles onto South Street. This removes potential adverse safety conditions associated with mixing residential traffic and industrial traffic (heavy vehicles);
3. Clear separation of incompatible land uses;
4. Road closure facilitates habitat link across South Street between the residential area and Cleveland Industrial estate providing better opportunities for fauna movement;

5. Habitat link across South Street provides opportunity for enhanced visual amenity and residential entry statement;
6. Given significant reduction of industrial traffic along South Street Noise attenuation not required along south street interface;
7. Limited removal of vegetation as no noise attenuation barrier is required;
8. Significantly reduced use of South Street as a 'drag strip';
9. Cul-de-sac heads do not trigger resumption of private land.

## DISADVANTAGES:

1. Closure of South Street reduces connectivity and permeability for industrial traffic that enter and exit the Cleveland Industrial Estate [Major Impact];
2. Increased costs associated with construction of new cul-de-sac to facilitate closure of Swallow / South Street intersection;
3. Increased costs associated with significant upgrade of Enterprise/Wellington Street intersection (traffic signals) to cater for expected traffic increases by 2026.

## ESTIMATED COST OF OPTION 3A

Closure of Swallow St (cul-de-sac)	\$40,000
Closure of South St (cul-de-sac)	\$60,000
Fauna Link	\$5,000

**Total: \$105,000**

GENERAL MEETING 1 AUGUST 2007

Council at its meeting of 1 August 2007 rejected the Committee's Recommendation and the options presented and instead adopted the following resolution:

*That the Committee Recommendation not be adopted and that Council resolve to adopt the Officer's Recommendation with an amendment, that resolution No 2 be deleted and replaced with, "2. To carry out further detailed design and cost evaluations on improved acoustic barriers to South Street".*

The motion was put and resolved as follows:

- 1. To receive this report and options presented;**
- 2. To carry out further detailed design and cost evaluations on improved acoustic barriers to South Street;**
- 3. That further consultation be undertaken with property owners and business operators in the locality; and**
- 4. That the principal petitioner be advised of Council's decision.**

Prior to being able to prepare detailed design and cost parameters for acoustic barriers along South Street, it was necessary to carry out a more detailed noise

analysis through an independent Industrial Noise Assessment of the area to establish existing industrial and traffic noise levels. This report has now been completed.

#### HYDER CONSULTING REPORT SOUTH STREET INDUSTRIAL NOISE ASSESSMENT

See Attachment "1" Hyder Consulting report *South Street Industrial Noise Assessment (final Rev 2)* dated Friday 2 July 2008.

The acoustic assessment was carried out by Hyder Consulting, a widely respected and experienced noise assessment consultancy, at the request of Redland City Council. They were asked to assess the noise impact of existing industrial activities and associated road traffic movements from the industrial estate located along Enterprise Street and South Street, Cleveland on nearby residential areas. The nearest residences are located in the residential estate to the south of South Street, Cleveland.

Noise logging was carried out at two sites over continuous 24 hour periods for 7 days between 24 January and 31 January 2008. One site (L1) was located in the front yard of 10 Flamingo Crescent; approximately 800 m south of South Street, and the other location (L2) was at 4 Lorikeet Drive, approximately 16 m south of South Street.

The specific acoustic requirements addressed in the assessment included:

- Measurement of ambient noise levels at the residential estate south of South Street and establish assessment criteria for industry noise and traffic noise using long term noise monitoring;
- Measurement of the existing industry source noise levels using short term noise measurements of industry operations;
- Determining existing road traffic noise levels along South Street at nearby residences based on existing traffic data supplied by Cardno Eppel Olsen and traffic noise measurements;
- Assessment of existing industrial noise against general industrial noise limits in accordance with the Environmental Protection Authority's (EPA) "*Environmental Protection (Noise) policy 1997*" in conjunction with Brisbane City Council's *Noise Impact Assessment Planning Scheme Policy 2002* at nearby residential areas;
- Assessment of existing traffic noise in accordance with the Environmental Protection Authority's (EPA) "*Environmental Protection (Noise) policy 1997*" at residences along South Street;
- Noise contour modelling of the residential area to determine industrial and traffic noise impact;
- In principle noise attenuation options where required.



## CONCLUSIONS FROM THE REPORT

## EXISTING INDUSTRY NOISE

- Continuous industry noise such as fans, chillers and industry “hum” are generally **likely to comply** with the “Environmental Protection (Noise) policy 1997” except for a marginal exceedance of 1 dB(A) at one assessment location during the day and evening and a marginal exceedance of 1 dB(A) at two assessment locations during night time operations.
- Short duration industry noise such as “hammer blows” during the daytime are **likely to comply** with the Brisbane City Council's NIAPSP Using the “Comparison of like parameters or descriptors” at the residences south of South Street.
- Intermittent maximum industry noise such as metal being dropped into bins or “bangs and clangs” during the day and evening periods (7:00am to 10:00pm) is **predicted to comply** with the “Environmental Protection (Noise) policy 1997” at the residences south of South Street.
- Intermittent maximum industry noise such as metal being dropped into bins “bangs and clangs” during the night time period (10:00pm and 7:00am) **is not predicted to comply** with Brisbane City Council's Noise Impact Assessment Planning Scheme Policy 2002 for sleep disturbance, which references research adopted by the World Health Organisation (WHO) at the residences south of South Street.
- Therefore, Industry noise emissions are **likely to comply** with the relevant noise criteria at residential locations South of South Street provided maximum noise events such as metal being dropped into bins **do not** occur after 10:00pm or before 7:00am.

**NOTE:** The terms “predicted to comply” and “likely to comply” give an indication of compliance based upon the data collected and the modelling of that data across the subject area.

## EXISTING TRAFFIC NOISE

- $L_{A10,18hr}$  road traffic noise calculations based on existing traffic data supplied by Cardno Eppell Olsen Pty Ltd and verified with site measurements, **indicate compliance** with the “Environmental Protection (Noise) Policy 1997” traffic noise criteria for public roads at the residences south of South Street.
- $L_{Aeq,1hr}$  night time road traffic noise calculations **show compliance** with the “Environmental Protection (Noise) Policy 1997” traffic noise criteria for public roads at the residences south of South Street.
- $L_{amax}$  road traffic noise calculations **indicate compliance** with the “Environmental Protection (Noise) Policy 1997” traffic noise criteria for public roads during the day and evening periods (7:00am to 10:00pm) at the residences south of South Street.

- $L_{amax}$  road traffic noise levels during the night time period (10:00pm and 7:00am) **are not predicted to comply** with Brisbane City Council's Noise Impact Assessment Planning Scheme Policy 2002 sleep disturbance criteria, which references research adopted by the World Health organisation (WHO) at the residences south of South Street.
- **Road Traffic acoustic barriers are not likely to be a practical method for mitigation of truck noise for Trucks on South Street impacting on nearby receivers.**
- Traffic noise emissions are likely to comply with the relevant noise criteria at residential locations South of South Street, provided trucks pass-bys **do not** occur between 10:00pm and 7:00am. This may be achieved if Council imposes night time truck usage restrictions for South Street industries.

As a result of these findings, the consultants have proposed a number of controls that may assist in resolving the areas of noise non-compliance.

#### INDUSTRY NOISE CONTROLS

##### REQUIRED INDUSTRY NOISE CONTROLS

- Based on the noise assessment findings outlined in this report, maximum noise events such as metal dropping into bins were identified as acoustic issues relating to the operation of the industrial precinct. It is recommended that these events be managed such that they do not occur after 10:00pm or before 7:00am, to ensure compliance with the night-time sleep disturbance criteria.
- A marginal noise exceedance of up to 1 dB(A) occurred for continuous industry noise during the daytime at Location R2 due mostly to concrete batching plant operations and during the night time at Locations R1 and R2 due mostly to Inghams and Energex operations. A noise level increase of up to 1 dB(A) cannot generally be perceived by human hearing and as such, a marginal noise exceedance of 1 dB(A) would be considered acceptable. Furthermore the noise model assumes the existing paling fence along the South Street residential boundaries to be acoustically transparent in line with a worst case assessment, however it is likely the existing paling fence would provide at least 1 dB(A) noise attenuation.
- This acoustic assessment indicates that the existing industrial precinct is only marginally complying with noise guidelines at several residences; therefore, noise control measures outlined below should be considered where it is reasonable and feasible to implement these measures.

##### OPTIONAL INDUSTRY NOISE CONTROLS

- To further reduce industry noise emissions at nearby residences, acoustic silencers, acoustic louvers and noise screens may be applied to some industry noise sources. These treatments will be most effective if applied to sources located at higher elevations such as external rooftop plant.

- Closing windows and doors facing South Street wherever possible and strategically placed entry doors and windows may be utilised in industry buildings to reduce noise emissions towards residences.
- Boundary acoustic screens may be useful for some industries such as the Hansen Concrete Batching plant where on-site concrete truck operations are approximately 2 metres below ground level and the installation of a boundary acoustic screen should block line of sight to the residences. Detailed noise measurements and design calculations would be required for each industry to determine the most effective noise reduction techniques.
- Limit noisy activities such as truck deliveries or the dumping of materials into bins to between 9am and 5pm wherever possible.
- Limit the use of air compression braking to daytime hours only with signage and direction from Council to the industrial operators.
- Limit the use of South Street by staff and suppliers wherever possible.

#### TRAFFIC NOISE CONTROLS

- Maximum noise events at night exceed the traffic noise criteria by up to 17 dB(A). This is based on a worst case “B-Double” truck passby. As a truck source height is relatively high, noise level predictions indicate that a continuous noise barrier of at least 8m high would be required to mitigate this noise and reduce levels to meet the road traffic noise criteria. However a barrier of this height is not likely to be cost effective or practical.
- Another approach to reduce maximum noise events from traffic noise would be to restrict the use of trucks along South Street at night (between 10pm and 7am) and hence reduce the likelihood of sleep disturbance to residents on South Street.
- It is understood the industries along South Street do not operate before 7:00am. However it is also understood that concrete batching plant trucks use South Street before 7:00am despite their licence conditions restricting trucks along South Street before 7:00am.
- To minimise truck usage along South Street at night, Council may need to impose truck usage restrictions along South Street at night. Then, assuming only cars (accessing the residential development to the south of South Street) use South Street at night (10:00pm to 7:00am), noise impact predictions indicate that the traffic noise emissions are likely to comply with the night time sleep disturbance criteria.

The results of the study raise a number of issues for consideration by Council.

1. Existing industrial noise levels from the estate are within accepted levels both during the day however, night-time instances of excessive noise (i.e. metal dropped into bins) are common.
2. Existing traffic movement noise along South Street is within accepted levels during the day.

3. Existing traffic movement noise along South Street can sometimes exceed acceptable limits at night (10pm – 7am).
4. The only methods of reducing noise from South Street to the residential areas to the south of South Street are to either:
  - a. construct an eight (8) metre high acoustic barrier along the southern side of South Street – an option that would not be practical or visually acceptable; or
  - b. Impose a night time curfew or other similar restriction on industrial traffic to prevent its use of South Street between certain hours.

#### COUNCIL RESOLUTION TO CARRY DETAILED DESIGN & COST EVALUATIONS

Referring back to Council's resolution No. 2 - To carry out further detailed design and cost evaluations on improved acoustic barriers to South Street; the noise report states that:

*“Road traffic acoustic barriers are not likely to be a practical method for mitigation of truck noise for trucks on South Street impacting on nearby receivers.” (p.27)*

As stated above, the acoustic report indicates that acoustic barriers to South Street may not be practical and that possibly the best measure to control noise to within acceptable levels is to apply controls or curfews on certain industrial activities and traffic during night time hours.

This raises further issues of how these controls might be enforced or whether a voluntary code of conduct could be established in the industrial area.

Council's Regulatory and Health Services Group are presently undertaking current negotiations with and licensing of noise producing industries in the Cleveland Industrial Estate (ensuring compliance is achieved).

#### **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**

Financial implications depend upon the course of action that Council wishes to take.

#### **PLANNING SCHEME IMPLICATIONS**

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

## CONSULTATION

The noise report has been accepted by Council's Health and Environment Unit as being technically correct and as being in accordance with the Environmental Protection Authority's (EPA) "*Environmental Protection (Noise) policy 1997*" and also the Brisbane City Council's *Noise Impact Assessment Planning Scheme Policy 2002*.

## OPTIONS

### PREFERRED

That Council resolve as follows:

1. To note the findings and conclusions contained within the Hyder Consulting report *South Street Industrial Noise Assessment (final Rev 2)* dated Friday 13 June 2008;
2. That no action will be taken to carry out further detailed design and cost evaluations on improved acoustic barriers to South Street;
3. That further consultation be undertaken with property owners and business operators in the locality on:
  - a. Heavy Vehicle curfew between 10pm – 6am – voluntary code of practice initiated for Industrial Premises with opportunity for access through Enterprise Street; or alternatively
  - b. Additional Vegetation Planting be undertaken in the South Street Road Reserve by Council;
4. To maintain compliance action by:
  - a. Continuing to monitor and enforce noise compliance conditions for industries within the Cleveland Industrial Estate;
  - b. Reviewing licences as they come up for renewal to ensure that the recommendations contained in the Hyder Noise Report are met; and
  - c. Consulting with the industries in the Cleveland Industrial Estate that are on Level 1 licences to discuss the amendment of noise related conditions to bring them into line with the Hyder noise report findings.

### ALTERNATIVE

1. That Council not accept the Officer's Recommendation; or
2. That Council accept the Officer's Recommendation with any amendments as Council sees fit.

**OFFICER'S RECOMMENDATION**

That Council resolve as follows:

1. To note the findings and conclusions contained within the Hyder Consulting report *South Street Industrial Noise Assessment (final Rev 2)* dated Friday 13<sup>th</sup> June 2008;
2. That no action will be taken to carry out further detailed design and cost evaluations on improved acoustic barriers to South Street;
3. That further consultation be undertaken with property owners and business operators in the locality on:
  - a. Heavy Vehicle curfew between 10pm – 6am – voluntary code of practice initiated for Industrial Premises with opportunity for access through Enterprise Street; or alternatively
  - b. Additional Vegetation Planting be undertaken in the South Street Road Reserve by Council;
4. To maintain compliance action by:
  - a. Continuing to monitor and enforce noise compliance conditions for industries within the Cleveland Industrial Estate;
  - b. Reviewing licences as they come up for renewal to ensure that the recommendations contained in the Hyder Noise Report are met; and
  - c. Consulting with the industries in the Cleveland Industrial Estate that are on Level 1 licences to discuss the amendment of noise related conditions to bring them into line with the Hyder noise report findings.

**COMMITTEE DISCUSSION**

Discussion centred upon the noise report methodology and its accuracy, as this had been undertaken in January, often considered a 'down time' for industry and businesses and whether the measures indicated in the officer's recommendation would address the amenity and safety issues.

**COUNCIL DISCUSSION**

Following debate on this item the Mayor indicated that Cr Henry could speak on the item for the second time. Cr Dowling moved a point of order in that, a Councillor could not speak twice on an item whilst in formal debate. The Mayor ruled that she accepted the point of order and that Cr Henry could not speak twice on this item.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Henry

**That Council resolve as follows:**

1. **To note the findings and conclusions contained within the Hyder Consulting report South Street Industrial Noise Assessment (final Rev 2) dated Friday 13th June 2008;**
2. **That officers investigate how to implement a six month trial involving the closure of South Street between Swallow Street and Industry Court, during which time noise levels and other impacts can be monitored;**
3. **That no action will be taken to carry our further detailed design and cost evaluations on improved acoustic barriers to South Street, pending the outcome of the trial closure;**
4. **Additional Vegetation Planting be undertaken in the South Street Road Reserve by Council;**
5. **To maintain compliance action by:**
  - a. **Continuing to monitor and enforce noise compliance conditions for industries within the Cleveland Industrial Estate;**
  - b. **Reviewing and revising licences as they come up for renewal to ensure that the recommendations contained in the Hyder Noise Report are met; and**
  - c. **Consulting with the industries in the Cleveland Industrial Estate that are on Level 1 licences to ensure the amendment of noise related conditions to bring them into line with the Hyder noise report findings; and**
6. **That a report be presented to an October Planning and Policy Committee meeting.**

**CARRIED**

A division was called for.

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

Crs Williams and Dowling voted in the negative.

Crs Elliott, Bowler and Ogilvie were absent from the meeting.

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

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### 10.1.2 POLICY AND GUIDELINE - UNLAWFUL DAMAGE TO TREES IN PUBLIC PLACES

**Dataworks Filename:** EM-Dealing with Damage to Trees in Public Places - POL-3025

**Attachments:** [Revised Policy 3025](#)  
[Revised Guideline GL3025-001](#)

**Responsible Officer Name:** Angela Wright  
Acting Manager- Environmental Management

**Author Name:** Leo Newlands  
Advisor- Reserves Management

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#### EXECUTIVE SUMMARY

Policy (POL-3025), 'Unlawful Damage to Trees in Public Places' and Guideline (GL-3025-001), allows Council to implement a range of actions to stop the incidence of view pruning in public places.

Council is currently experiencing difficulties in stopping view pruning and attaining prosecutions for unlawful damage to trees and vegetation in public places. Electronic surveillance has been used for a range of compliance issues and is used widely around the world.

Electronic surveillance is now seen as a necessary tool at the Council's disposal to prevent unlawful view pruning and damage to vegetation. However, the use of this tool requires amendments to the Policy and Guideline.

This report outlines the case for the use of surveillance cameras, cases where they have been used and recommends a range of proposed amendments to the Policy and Guideline.

#### PURPOSE

The purpose of this report is for Council to resolve that the amended policy POL-3025 and amended guideline GL-3025-001 "Unlawful Damage to Trees in Public Places", incorporating the use of electronic surveillance practices to facilitate successful prosecutions, be adopted.

#### BACKGROUND

- 30 March 2005- Policy was developed to reduce unlawful damage to vegetation. The policy was adopted by Council.
- 12 July 2006 - Amendments were put to Council seeking the use of obstruction devices and the offering of rewards to the public for information leading to prosecution. The report was deferred to General meeting 26-July 2006 with a workshop to occur on 20 July 2006.



- 20 July 2006 the policy was subsequently considered at a Councillor's workshop. The key outcomes from the workshop were:
  - Removing any advantage gained from the unlawful removal of trees and vegetation through a combination of measures including the use of warning and educative signage, variety of devices and hard infrastructure,
  - That initiatives stated in guidelines can be implemented by Officers,
  - That Council consider posting a reward that will lead to the successful prosecution of person or persons who have damaged trees or vegetation.
- 26-July 2006- Council resolved to a range of amendments to Policy and the adoption of Policy Guideline.

## ISSUES

### CURRENT POLICY

The current Policy and Guideline was developed to prevent damage to vegetation from unlawful view pruning practices. Residents with high expectations of views are responsible for unlawful behaviour based on a disregard for environmental and community values.

### EXTENT OF CURRENT CASES

A range of existing cases in Redland City Council have shown that revegetation of areas where damage has occurred, has resulted in ongoing subversive unlawful damage. There are areas in the City recognised as being problematic with damage to mature trees and replanted trees prevalent and occurring on an ongoing basis.

### REQUIREMENTS FOR PROSECUTION

Enforcement requires the identification of those engaged in unlawful activities related to the damage of trees and vegetation in public spaces.

The administration of the current suite of local laws and state laws that would apply to the unlawful removal or damage to trees and vegetation in public places relies on the fundamental legislative principle that Council must prove beyond a reasonable doubt that a breach has occurred in order to obtain a successful prosecution.

Assumptions or hearsay evidence is not admissible. Unless a Council officer or contractor obtains the evidence in person, or identifies a credible witness who is prepared to give direct evidence that can substantiate a breach, a conviction is unlikely.

### ENFORCEMENT TOOLS

#### MEDIA RELEASE AND SIGNAGE

Council has the capacity to approve media releases and install signage on a case by case basis where significant and ongoing view pruning damage is occurring. Although both media releases and signage have been utilised, this form of enforcement is considered to have negligible effect.

## REWARDS

To date, even with rewards, people are not willing to come forward. To date Council has posted rewards of \$5,000 for 2 cases to no effect. As such, tree vandalism in the City is ongoing and escalating, yet to date Council has not received any information from the public and hence has had no success with prosecutions.

Most people in the community dislike view pruning behaviour, however due to fear of retribution, they resist becoming involved and do not provide the necessary evidence for prosecution. Offering rewards, as an isolated tool has failed to reduce the incidence of damage to vegetation from view pruning practices.

## VIEW OBSTRUCTION DEVICES

View obstruction devices have been used in a few cases in Queensland and to some degree a view obstruction device would act as a deterrent to future tree vandalism. In 2006, Council adopted the policy and guideline that approved the use of view obstruction devices in the City on a case by case basis. However, this form of deterrent has not been utilised as yet.

## NEW TECHNOLOGY AND ITS USE IN ENFORCEMENT AND COMPLIANCE

A range of enforcement tools are required to reduce criminal or quasi-criminal behaviour. Electronic surveillance is gaining increased use for the surveillance of unlawful behaviour across a range of issues including but not limited to illegal dumping, unruly behaviour, hooning and vegetation damage.

The form of electronic surveillance considered of most value to health and regulatory services would utilise the services of a contractor who would supply, install, and maintain cameras. Cameras would have remote data capture capacity preventing usable information being lost if a camera was to be taken or destroyed. Cameras would also have infrared capacity to be able to detect activities in low light conditions. This is required as some vegetation damage has occurred in the city between 11pm and 3am.

## CASE STUDIES FOR THE USE OF SURVEILLANCE CAMERAS

### SOUTHERLAND SHIRE COUNCIL CASE STUDY

- Heathcote Road had been used for decades as a dumping ground for construction, industrial and domestic waste and abandoned vehicles. This caused significant environmental, public health problems and created an eyesore. (NSW Government resources website.)
- The project adopted council's 'inform and then enforce' approach, encompassing an extensive education campaign followed by a focus on enforcement.
  - Intelligence gathering: physical surveillance and camera surveillance;
  - Council's Environmental Protection Officers maintained surveillance of Heathcote Road over 24 hours and throughout the week to identify illegal dumping hot spots;

- Council tested a hidden surveillance camera in isolated bushland. The camera had an independent battery power source. The camera surveillance was conducted in accordance with privacy management guidelines published by The Attorney General's Office.
- Outcomes:
  - Continued patrols by enforcement officers have reported a marked decrease in the number of illegal dumping incidents;
  - Reported a 96% decrease in the amount of material collected along Heathcote Road during monthly clean up activities over a 12-month period;
  - Sutherland Shire Council has a 93% success rate for prosecuting illegal dumping and environmental offences;
  - Saving approximately \$45,000 annually in clean up costs).

#### FAIRFIELD CITY COUNCIL CASE STUDY

The use of cameras in the Fairfield City Council for illegal dumping were so successful at reducing dumping that the cameras were sought for a number of other Councils including Sydney City Council, North Sydney and Liverpool Council. Fairfield City Council was also approached by Mc Donald's and Shopping centres (Foley.B. Pers. Com).

#### VICTORIAN GOVERNMENT CASE STUDY

Victorian Litter Action Alliance promotes the installation of surveillance cameras in hot spots to detect offenders. They state that they can be very effective both to collect evidence and to deter would-be dumpers. They state that dummy or imitation cameras can also successfully be deterring would-be offenders. Surveillance cameras, real or imitation, need to be supported with warning signs and visible patrols (Victorian Litter Action Alliance).

#### TOWNSVILLE CITY COUNCIL CASE STUDY

- Castle Hill in Townsville is an isolated spot subjected to vandalism with people in 4-wheel drives hooking their vehicles up to the infrastructure and wrenching them out of their sitings. No matter how Parks Services bolted, cemented, chained, the infrastructure, the vandals managed to destroy them.
- With half funding from State Government's Security Improvement Project, four, black and white cameras have been positioned on an electricity pole providing a 180 degree view of the car park area, capturing number plates of vehicles as they arrive on the top of the hill. Images are beamed by microwave link directly to a computer situated at Parks Services and stored. Images are archived monthly. No one monitors the cameras "live", but a Parks Services officer visits the top of the hill daily as part of his regular duties, and if vandalism has occurred it is a simple matter of checking the computer, transferring the images to disc and providing that disc to the police (Australian institute of Criminology, 2001).
- This was an easy project to evaluate - before, vandalism, after, no vandalism. Castle Hill is a small area, with only one access and exit point for vehicular

traffic. The type of camera system installed and the way it is monitored suits the location. Since the cameras have been in situ (10 months), no vandalism whatsoever has occurred on the hill. Because of its isolation it was not a place that warranted regular police patrols. In this case, the camera system has proved eminently suitable and cost effective.

- The cameras cost \$32,000 to install and with minimal monitoring and maintenance costs, covered by Townsville City Council. The amount of vandalism and costs to rectify are estimated at around +\$50,000 (the cost of repairing the viewing telescope alone was \$8,000 each time). But add to that the unquantifiable cost benefit of the feeling of safety for those who use the hill daily for recreation and for tourists.

#### SUMMARY

Council has a range of tools available to it under the current policy. However, lack of prosecutions has resulted in ongoing vegetation damage in public spaces in view pruning hotspots. It is expected that this situation will not change unless the capacity to monitor and successfully prosecute those responsible for damage occurs.

Electronic surveillance techniques offer the capacity to monitor those responsible for damage to vegetation and facilitate the prosecution of those persons acting unlawfully.

#### PROPOSED POLICY CHANGES

In order to take advantage of new technology for the purposes of reducing wholesale and ongoing damage to vegetation from unlawful view pruning, changes to both the policy and guideline are proposed for the inclusion of electronic surveillance devices. The actual wording used is indicated in italics and a rationale provided below where needed.

AMEND THE POLICY OBJECTIVE BY INCLUDING THE WORDS:

*“To facilitate successful prosecution of persons causing unlawful damage to trees”*

AMEND THE POLICY STATEMENT BY INCLUDING A NEW POINT:

- *“Implementing electronic surveillance practices where unlawful damage to vegetation is occurring or where other compliance measures cannot provide sufficient surveillance to facilitate successful prosecution”.*

Surveillance practices and the offering of rewards has had limited success in controlling unlawful damage to vegetation. Indeed, a number of cases exist in Redlands where ongoing unlawful damage to existing mature trees and vegetation and replanted trees is occurring. Electronic surveillance technology is seen as one of a range of tools that should be employed to reduce the incidence of unlawful damage.

PROPOSED GUIDELINE CHANGES

## NEW DEFINITIONS NOW INCLUDE:

- *“Surveillance: means observation, detection and/or recording, by electronic, personal observation or other means, to assist in the investigation and or prevention of unlawful damage to trees in public places”. This has been included for the purposes of this policy and guideline.*
- *“Ongoing damage: is repeated or recurring destruction of the vegetation or interference with its natural growth including but not limited to, ringbarking, cutting down, topping, lopping, removing, knocking down, poisoning, injuring, maiming or destroying”. This has been included to recognise damage to newly planted trees which might not be considered ‘significant’ damage i.e. of high magnitude and extent but occurs on an ongoing basis.*

New points include

- *“In consultation with Councils Regulatory and Health Services Manager, apply through a confidential report to the Chief Executive Officer for the installation electronic surveillance devices. The report will define the location and duration of surveillance. This action may be done concurrently with the posting of a reward and/or installation of and obstruction device.”*

As with the installation of screening devices, it is seen that installation of should be authorised via a written report to the CEO. Reports to the CEO need to be confidential in order to prevent damage to surveillance devices and to increase likelihood of prosecution. It is proposed that the location and duration of electronic or other surveillance be defined in order to reduce concerns regarding civil liberties.

Cases exist in Redlands where the installation of new trees and fencing has resulted in ongoing unlawful damage so that individuals may retain or expand views. The installation of surveillance devices, in conjunction with revegetation, installation of view obstruction devices or posting of reward, is considered a requisite where it is justified in light of actual and anticipated ongoing damage.

- *“Where authority has been obtained from the Chief Executive Officer, Electronic or other surveillance devices or activities will be implemented in strategic locations for surveillance and prosecution purposes. This authority will dictate the location and duration of electronic surveillance devices “*

Authority from the CEO is required for the installation of surveillance devices.

- *“Upon authorisation by the CEO and in consultation with Council’s Parks and Conservation Service Manager, carry out approved electronic surveillance”.*

Authority from the CEO is required to carry out approved electronic surveillance. Consultation between Council’s Parks and Conservation Service Manager and Regulatory and Health Services Manager is an essential requirement in order to provide timely and sound advice to the CEO.

## **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.

Loss of the City's natural environment will occur if incremental losses of trees due to view pruning remain unchecked. Trees provide an important and beneficial role in the urban form by improving amenity, improving environmental conditions, creating a sense of place. Both the Vegetation Enhancement Strategy 2007 and the Biodiversity Strategy 2008-2012 place obligations on Council to protect, enhance and extent of native vegetation.

## **FINANCIAL IMPLICATIONS**

There will be significant financial implications estimated between \$30,000- \$50,000 for the use of electronic surveillance techniques. Costs, once known, would need to be incorporated into a quarterly budget review.

## **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 Land Use Planning, Environmental Management, Regulatory and Health Services and Parks and Conservations Services. Land Use Planning officers have indicated their support for the provision of electronic surveillance and that it would not impact on the planning scheme.

Environmental Management Officers support these amendments and have been involved in the long term management of this issue. Regulatory and Health Services fully support the amended policy and guideline for the inclusion of electronic surveillance measures and are currently investigating surveillance equipment suppliers.

Parks and Conservations Services indicate that have been seeking more effective means of preventing damage to vegetation and fully support the amended policy and guideline. Environmental Management, Regulatory and Health Services and Parks and Conservations Services have provided joint input to the revision of the Policy and Guideline.

**OPTIONS****PREFERRED**

That Council resolve as follows:

1. That the amended policy, POL-3025 “Unlawful Damage to Trees in Public Places”, as attached, be adopted; and
2. That the amended guideline, GL-3025-001 “Unlawful Damage to Trees in Public Places”, as attached, be adopted.

**ALTERNATIVE**

That Council resolves to maintain the existing policy and guideline.

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

Moved by: Cr Henry  
Seconded by: Cr Townsend

**That Council resolve as follows:**

- 1. That the amended policy, POL-3025 “Unlawful Damage to Trees in Public Places”, as attached, be adopted; and**
- 2. That the amended guideline, GL-3025-001 “Unlawful Damage to Trees in Public Places”, as attached, be adopted.**

**CARRIED**

A division was called for.

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

Crs Williams and Dowling voted in the negative.

Crs Elliott, Bowler and Ogilvie were absent from the meeting.

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

**10.1.3 REDLAND CITY TRADE AND INVESTMENT OFFICE - CHINA****Dataworks Filename:** ED Trade - Redlands Trade & Investment Office**Attachments:** [Attachment 1 - Corporate Policy POL-2586 International Policy - Strategic Economic and Community Relationships](#)  
[Attachment 2 - Memo - Visit to China April/May 2008](#)**Responsible Officer Name:** Alan Burgess  
Manager Economic Development**Author Name:** Alan Burgess  
Manager Economic Development

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**EXECUTIVE SUMMARY**

Council endorsed an international policy in August 2003. This provided opportunities for job creation and consequent increase in self containment of the workforce. China continues to grow at an unprecedented rate and cashed up Chinese companies are seeking opportunities overseas to invest their funds. As the Chinese standard of living improves and their labour market advantage is eroded, they are also seeking opportunities to retain a larger share of the profit. This is likely to involve reducing the supply chain by marketing and distributing their products, in foreign countries, themselves. These factors provide opportunities for businesses in the Redlands.

Chinese business culture requires the development of a relationship between partners. It is therefore important to have mechanisms which can generate and maintain relationships with China. The Redland City Trade and Investment Office was opened in Guangzhou, Guangdong Province, during October 2006, and a friendship agreement was established in 2007 with Qinhuangdao. These measures have helped to establish a credible and ongoing relationship with China which can be used to promote business, cultural, tourism and educational benefits to the City.

Referrals to the Redland City Trade and Investment Office (RCTIO) generally come from the Business Grow program. The RCTIO also provides an opportunity to showcase the Redlands as a place to live, work and potentially invest. It also provides a range of services to Redlands businesses seeking to import or export from the Chinese market. The services are generally more personalised than other Australian Government agencies offer and come free of charge.

During the 2007/08 financial year the RCTIO; handled 280 business enquiries, 300 Government agencies and businesses were accessed, and relationships were established with schools and universities. In 12 responses that were received to a survey on the RCTIO, it was revealed that 14 jobs have been created and 83% surveyed intended to employ more staff in 2009. 83% of respondents also suggested the value to their business of trading in China would be over \$100,000 in five years time.



In addition to the RCTIO, Council has also developed a friendship agreement with a North Eastern Chinese City called Qinghuangdao. The Manager Economic Development visited both Guangdong and Qinhuangdao during April, visiting 21 Government Departments, 11 Chinese companies, 3 schools and a University. The objectives of the visit were to promote Redland City as a place to live, work and do business. It also provided an opportunity to continue the development of relationships with Chinese Government and business, as well as reviewing the operations of the Trade and Investment Officer.

The possibility of the RCTIO being co-located with Trade Queensland was raised whilst in China and has been progress on return to Australia. Options for this arrangement will be presented to Council when details have been finalised.

## **PURPOSE**

This report provides an update of the activities surrounding the China Trade and Investment Office and associated activities designed to engage China for mutual cultural and economic gains.

## **BACKGROUND**

- In August 2003 Council adopted an international policy (Corporate POL-2586 International Policy – Strategic Economic and Community Relationships [Version 2 issued – 16/1/2008] which is included as an attachment to this report).
- The 2006/2007 budget approved \$30,000 for the establishment of the China Trade and Investment Office. The project described in the Budget Book, involved the establishment of the office and investment showcase in Guangdong Province, China. The office will provide assistance to Redland business on the Chinese market; provide export assistance; provide inward foreign investment, foster education partnerships and provide current information on the Chinese marketplace.
- In October 2006, Guangzhou Foreign Economic Relations and Trade Consultants Co Ltd (GZ FESCO), a Chinese Employment Agency was contracted to employ Julia Zhang as the Trade and Investment Officer (TIO).

## **ISSUES**

### INTERNATIONAL POLICY

In August 2003, Council adopted an international policy (Corporate POL-2586 International Policy – Strategic Economic and Community Relationships which included Council's Commitment to the following key principles:

- Implement international initiatives that provide long term, tangible benefits to Redland City, and to support economic and community development initiatives.

- Create an environment in which Redland's economic development initiatives that have an international focus, can be implemented and strengthened, including undertaking partnerships with the private sector.
- Providing opportunities to enhance goodwill and understanding between the people of Redland City and international communities.
- Working with Federal and State Government agencies, and at a regional level, to release international economic development opportunities and benefits.

The policy was underpinned by the concept that our community's knowledge and understanding of different cultures, communities and economies around the world will play an increasing role in the way we work and do business. Our need to expand the city's economic base and provide more self containment of the workforce is reliant upon generating additional income from outside the city. This may be from our own region, other parts of Australia or internationally.

Our reliance on activities beyond the City's limits is particularly important for our business sectors – tourism, food and beverage processing, amenity horticulture, manufacturing and business. It is also important from a strategic perspective to attract business from outside of the city. This provides further opportunities for job creation and the consequent increase in self containment of the workforce.

#### DOING BUSINESS IN CHINA

China has been growing at an unprecedented rate with a GDP growth rate of 11.4% in 2007. Whilst analysts predict this trend may ease in the coming years the growth rate is still predicted to be in the order of 9-10%. This represents considerable opportunities for both importers and exporters to China. As Chinese companies grow, their visions are expanding and they are looking for opportunities to invest their new found wealth outside of China. This provides opportunities for Redlands businesses to seek investors or partners.

Chinese companies are traditionally very good at manufacturing goods at a comparatively low unit cost. This is generally based on their labour cost advantages. However, as China's standard of living grows, so will their labour costs. This additional cost will start to erode their competitive advantage. As this happens, they become more conscious of the gap between the price they receive for manufactured goods and the price paid by the final consumer.

Chinese goods are largely exported through agents in Hong Kong and Shanghai, then wholesalers and distributors in the country of sale. At each point in this distribution chain, profit is taken and the cost to the eventual consumer increased. This leads to the potential for Chinese manufacturers to establish marketing, wholesaling or distributing in foreign countries to increase profit share by reducing the length of the supply chain.

Redlands inherent lifestyle advantages make the region an excellent choice for company offices. To take advantage of this opportunity requires an ongoing commitment to a relationship with China and an understanding of their culture.

Chinese culture is different from the western culture in many ways, including how business is conducted. Chinese prefer to deal with people they know and trust. This may not sound much different to western culture; however, the heavy reliance on relationships means western companies have to make themselves known to the Chinese before any business can take place.

Furthermore, this relationship is not simply between companies but also between individuals at a personal level. The relationship is not just before sales take place, but it is an ongoing process. The company has to maintain the relationship “guanxi” if it wants to do more business with the Chinese. It is like being friends and friends count on each other in good times and tough times. These friendships foster understanding and emotional bonds and the Chinese often feel obligated to do business with their friends first. By getting the right ‘guanxi’ the organisation minimises the risks, frustrations and barriers when doing business in China.

‘Guanxi’ or relationship with high ranking officials is also still important for doing business in China. However, this trend is declining to some extent as Chinese companies gain exposure to Western business culture. Although developing and nurturing the ‘guanxi’ in China is demanding on time and resources, the effort necessary to establish and maintain a network is well worth the effort. Even domestic businesses in China establish wide networks with their suppliers, retailers, banks and local government officials. These relationships act as information networks and companies with wide ranging and well established ‘guanxi’ generally have much higher performance than other companies.

Council plays an important role in facilitating and encouraging the development of international relationships. This is generally achieved through a combination of economic, cultural and educational programs which are developed through friendship or sister City relationships. An important and powerful tool is also to establish a presence in a foreign country to promote the home City and act as the interface.

#### REDLAND CITY TRADE AND INVESTMENT OFFICE – GUANGZHOU (GUANGDONG PROVINCE)

The Redland City Trade and Investment Office (RCTIO) was established, October 2006, in Guangzhou and Julia Zhang was employed as the Trade and Investment Officer (TIO). The office was established in Guangzhou, which was chosen as it is the capital of Guangdong province, one of the three major economic powerhouses of China. A friendship arrangement was also established with Qinghuangdao, in North Eastern China. These initiatives have opened opportunities for Redland businesses as well as the potential for investment in local projects.

The office is available for use by Redland business people wishing to do business in China. The overall aim of the office is to generate employment and economic opportunities through trading with China.

The RCTIO operates in concert with the Redland City Business Grow program and the majority of referrals to the RCTIO come from Business Grow clients.

The Redland City Trade and Investment Office:

- Provides opportunities to showcase the Redlands in China.
- Confirms Council's commitment to promoting exports and investment in China.
- Provides opportunities for partnership arrangements with the Trade Queensland Hong Kong and Guangzhou offices, AusTrade and other relevant Federal/ State agencies.
- Provides a range of opportunities to actively promote export and investment initiatives.
- Acts as a Redland's business advocate, and a Council representative, in southern China, Hong Kong and Macau.
- Commercial arrangements can be facilitated and advice provided on business conditions and practices in China.
- Provides a link for local business people, and Council officers, who are visiting Southern China.
- Provides limited translation services at meetings and for basic documentation.
- Develops and maintains relationships with Chinese business and Government.

China represents a significant and growing economic development opportunity for the City. The discussions in China have highlighted the range of commercial activity available in southern China and the importance of building relationships.

By establishing an office, Council highlights the importance of Southern China to its economic development strategies and to providing tangible ways for local businesses to expand into the market.

#### ACTIVITIES OF THE REDLAND CITY TRADE AND INVESTMENT OFFICE

Redland businesses, schools and other relevant organisations now have on the ground access to the growing Chinese market.

The office assists Redland businesses to expand into the south China marketplace, focusing primarily on exports and joint venture opportunities, education and cultural activities and investment attraction into Australia.

The Trade and Investment Officer (TIO) provides businesses with pre market-entry suggestions, assessment of the market potential for their products or services, distribution and logistics ideas, trade show participation assistance and partner matching. Julia works closely with the Queensland Government's Trade and Investment Offices (in both Hong Kong and Guangzhou) and with AusTrade (which also has an office in Guangzhou).

The services the office provides include:

- Core Services - general assistance to Redland businesses on the Chinese market.
- Export assistance – helping Redland businesses export into the Chinese market.

- Import assistance - helping Redland businesses identify products to import from China.
- On the ground support – providing information for Redland businesses visiting Guangzhou and assisting with arrangements.
- Trade show co-ordination – identifying appropriate trade show opportunities and co-ordinating participation by Redland businesses.
- Inward Foreign investment – informing Chinese companies on the Redlands as a premier location for setting up or growing businesses.
- Education Partnerships – fostering partnerships among universities, colleges and entrepreneurs.
- Tourism partnerships – identifying opportunities for linkages.

#### OUTCOMES FOR THE REDLAND CITY TRADE AND INVESTMENT OFFICE

Throughout the financial year 2007/08 the Redlands Trade and Investment Office, continued to provide good support to Redlands businesses, by handling over 280 business enquiries and establishing relationships with 67 new clients. The Redlands were also represented at six major international trade shows in China and one in Australia. Over 300 Chinese businesses or government agencies were contacted for information or support. Relationships were also established with six Chinese schools and one University, for cultural and educational exchanges.

A number of Council publications, including its *Top Ten* brochure, which details key investment projects now at various stages of investigation, and an educational guide have been produced in Mandarin and over 1000 have been distributed throughout Southern China by the Office.

A survey was conducted of 56 Redland companies who have been referred to the Trade and Investment office. Not all companies surveyed have used the services of the RCTIO but 12 responses were received:

- Two (2) responses had not used the service to any great extent. These included companies which were either trading in China before the establishment of the RTIO, or were only considering options for their company.
- Nine (9) responses were received from companies which have either established a trading relationship or are in the process of doing so.
- One (1) company has not yet been able to find a suitable partner in China.

Of the 12 who responded to the survey:

- Nine (9) were satisfied to very satisfied with the service they received from the RCTIO, two had not had significant dealings with the office.
- Responses to how much the support provided to the company would have cost were:
  - a) 3 - \$5,000-\$10,000;
  - b) 3 - \$1000 - \$5000; and

- c) 4 - under \$1000.
- Value to their business of trading in China during 2007/08:
  - d) 5 - less than 1000;
  - e) 2 - 10,000 to 50,000;
  - f) 1 - 50,000 to 100,000; and
  - g) 4 over 100,000
- All but two of the companies surveyed suggested the potential value of China trade in five years time was over \$100,000.
- Six (6) suggested the loss of the office would have an impact on their business.
- Four (4) have employed new staff as a result of their trade with China.
- Of the companies surveyed, the total number of jobs created as a result of trade with China was 14. With one company also commenting they have 35 other people working for them on a contract basis.
- Ten (10) intend to employ more staff in 2009.

Comments provided from those surveyed include:

- *'After reading about the Trade Officer in Guangzhou in a local newspaper, we approached the council for more information and were put in touch with Julia. As a small business we had approached other sourcing agencies without success. I believe that this service is extremely forward thinking of the council to provide an avenue for local business to access a country that can provide both import and export opportunities for us. Thank you.'*
- *'It made a huge difference having Julia with us as a Trade Investment Officer, before during & after our visit to China. From advice on what hotels to stay in & setting up appointments with suppliers to acting as an interpreter & helping us to finalise a shipment of goods. This would have been almost impossible without her. There was a huge difference in the attitude of suppliers in their acceptance of us. It gave us credibility with suppliers to say nothing of how much easier it was to communicate exactly what it was we were trying to achieve. There is no question that being able to buy out of China at a more competitive rate allows us to grow our business & increase our interstate sales. This then allows us to employ more people. It is great to have the backing & support of Redland City Council to help us to do this.'*
- *'Julia Zhang opened doors for us for multi-million dollar contracts. Impossible without her help and knowledge of the Chinese Telecommunication market.'*

#### ALTERNATIVES TO REDLAND CITY TRADE AND INVESTMENT OFFICE (RCTIO)

The level of personalised service provided to clients by the RCTIO is far higher than available from any other Australian Government agency; however, importing and exporting advice is available from both AusTrade and Trade Queensland.

AusTrade will provide general information free of charge to clients and is available either through their website or by calling with an export adviser. Specific tailored advice is provided to companies based on a quote in advance. These services are provided on an hourly rate of \$190 per hour.

Trade Queensland also provides generic business services in China, although not personalised to the same level. They also provide a wide range of training courses, in Australia, on most aspects of importing and exporting.

#### SUPPORTING ACTIVITIES TO CHINA ENGAGEMENT STRATEGY

In addition to the operation of the RCTIO the China engagement strategy contains other supporting activities. These include visits to China by the Manager Economic Development and former Mayor, as well as the friendship arrangement with Qinghaungdao.

The Redland Trade and Investment Officer (Julia Zhang) is managed by the Manager Economic Development. Julia is employed through a Chinese employment agency (GZ FESCO) under a 12 month contract, with the current one due to expire 30 June 2009. Visits to China by the Manager are made on an infrequent basis to further the aims of the RCTIO and continue the development of relationships. The most recent visit was in April 2008, prior to that a visit was undertaken in December 2006. Julia, visited Australia in August 2007 for the Asia Pacific Cities Summit and to have meetings with local clients. During the Summit interest in investing in the Redlands was expressed by numerous organisations in Hong Kong, Shenzhen, Kaifeng, Zhongshan and Zhuhai.

Two Government officers (Shi Bai-sheng 'Eddie' and Zhang Chaozhou 'George') from the Qinhuangdao Economic and Technological Development Zone visited the Redlands, for a period of two months, as part of an exchange program negotiated between the Mayors of Qinhuangdao and Redland City. This has significantly increased the relationship with the region and, provided the relationship can be maintained, provides considerable opportunities for mutual support and business partnering.

#### VISIT TO CHINA BY MANAGER ECONOMIC DEVELOPMENT – APRIL 2008

During April and early May 2008 the Manager Economic Development visited both Guangdong and Qinghaungdao, a detailed report on the activities of the visit are contained in the attachment to this report. During the period 14-30 April he visited 21 Government Departments, 11 Chinese companies, 3 Schools and Yanshan University. The purpose of the visit was to:

- Promote investment opportunities in Redland City and South East Queensland area, particularly focusing on the top ten investment projects supported by Council. This included particular emphasis on;
  - a. Toondah Harbour;
  - b. Educational facilities;
  - c. Cleveland CBD redevelopment;

- d. Capalaba CBD redevelopment; and
- e. Tourism.
- Highlight the significant amount of development work currently underway in the Redlands;
- Showcase the Redlands as a place to live, work and do business;
- Following up on contacts establishing during the Asia Pacific Cities Summit;
- Familiarisation of Redlands China Trade and Investment Office location and surrounding environment;
- Development of Trade and investment officer roles, responsibilities and annual work plan;
- Development of networking opportunities for Trade and Investment Officer; and
- Continue to develop the relationship with Qinhuangdao by honouring the spirit of the exchange agreement.

The trip was broken into two parts with the period 14-22 April spent in the Guangdong and Hong Kong area, in company with the Trade and Investment Officer. During the second part of the visit, 23 -30 April, the Manager Economic Development was hosted by the Qinghuangdao Economic and Technological Development Zone.

#### OUTCOMES OF THE VISIT TO CHINA

The outcomes from the visit to China lay largely in the potential for long term relationships and the matching of businesses between the two countries. Progress with some of the major opportunities will be dependent on resources, funding and time available within the Economic Development Group.

In both regions, presentations were given on the economic developments taking place in Redland City. The briefings also included details of the natural environment, culture and physical location. This included considerable encouragement to consider Redland City as a tourist destination.

Contacts established during the Asia Pacific Cities Summit were reconfirmed and companies were encouraged to consider the lifestyle and business advantages of Redland City.

Tentative discussions were undertaken with educational departments in China to ascertain their responsiveness to the establishment of an international college in Redland City.

#### GUANGDONG AND HONG KONG

Guangdong Province is on the southern coast of China. It overtook Henan and Sichuan to become the most populous province in China in January 2005, registering 79 million permanent residents and 31 million migrants, giving a total population of 110 million. The provincial capital of Guangzhou and economic hub Shenzhen are among the most populous and important cities in China.



The visit provided a valuable opportunity to view the day to day activities of the TIO. It was also important to boost her profile by visiting as many Government Departments and businesses. The relationship between AusTrade and Trade Queensland was also re-confirmed. The visits to various Government departments in Guangdong have provided the TIO with significant new contacts and a much wider network of relationships. The value of these is not able to be estimated; however, over time it is likely to be significant.

In order to maximise the effectiveness of the Trade and Investment Officer (TIO) discussions were held with Trade Queensland over the possibility of co-location of RCTIO. These discussions have continued in Australia and consideration is now being given by Trade Queensland to having to position employed by Trade Queensland – under a sponsorship from RCC.

Further opportunities to expand education exchanges between China and Redland schools have continued and the TIO has partnered with Trade Queensland in education displays and shows. The TIO is also providing assistance to a Chinese tourism company to establish student exchange programs.

The TIO has continued to maintain and develop the relationship with the various Chinese companies visited and the Economic Development group will continue to seek opportunities for them to invest in the Redlands, should suitable projects become available. They will also be included in opportunities for Chinese companies to establish headquarters operations within Redland City, to market and distribute their products. One Chinese company may visit Redlands in September or October 2008 to investigate the possibilities of conducting research and development into environmental products for the Australian market, and another remains keen to find suitable investment opportunities in the region.

The TIO has supported several Redlands businesses to attend the Canton Fair to seek products and develop contacts.

#### QINHUANGDAO

Qinhuangdao is located in the Hebei province which is in the north-east of China. The Chinese capital, Beijing, is located in the middle of the province. Hebei is made up of 11 prefecture-level divisions/cities including Qinhuangdao. The city covers a total area of 7812km<sup>2</sup> with a population of 2.7046 million. The urban area is 363km<sup>2</sup> with a population of 720,100.

The visit to Qinhuangdao continued the development of the relationship 'guangxi' between the Qinhuangdao Government and Redland City. This included providing briefings on potential investment projects in Australia, education, lifestyle and tourism.

Several Chinese companies from Qinhuangdao expressed an interest in finding distributors and/or establishing presence the region. Where possible these have been passed on to potential Australian partners. Where it is not possible to find suitable sites or partners in the Redlands, the leads will be forwarded to the Economic Development sections of neighbouring Councils.

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One Redland company now has a distribution agent in Qinhuangdao, which has already arranged a lucrative Government contract.

Initial investigation into the possibilities of establishing an international school in Redland City, to teach English, western culture and business, combined with local opportunities for tourism opportunities have commenced. However, to further this opportunity will require funding for the development of a business case, locating a suitable site and finding an appropriate commercial investor.

Local Redland schools will continue to be encouraged to develop student exchange programs with Chinese schools. Further development of Chinese exchange programs may require the inclusion of Chinese components (speaking or cultural) into the school curriculum.

#### FUTURE OPTIONS FOR RCTIO

Negotiations are continuing over the possibility of the RCTIO becoming part of Trade Queensland. This would most likely reduce costs and the administrative burden of 'remotely' managing the Office. This would also provide a broader scope of work for the TIO, closer supervision, and greater visibility and access to more Chinese Government departments and businesses. The final proposal will be presented to Council for endorsement when the details have been finalised.

The contract with GZ FESCO is an annual arrangement and the current contract is due to expire 30 June 2009. Should the RCTIO be considered no longer necessary contractually, this is the earliest opportunity this could be achieved.

#### **RELATIONSHIP TO CORPORATE PLAN**

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

#### **FINANCIAL IMPLICATIONS**

The approved budget for the Redland City Trade and Investment Office for 2008/2009 is \$62,039. This includes contractor fees for the TIO, administration costs, office rental, computer support and travel expenses.

#### **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**

AusTrade and Trade Queensland were consulted in the development of this report and also Internal Audit was consulted, however, they advised that they were not in a position to provide direct comment on, or input into the report.

**OPTIONS****PREFERRED**

That Council resolve as follows:

1. To continue to maintain the Redland City Trade and Investment Office in Guangzhou China; and
2. To seek options to outsource the delivery of the Redland Trade and Investment Office services to Trade Queensland.

**ALTERNATIVE**

That Council resolve to discontinue the Redland City Trade and Investment Office in Guangzhou, China and develop an exit strategy, to be implemented by 30 June 2009.

**OFFICER'S RECOMMENDATION**

That Council resolve as follows:

1. To continue to maintain the Redland City Trade and Investment Office in Guangzhou, China; and
2. To seek options to outsource the delivery of the Redland Trade and Investment Office services to Trade Queensland.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Boglary

Seconded by: Cr Murray

**That Council resolve as follows:**

1. To continue to maintain the Redland City Trade and Investment Office in Guangzhou, China;
2. That an evaluation process be developed for users of the China Office that includes anticipated or actual return on Council's investment for companies in the Redlands using the office;
3. To seek options to outsource the delivery of the Redland Trade and Investment Office services to Trade Queensland; and
4. That a media release be prepared that informs the Redlands community of the actual and anticipated return on Council's investment of the China Office.

**CARRIED**

#### 10.1.4 TOURISM ADVISORY FORUM NOMINATIONS

**Dataworks Filename:** ED Contract - Redland Shire Visitor Services Strategy

**Responsible Officer Name:** Alan Burgess  
Manager Economic Development

**Author Name:** Jan Sommer  
Tourism Development Coordinator

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#### EXECUTIVE SUMMARY

The primary recommendation of the three workshops conducted by a sixteen (16) person Tourism Industry Working Party (TIWP) was the establishment of a Tourism Advisory Board [now Tourism Advisory Forum (TAF)] representing a strong industry / local government partnership.

Over a period of six (6) months, the TIWP participated in three (3) workshops, the final one in May was in conjunction with Councillors of Redland City Council.

Several models for the TAF were presented and discussed and Model 1B (as detailed on page 13 of the Calais Report, May 2008), was proposed as a transitional model, which increased membership of Council and Redlands Tourism by one additional representative each. With the change of name from Tourism Advisory Board to Tourism Advisory Forum and the addition of a line representing a direct relationship between Redland City Council and Redlands Tourism, this model was endorsed at the General Meeting in May 2008.

In July 2008, advertisements were placed calling for expressions of interest from private sector specialist and tourism operators representing the three geographic areas of the Redlands (mainland, North Stradbroke Island and Southern Moreton Bay Islands). Thirteen (13) nominations in total were received and considered by an assessment panel, which comprised a representative from Brisbane Marketing, Councillor Craig Ogilvie and the Tourism Development Coordinator.

The decision by the assessment panel for four (4) private sector specialists and three (3) tourism operators representing the three areas of the Redlands was unanimous.

#### PURPOSE

That Council resolve to endorse the nominated members of the Tourism Advisory Forum.

#### BACKGROUND

- Council resolved in October 2007 to establish the Tourism Industry Working Party. The Visitor Services Strategy incorporating the Review of Visitor Services Report for the Redland Shire was presented to Redland Shire

Council in October 2007. To address the recommendations of the report, Council resolved to establish an industry working party.

- Council resolved in January 2008 to establish the Tourism Advisory Forum. The proposal for the appointment of a TAF and its structure was endorsed by Council. The resolution also required the TIWP to continue to meet to discuss and determine the roles and responsibilities, objectives, and composition, nomination and appointment of the Tourism Advisory Forum.
- Council in April and May 2008 resolved to defer a report that incorporated the outcome of the workshop facilitated by prepared by Calais Consultants (March 2008) which addressed the actions requested by Council. It was resolved to hold a further workshop to be attended by Councillors and TIWP members prior to the May General Meeting.
- Further Workshop held in May 2008.
- Council resolved at its General Meeting in May 2008 to endorse the recommendation of the combined workshop with regard to the Tourism Advisory Forum including values and guiding principle; roles and responsibilities; objectives; relationships; composition and legal status; and nomination and appointment process. This also included the addition of one extra representative from each of Council and Redlands Tourism and a line representing a direct relationship between RCC and Redlands Tourism.

## ISSUES

### TOURISM INDUSTRY WORKING PARTY

The Visitor Services Strategy incorporating the Review of Visitor Services Report for the Redland Shire was presented to Redland Shire Council in October 2007. To address the recommendations of the report, Council resolved to establish an industry working party at the General Meeting in October.

A sixteen (16) person Tourism Industry Working Party (TIWP), representing tourism sectors, the business community and the three geographic areas of Redland Shire, was endorsed by Council at the November General Meeting. The first workshop, facilitated by Satwant Calais, principal of Calais Consultants, was held on 6 December 2007.

The TIWP expressed a strong desire to achieve a clear direction for tourism in the Redland Shire with cohesiveness, one direction, vision, strategic planning and unity being imperative to earning respect and gaining credibility from the tourism industry and the community. The participants were strongly of the opinion that if the bigger picture issues were resolved then visitor services and marketing recommendations would be better able to be resolved.

The primary recommendation from the TIWP was the establishment of a Tourism Advisory Board [now Tourism Advisory Forum (TAF)] representing a strong industry / local government partnership. This was agreed as the most appropriate model for Redland Shire at this time with one (1) Councillor, one (1) Redlands Tourism Board

member, four (4) industry specialists and three (3) representatives of the geographic areas of the Redlands (mainland, NSI and southern Moreton Bay islands).

The proposal for the appointment of a TAF and its structure was endorsed at the General Meeting in January 2008. The resolution also required the TIWP to continue to meet to discuss and determine the roles and responsibilities, objectives, and composition, nomination and appointment of the Tourism Advisory Board.

The second workshop of the TIWP was held on 6 March 2008 with the visitor services subcommittee, established following the first workshop, meeting on two occasions in January and February to specifically address matters relating to visitor information centres (accredited and supplementary), destination marketing tools, communication systems and effective monitoring.

During discussion, the roles and responsibilities of the TAF were clearly defined, as were the objectives and the composition, nomination and appointment process. Further, the stakeholders were identified, as were the relationships and reporting mechanisms.

Redlands Tourism, as the membership based local tourism organisation, was recognised as a primary stakeholder, with the opportunity to participate on the TAF and also as a supplier of services to the industry.

#### TOURISM ADVISORY FORUM

A report prepared for Council that incorporated a report of the outcomes by Calais Consultants (March 2008), addressed the actions requested by Council. This report was deferred at both the April Planning and Policy Committee Meeting and General Meeting and again at the May Planning and Policy Committee Meeting. It was resolved to hold a further workshop to be attended by Councillors and TIWP members prior to the May General Meeting.

This workshop, held on 23 May 2008, confirmed the following:

- Values and guiding principles;
- Roles and responsibilities;
- Objectives;
- Relationships;
- Composition and legal status; and
- Nomination and appointment process.

Also, several models for the TAF were presented and discussed and Model 1B (as detailed on page 13 of the Calais Report, May 2008), was proposed as a transitional model, which increased membership of Council and Redlands Tourism by one additional representative each. With the change of name from Tourism Advisory Board to Tourism Advisory Forum and the addition of a line representing a direct relationship between Redland City Council and Redlands Tourism, this model was endorsed at the General Meeting in May 2008.

The Tourism Advisory Forum is to be established initially as a community board, according to Section 473A of the *Local Government Act* until such time as the TAF is ready to become a separate entity.

#### EXPRESSIONS OF INTEREST FOR TOURISM ADVISORY FORUM

Expressions of interest for four (4) private sector specialists and tourism operators representing each of the Redland mainland, North Stradbroke Island and Southern Moreton Bay Islands areas was advertised, closing on 24 July 2008.

An assessment panel, consisting of a representative of Brisbane Marketing (Mr John Aitken), nominee of Council (Mayor Melva Hobson delegated to Cr Craig Ogilvie) and the Tourism Development Coordinator (Ms Jan Sommer), has considered the nominations received in response to the advertisements and unanimously agreed on the outcome.

The private sector specialists selected by the assessment panel for the Tourism Advisory Forum are:

- Mr Paul Lewin;
- Mr Robin Cain;
- Mr David Thomson;
- Ms Fabienne Rabbiosi.

The tourism operators selected by the assessment panel to represent the three geographic areas of the Redlands on the Tourism Advisory Forum are:

- Mr Jason Thomas (mainland);
- Mr Bob Jollands (North Stradbroke Island);
- Mr Trevor Hulbert (Southern Moreton Bay Islands).

Mayor Melva Hobson and Cr Craig Ogilvie are the nominees from Redland City Council and Mr John Conley and Mr John Groom will be the representatives of Redland Tourism on the Tourism Advisory Forum.

Redland City Councillors have nominated Mayor Melva Hobson and Cr Craig Ogilvie to the TAF and Mr John Conley and Mr John Groom have been nominated by the Board of Redlands Tourism as per the revised model.

#### INAUGURAL MEETING OF TOURISM ADVISORY FORUM

The inaugural meeting of the TAF was proposed for July 2008, however due to the timeframe for nominations, assessment and reporting, it is proposed that the first meeting of the TAF will be held in the first week of October, following the September General Meeting of Council.

The combined Council and TIWP workshop held in May recommended the establishment of the TAF for a limited period of 12 months, with any extension

subject to a resolution of Council. The initial twelve month period will now expire on 30 September 2009.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

There are no financial implications relating to the selection of the Tourism Advisory Forum members as participation is on a voluntary basis. Future meetings will be facilitated by the secretariat (Council's Tourism Unit) and may involve some minor room hire and catering costs.

### **PLANNING SCHEME IMPLICATIONS**

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

### **CONSULTATION**

- Mayor Melva Hobson, to determine the Council nominee for the assessment panel to consider the nominations from private sector specialist and tourism operators representing geographic areas;
- Cr Craig Ogilvie, Council nominee on the assessment panel;
- Mr John Aitken, CEO of Brisbane Marketing, concerning the Brisbane Marketing representative for the assessment panel and the selection of industry representatives;
- Mr John Conley, Chairperson of Redlands Tourism, concerning RT nominations to TAF;
- Acting General Manager Planning and Policy concerning the Councillors nominees to TAF and Council nominee to the assessment panel; and
- Manager Economic Development.

### **OPTIONS**

#### **PREFERRED**

That Council resolve as follows:

1. To appoint the following as private sector specialists to the Tourism Advisory Forum, as unanimously recommended by the assessment panel:
  - a. Mr Paul Lewin;
  - b. Mr Robin Cain;



- c. Mr David Thomson;
  - d. Ms Fabienne Rabbiosi.
2. To appoint the following tourism operators as geographic representatives to the Tourism Advisory Forum, as unanimously recommended by the assessment panel:
    - a. Mr Jason Thomas (Redland mainland);
    - b. Mr Bob Jollands (North Stradbroke Island);
    - c. Mr Trevor Hulbert (Southern Moreton Bay Islands).
  3. To appoint Mayor Melva Hobson and Cr Craig Ogilvie as the Council representatives on the Tourism Advisory Forum;
  4. To endorse Mr John Conley and Mr John Groom as Redlands Tourism representatives to the Tourism Advisory Forum;
  5. To endorse the revised timeframe for the initial twelve month period of the Tourism Advisory Forum to expire on 30 September 2009.

#### **ALTERNATIVE**

That Council resolve not to appoint the private industry specialists and tourism operators representing the three geographic areas of the Redlands as recommended by the assessment panel.

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

Moved by: Cr Murray  
Seconded by: Cr Boglary

**That Council resolve as follows:**

1. **To endorse the following as private sector specialists to the Tourism Advisory Forum, as unanimously recommended by the assessment panel:**
    - a) **Mr Paul Lewin;**
    - b) **Mr Robin Cain;**
    - c) **Mr David Thomson;**
    - d) **Ms Fabienne Rabbiosi;**
  2. **To endorse the following tourism operators as geographic representatives to the Tourism Advisory Forum, as unanimously recommended by the assessment panel:**
    - a) **Mr Jason Thomas (Redland mainland);**
    - b) **Mr Bob Jollands (North Stradbroke Island);**
    - c) **Mr Trevor Hulbert (Southern Moreton Bay Islands);**
-

3. To appoint Mayor Melva Hobson and Cr Craig Ogilvie as the Council representatives on the Tourism Advisory Forum;
4. To endorse Mr John Conley and Mr John Groom as Redlands Tourism representatives to the Tourism Advisory Forum; and
5. To endorse the revised timeframe for the initial twelve month period of the Tourism Advisory Forum to expire on 30 September 2009.

**CARRIED**

### 10.1.5 SUBMISSION - DEVELOPMENT OF THE ANIMAL MANAGEMENT (CATS AND DOGS) BILL 2008

**Datworks Filename:** L & E Local Law No. 2 - Keeping and Control of Animals

**Attachments:** [RCC Submission – Development of the Animal Management \(Cats and Dogs\) Bill 2008](#)  
[Letter - Queensland Government – Consultation in Development of Animal Management \(Cats and Dogs\) Bill 2008](#)

**Responsible Officer Name:** Luke Wallace  
Manager Corporate Planning Performance and Risk

**Author Name:** Trevor Green  
Senior Advisor Environmental Health

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#### EXECUTIVE SUMMARY

As part of the State Government's strategy to achieve a reduction in the number of cats and dogs euthanised every year, the Department of Local Government, Sport and Recreation has requested submissions from local governments on its' proposal to develop the *Animal Management (Cats and Dogs) Bill 2008*. The Bill is proposed to be a consolidation of relevant State and local laws relating to reducing unwanted cats and dogs and dangerous dogs. Closing date for submissions is Monday, 22 September 2008.

A draft submission has been prepared for Council's endorsement. The submission has been developed to specifically address the objectives of the proposed legislation and takes into account the concurrent State taskforce relating to koalas.

#### PURPOSE

To obtain Council's endorsement for the attached submission to be sent to the Minister for Main Roads and Local Government on the proposal to develop the *Animal Management (Cats and Dogs) Bill 2008*.

#### BACKGROUND

- The Minister for Main Roads and Local Government wrote to Council on 18 August 2008 calling for submissions on the Animal Management (Cats and Dogs) Bill 2008.
- The closing date for receipt of formal Council submissions is Monday, 22 September 2008. It is expected that the Bill will be submitted to Parliament late 2008 or early 2009. From discussions with officers of the Department, the short time frames for development of the Bill indicate the Bill at this time is not expected to relate to other animal management matters that are covered by local laws. The Bill may be amended (expanded) in the future.

- A draft Redland City Council submission has been prepared.

## ISSUES

### ANIMAL MANAGEMENT (CATS AND DOGS) BILL 2008

The Premier has announced the adoption of a strategy to achieve a reduction in the number of cats and dogs euthanised every year. One part of the strategy is for the Department of Local Government, Sport and Recreation to develop the *Animal Management (Cats and Dogs) Bill 2008*. The Bill is proposed to be a consolidation of the relevant State and local laws regulating companion animals. Some of the issues to be addressed in the Bill are:

- mandatory registration of cats and dogs;
- mandatory micro-chipping of cats and dogs;
- impounding and seizure powers of local government officers;
- dangerous dogs;
- restricted dogs; and
- approved inspection programs specifically tailored for animal management purposes.

The legislation is to provide a consistent State-wide regulatory approach to companion animal management. At this time the proposal specifically relates to reducing unwanted cats and dogs and dangerous dogs.

### REDUCING UNWANTED CATS AND DOGS; AND DANGEROUS DOGS

Due to the succinctness of the issues to be addressed by the proposed Bill at this time, the draft submission specifically relates to issues for reducing unwanted cats and dogs and dangerous dogs. It is believed that while there are many other matters relating to animal management that could be included in a submission regarding a State animal management law, any such issues are not being addressed at this time. Council can progress such matters at a more appropriate time.

### PREMIER'S KOALA TASK FORCE

The Premier has also currently established a Koala Taskforce to address koala mortality and morbidity from dogs. The Premier's Koala Taskforce Issues Paper 11 August 2008 indicates that measures to address this issue may be proposed to be included in the *Animal Management (Cats and Dogs) Bill 2008*. Council is addressing the Koala Taskforce separately.

### REVIEW OF COUNCIL'S ANIMAL LOCAL LAW IN THE NEAR FUTURE

It is planned to initiate a review of Council's animal management local law in the near future. Timing for the start of this review can "piggy-back" the outcomes of both the *Animal Management (Cats and Dogs) Bill 2008* and the Koala Taskforce. There would seem to be little point in Council engaging the community and developing laws that are being addressed through State legislation. This will also allow Council and the Redland community the opportunity to make further advances in these and other

animal management areas, building on the foundation of the State legislation, should this be the agreed direction at the time.

### **RELATIONSHIP TO CORPORATE PLAN**

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

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

### **FINANCIAL IMPLICATIONS**

There are no financial implications in making this submission. Should the Bill be passed, there will be financial and resourcing implications for Council. It is difficult to estimate these at this time. The submission raises the issue of financial implications for local governments.

### **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 Assessment Services and Environmental Management groups in the development of the submission. Both groups are in general agreement with the submission in that the proposed Bill will address some relevant animal management issues and will provide some environmental protection improvements. Both groups will again be a part of any future submission process should the Bill be amended in the future.

### **OPTIONS**

#### **PREFERRED**

That the attached submission be sent to the Minister for Main Roads and Local Government on the proposal to develop the *Animal Management (Cats and Dogs) Bill 2008*.

#### **ALTERNATIVE**

That Council does not make a submission on this matter.

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

Moved by: Cr Murray  
Seconded by: Cr Boglary

**That Council resolve to make a submission (as attached) to the Minister for Main Roads and Local Government on the proposal to develop the *Animal Management (Cats and Dogs) Bill 2008*.**

**CARRIED**

### 10.1.6 REVIEW OF LOCAL LAW NO. 12 (RENTAL ACCOMMODATION WITH SHARED FACILITIES)

<b>Datworks Filename:</b>	<b>L&amp;E Local Law No. 12 – Rental Accommodation with Shared Facilities</b>
<b>Attachments:</b>	<a href="#"><u>Local Law No. 12 (Rental Accommodation with Shared Facilities)</u></a> <a href="#"><u>Subordinate Local Law No. 12 (Rental Accommodation with Shared Facilities)</u></a>
<b>Responsible Officer Name:</b>	<b>Luke Wallace</b> <b>Manager Corporate Planning Performance and Risk</b>
<b>Author Name:</b>	<b>Trevor Green</b> <b>Senior Advisor Environmental Health</b>

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#### EXECUTIVE SUMMARY

The *Local Government Act 1993* (the Act) requires that all Queensland local governments review their local laws between 1 January 2008 and 31 December 2010, to identify and address any possible redundant provisions and anti-competitive provisions.

Local Law and Subordinate Local Law No.12 (Rental Accommodation with Shared Facilities) regulates rental accommodation which involves sharing of facilities such as bedrooms, bathrooms, laundries, cooking areas, etc.

An internal review of the Local Law and Subordinate Local Law did not identify any redundant provisions. As the Local Law and Subordinate Local Law both contain possible anti-competitive provisions, a Public Interest Test (PIT) must be conducted. Consultation with relevant stakeholders is also recommended.

#### PURPOSE

This report proposes that Council resolve to conduct a Public Interest Test on possible anti-competitive provisions in Local Law and Subordinate Local Law No.12 (Rental Accommodation with Shared Facilities).

#### BACKGROUND

- Local Law and Subordinate Local Law No.12 (Rental Accommodation with Shared Facilities) were adopted by Council at the General Meeting of 1 February 2006.
- The Local Government Act 1993 (the Act) requires that all Queensland local governments review their local laws between 1 January 2008 and 31 December 2010 and confirm that they are still relevant. Those local laws not reviewed and confirmed within this period will automatically expire on the 31 December 2010. The Act requires local governments to:

- Review local laws and subordinate local laws, specifically to identify and address any redundant provisions; and
- Review all anti-competitive provisions of the local laws and subordinate local laws.

## ISSUES

### LOCAL LAW AND SUBORDINATE LOCAL LAW NO.12

Local Law and Subordinate Local Law No.12 (Rental Accommodation with Shared Facilities) regulates premises such as backpackers' hostels, employee accommodation and private share accommodation with more than three boarders.

Currently in Redland City the local law regulates 21 premises through licences issued by the Health and Environment Team.

The local law sets building, fire safety and hygiene standards for these premises with the aim of ensuring adequate standards of health, safety and amenity for residents. This local law does not apply to the rental of single unit dwellings (i.e. houses, units or self contained flats). Matters relating to private rental for tourist accommodation are addressed through a separate process.

### NO REDUNDANT PROVISIONS

The laws were last reviewed in 2005/2006. At the General Meeting of 1 February 2006 Council adopted the Rental Accommodation with Shared Facilities Model Local Law and made a new subordinate local law. This was done to bring it into line with changes in state law, and to upgrade the laws to contemporary drafting standards.

An internal review of the local law and subordinate local law has been conducted by officers. This review confirmed that there have been no external changes (e.g. State legislation) that need to be addressed. Council's Assessment Services Group has also confirmed that no practical issues have arisen with implementation since the laws were approved in 2006 which indicate that there are any redundant provisions that need to be removed.

The officer's conclusion is therefore that the current laws continue to meet the requirements of both the Redland's community and Council, and as such, no redundant provisions were identified.

### EXTERNAL ENGAGEMENT

Community engagement was undertaken as part of the local law making process in 2005/2006, when the laws were made. The Act does not require further community engagement to be undertaken as part of this review, other than in relation to the Public Interest Test, which includes inviting public comment on the anti-competitive provisions of the law; however, it is recommended that consultation about possible redundant provisions be conducted at the same time.



## 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 short term financial implications are minor in relation to the advertising, preparing the public interest test, conducting the community engagement exercise and meeting required notification processes under the Act. It is estimated that cost of \$1,000 which will be funded from the Corporate Planning, Performance and Risk operational budgets.

## PLANNING SCHEME IMPLICATIONS

There are no Redlands Planning Scheme implications.

## CONSULTATION

Consultation has occurred with the Assessment Services Group. Assessment Services confirmed that no practical issues have arisen with implementation since the laws were approved in 2006 that indicate that there are any redundant provisions that need to be removed.

Community engagement was undertaken as part of the local law making process in 2005/2006, when the laws were made. At that time no submissions were received.

## OPTIONS

### PREFERRED

That Council resolve as follows:

1. That in accordance with Section 889 of the *Local Government Act 1993* ("the Act"), to initiate a Public Interest Test for Local Law making process for *Redland City Council Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006* and *Redland City Council Subordinate Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006*;
  2. That pursuant to Section 472 of the *Local Government Act 1993* ("the Act"), to delegate authority to the Chief Executive Officer, Council's powers under Section 889 of the Act to decide:-
    - a) How the Public Interest Test of Local Law making process for *Redland City Council Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006* and *Redland City Council Subordinate Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006*; is to be conducted;
    - b) The matters with which the Public Interest Test Report in relation to *Redland City Council Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006* and *Redland City Council Subordinate Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006* must deal; and
    - c) The consultation process for the Public Interest Test and how the process is to be used in the Public Interest Test; and
-

3. That community consultation also be undertaken regarding possible redundant provisions in these local laws.

**ALTERNATIVE**

Council could consider an option, if they are of the view that it is unnecessary to consult with the community regarding their view on possible redundant provisions in this local law, to undertake community consultation on the mandatory public interest test only.

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

Moved by: Cr Murray  
Seconded by: Cr Boglary

**That Council resolve as follows:**

1. That in accordance with Section 889 of the *Local Government Act 1993* ("the Act"), to initiate a Public Interest Test for Local Law making process for *Redland City Council Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006* and *Redland City Council Subordinate Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006*;
2. That pursuant to Section 472 of the *Local Government Act 1993* ("the Act"), to delegate authority to the Chief Executive Officer, Council's powers under Section 889 of the Act to decide:-
  - a) How the Public Interest Test of Local Law making process for *Redland City Council Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006* and *Redland City Council Subordinate Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006*; is to be conducted; and
  - b) The matters with which the Public Interest Test Report in relation to *Redland City Council Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006* and *Redland City Council Subordinate Local Law No. 12 (Rental Accommodation With Shared Facilities) 2006* must deal; and
  - c) The consultation process for the Public Interest Test and how the process is to be used in the Public Interest Test; and
3. That community consultation also be undertaken regarding possible redundant provisions in these local laws.

**CARRIED**

## 10.2 GENERAL BUSINESS

The following items of general business were raised:

### 1. Cr Boglary

- a. Raised the issue of other councils who have volunteer park people who monitor what is happening in Council parks. The Councillor requested that Redlands investigate how volunteers of this type are being utilised by other Councils. General Manager Planning & Policy referred the Councillor to Manager Environmental Management in the first instance.

### 2. Cr Elliott

- a. The Councillor advised that he had heard nothing back on all of the items of general business that he had raised at the P&P meeting of 20 August. General Manager Planning & Policy advised that most of these issues had been addressed;
- b. Raised the issue of the Indigiscape Plan and asked if anything further had been done with this. General Manager Planning & Policy advised that as far as he was aware, the land was still with Heritage Pacific. For additional information, General Manager referred the Councillor to Manager Environmental Protection to obtain a briefing note in the first instance;
- c. Raised the issue of reviewing the Street Tree Master Plan. General Manager Planning & Policy referred the Councillor to Manager Environmental Protection in the first instance;
- d. Raised the issue of the valuation on conservation blocks, stating that Redlands is valuing conservation blocks considerably lower, whereas a higher valuation should be put on these blocks. General Manager Planning & Policy responded.
- e. Raised the issue of reviewing the Heritage & Precincts Policy to address for example, houses in the Wellington Point heritage area. General Manager Planning & Policy referred the Councillor to Manager Land Use Planning in the first instance;
- f. Raised the issue of habitat protection with there being no clause in the policy to enhance the blocks. General Manager Planning & Policy responded that he understood that this was already included; however overlays would need to be strengthened up in the Planning Scheme;
- g. Raised the issue of the Stockland land and where Council was up to with this. General Manager Planning & Policy advised that Council solicitors have written to the Minister and advised Stockland regarding dispensation issues with a reply expected soon;
- h. Raised the issue of Wynyard Street and where Council was up to with this. General Manager Planning & Policy advised that the Minister had given his approval and referred the Councillor to Manager Infrastructure Development for further information;

- i. Raised the issue of reviewing Council's position with respect to evaluation of staff salaries and wages, also a review of managers' bonuses. General Manager Planning & Policy advised that discussion had taken place with the Executive Leadership Group with further discussions to be held in the near future;
- j. Raised the issue of the roads and infrastructure charging regime – i.e. Sturgeon Street – concerns about doing the 4-lane – and have a look at what Council currently has in place. General Manager Planning & Policy advised that there is a valid policy currently in place that outlines all those proposals and referred the Councillor to Manager Infrastructure Development in the first instance;
- k. Raised the issue of new Managers' contracts and suggested that new managers should be provided with a 4-cylinder vehicle instead of a 6-cylinder. General Manager Planning & Policy referred the Councillor to the Chief Executive Officer.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Boglary

**That the general business items be noted.**

**CARRIED**

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**11 REDLAND WATER AND WASTE COMMITTEE 23/09/08 - RECEIPT AND ADOPTION OF REPORT**

Moved by: Cr Henry  
Seconded by: Cr Reimers

That the Redland Water and Waste Committee Report of 23 September 2008 be received.

CARRIED

**DECLARATION OF OPENING**

Cr Henry declared the meeting open at 2.00 pm.

**RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**Members Present

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

Committee Manager

Mr G Soutar	General Manager Redland Water & Waste
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Officers

Mr G Stevenson PSM	Chief Executive Officer
Ms E Bray	Manager Customer Service and Business Performance
Mr B Taylor	Manager Treatment Operations

Minutes

Mrs J Thomas	Corporate Meetings & Registers Officer
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**APOLOGY**

Cr M Hobson PSM	Mayor
Cr P Dowling	Councillor Division 4

**PUBLIC PARTICIPATION AT MEETING**

Nil

**DECLARATION OF INTEREST**

Nil

**MOTION TO ALTER THE ORDER OF BUSINESS**

Nil

**11.1 REDLAND WATER AND WASTE****11.1.1 REDLAND WATER & WASTE COUNCIL BUSINESS UNIT REPORT - AUGUST 2008**

**Datworks Filename:** WW Redland Water & Waste Committee  
WM Redland Water & Waste Committee  
WS Redland Water & Waste Committee

**Attachments:** [Business Unit Report - August 2008](#)  
[Appendix A – 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

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**EXECUTIVE SUMMARY**

The Redland Water & Waste (RWW) Council Business Unit report is presented to Council for noting. The report provides the business unit's performance for the month of August 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; and
- Senior Advisor, Financial Management, RWW.

## **OPTIONS**

### **PREFERRED**

That Council resolve to accept the Redland Water & Waste Council business unit report for August 2008, as presented in the attachment.

**ALTERNATIVE**

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

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

Moved by: Cr Henry  
Seconded by: Cr Dowling

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

**CARRIED**



**11.2 GENERAL BUSINESS**

The following item of general business was raised:

- Cr Townsend requested an update on the outcome of the trial of a biolytic system on Macleay Island. General Manager Redland Water & Waste advised that a report provided at the end of the trial period was currently being assessed and options considered. A report addressing this matter will be presented to a future Redland Water & Waste Committee meeting.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Henry  
Seconded by: Cr Dowling

**That the general business item be noted.**

**CARRIED**

**12 PLANNING & POLICY COMMITTEE 24/09/08 - RECEIPT AND ADOPTION OF REPORT**

Moved by: Cr Murray  
Seconded by: Cr Reimers

That the Planning & Policy Committee Report of 24 September 2008 be received.

CARRIED

**DECLARATION OF OPENING**

Cr Ogilvie declared the meeting open at 9.00am.

**RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**Members Present

Cr C Ogilvie	Chair and Councillor Division 2
Cr W Boglary	Councillor Division 1
Cr D Henry	Councillor Division 3
Cr P Dowling	Councillor Division 4
Cr B Townsend	Councillor Division 5
Cr T Bowler	Deputy Mayor and Councillor Division 6
Cr M Elliott	Councillor Division 7
Cr K Reimers	Councillor Division 8
Cr K Williams	Councillor Division 9 – entered at 9.04am
Cr H Murray	Councillor Division 10

Committee Manager

Mr G Underwood	General Manager Planning and Policy
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Officers

Mr G Stevenson PSM	Chief Executive Officer
Mr L Smith	Acting General Manager Customer Services
Ms R Bonnin	Manager Community and Social Planning
Ms J Spokes	Senior Adviser Cultural Services
Mr A Athwal	Senior Engineer Traffic & Transport
Mr G Photinos	Manager Environmental Management
Mr L Newlands	Advisor Reserves Management

Minutes

Mrs J Parfitt	Corporate Meetings & Registers Officer
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**APOLOGY**

An apology was noted for Cr M Hobson PSM, Mayor.

**PUBLIC PARTICIPATION AT MEETING**

Nil.

**DECLARATION OF INTEREST**

Cr Boglary declared a material personal interest in item 1.5 – *Interim Vegetation Protection Order at 257-259 Wellington Street, Ormiston* as the owner of the property and left the meeting for discussion and decision on this item.

**MOTION TO ALTER THE ORDER OF BUSINESS**

Nil.

Cr Ogilvie vacated the chair for Item 1.1 to allow him to participate in discussion. Cr Bowler presided. Cr Ogilvie resumed the chair at the conclusion of Item 1.1.

Cr Bowler left the meeting at 10.17am.

## 12.1 PLANNING AND POLICY

Mayor Hobson vacated the Chair to allow her to take part in discussion on the following item. Cr Murray presided.

### 12.1.1 INDIGENOUS COMMUNITY POLICY – POL-3081

**Dataworks Filename:** R&C Indigenous Cultural Protocols

**Attachments:** [Attachment 1: Indigenous Community Policy POL-3081](#)  
[Attachment 2: I.M. Murren Enterprises Indigenous Community Report July 2008](#)  
[Attachment 3: Quandamooka Aboriginal Community Profile and Action Plan 2007](#)  
[Attachment 4: Quandamooka Aboriginal Community Plan 2007](#)

**Responsible Officer Name:** Roberta Bonnin  
Manager Community & Social Planning

**Author Name:** Judy Spokes  
Senior Adviser Cultural Services

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## EXECUTIVE SUMMARY

This Policy provides a framework to strengthen Council's relationship with Traditional Owners, Elders and the broader Indigenous community of Redlands. It is informed by extensive internal and external consultation and expert advice provided by MI Murren Enterprises (consultants, Anne Dunn and Jackie Huggins).

The Policy takes account of significant developments within the Indigenous community over the past several years, reflected most recently in the establishment of the Quandamooka Combined Aboriginal Organisations Forum (hereafter referred to as the Quandamooka Forum) and articulated in its *Quandamooka Aboriginal Community Plan 2007*. It builds upon the strength of earlier Council and community partnerships, notably the North Stradbroke Island / Minjerribah Planning and Management Study November 2001 and the 1997 Native Title Process Agreement that initiated it.

The Policy articulates Council's commitment to enriching its relationship with the local Indigenous community in the spirit of reconciliation and partnership. It is founded on respectful acknowledgement of Traditional Owners as custodians of local cultural and natural resources over many thousands of years. It establishes a central role for the Quandamooka Forum and its 2007 Community Plan in Council's civic engagement and planning. (Redland City boundaries are roughly equivalent to those of the Quandamooka Traditional Estate).

It also acknowledges Council's responsibilities to the Turrbal and Jagera peoples whose native title claims attach to portions of land at the edge of the Redland City boundaries, as well as other local Indigenous residents.

## **PURPOSE**

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

1. The Indigenous Community Policy POL-3081; and
2. To endorse the Murren Report for planning purposes.

## **BACKGROUND**

The attached Indigenous Community Policy is an outcome of the Indigenous Cultural Protocols project commenced in early 2007, and a response to the outcomes of a 'Shared Responsibility Agreement' (SRA) signed in October 2005 between the peoples of Quandamooka, the Commonwealth and Queensland Governments and Redland Shire Council. The SRA led to two significant and positive developments within the local Indigenous community in 2007:

- The establishment of a new coalition of Indigenous community organisations (based on North Stradbroke Island / Minjerrabah), the Quandamooka Combined Aboriginal Organisations Forum (hereafter referred to as the Quandamooka Forum).
- The preparation by the Quandamooka Forum of a comprehensive long term community plan titled the "Quandamooka Aboriginal Community Plan" and associated "Quandamooka Community Profile and Action Plan".

Council's 2006-2010 Corporate Plan commits it to "acknowledge and support Indigenous cultural heritage principles, protocols and practices". Engaging the Indigenous community at the outset was the critical first step and the focus of work undertaken throughout 2007. Formal and informal community consultations were undertaken in parallel with the SRA process and laid the foundations for a stronger partnership between Council and the Indigenous community of Redlands.

Building on this early research and consultation phase, Council commissioned M.I Murren Enterprises (Anne Dunn and Jackie Huggins) to provide advice on development of a strategic policy framework to guide Council's relationship with and support of the local Indigenous community. M.I Murren Enterprises consulted widely with local Indigenous community members and organisations; with Queensland Government representatives; senior staff and Managers across Council; and with the Mayor and Councillors. They analysed research material produced by Council and community organisations and were asked to give particular consideration to the following key reports:

1. Quandamooka Aboriginal Community Plan 2007;
2. Quandamooka Aboriginal Community Profile and Action Plan 2007; and
3. North Stradbroke Island / Minjerrabah Planning and Management Study 2001 (and subsequent draft implementation plans produced within Council).

The Murren Report (July 2008) and the Indigenous Community Policy and action framework it recommends is presented for endorsement to guide Council's community engagement, budgetary and corporate planning into the next decade.

While this project has been led by the Community and Social Planning Group, close involvement by Managers across Council, especially Land Use Planning and Environmental Management, has strengthened project outcomes. The Customer and Community Services Group's involvement in the early phase of the SRA project, and in support of the Quandamooka Aboriginal Community Plan is also acknowledged as an important driver of the process.

## **ISSUES**

### **The cultural context**

The development of this Policy commenced as a distinctly cultural planning initiative in February 2007 and grew in parallel with the SRA process and preparation of the new cultural plan, *Our City Our Culture*, adopted by Council in July 2008. The Policy will contribute substantially to specified objectives and priorities of that plan.

At the outset, it is therefore important to acknowledge that, for Indigenous people, culture is indivisible from nature. Their successful management of natural and human systems over thousands of years (despite the profound traumas of colonisation) can be attributed to the vitality and centrality of 'culture' in their stewardship of people and place. Culture produces and embodies knowledge (including physical and spiritual elements) grounded in 'country' which in the local sense is understood to include the waters as well as lands of the region. Traditionally, Indigenous culture provides an effective governance framework for the interplay of rights and responsibilities affecting human life, community wellbeing and ecological sustainability.

For local Indigenous people cultural heritage and cultural development are intimately inter-twined with the economic, environmental and social dimensions of life. This 'living culture' embodies the values and integrates the processes that sustain a healthy balance between these three dimensions (or the 'triple bottom line' as western policy makers have labelled them). This Indigenous world view represents a model of the kind of seamless cross-disciplinary public planning of growing interest to western public policy makers seeking to confront the sustainability challenge. Council's new Cultural Plan articulates a planning approach in which community cultural values and aspirations underpinning environmental, economic, social and governance goals, can be drawn in to civic and corporate planning.

A deeper understanding and recognition of Indigenous culture and 'knowledge' is inherently important - to the owners of that culture and to the broader community. Additionally, explored properly in consultation with Indigenous representative bodies it can also assist Council achieve its mission – to manage public resources for a sustainable future. With this in mind, the forthcoming City-wide community planning exercise provides a timely mechanism to strengthen both symbolic and practical links between Indigenous and non-Indigenous custodians of the Redlands in the interest of the whole community. Respecting and advocating the Aboriginal community values

outlined as 'core' in the Quandamooka Community Plan is an important starting point. They are:

- Protection and preservation of the cultural and natural integrity of land and sea
- Recognition of and respect of Elders
- Ability to access and enjoy areas of spiritual and cultural significance
- Recognition of inherent rights to natural resources
- Respect for and recognition of Aboriginal decision making processes
- Maintenance of customary law
- Passing on of Aboriginal Culture to our youth
- Respect for and recognition of the complexity of Aboriginal social structures
- Recognition of and respect for cultural differences

### **Representation and consultation**

The establishment of the Quandamooka Combined Aboriginal Organisations Forum and its development of a comprehensive Community Plan in 2007 represent significant milestones for the local Indigenous community and, an opportunity for Council. Prior to its formation the local Indigenous community, despite its strengths and because of its complexity, lacked an effective representational structure to coordinate and represent its own diverse community. The scope for clear and coherent engagement with Council and other levels of government (notwithstanding specific arrangements in place in relation to native title and cultural heritage matters) was therefore constrained.

The Quandamooka Forum which brings together representatives from the Indigenous organisations on North Stradbroke Island /Minjerribah (where most local Indigenous organisations are based) provides a mechanism for the community to plan, share information, and communicate and negotiate with Government.

Native title matters are naturally the business of Traditional Owners. In the Quandamooka Traditional Estate representatives from several families recognised by the community as Traditional Owners manage issues and decisions relating to their native title claim through the Quandamooka Native Title Family Representatives Steering Committee (and its associated body, Quandamooka Elders Council). This body is administered and supported by QLD South Native Title Services. The Quandamooka Lands Council Aboriginal Corporation works in accordance with the protocols and processes of the Quandamooka Family Representatives Steering Committee. Native Title has not yet been determined by the QLD Government though its deliberations are understood to be at an advanced stage.

In relation to cultural heritage matters, State legislation prescribes Indigenous consultation arrangements for Council (and other entities). In the Redlands both the Minjerribah-Moorgumpin Elders-in-Council and the Quandamooka Land Council Aboriginal Corporation are the nominated bodies for consultation in relation to specified regions within the City. Both are among eight organisations represented on

the Quandamooka Forum (not including ex-officio Government and Council representatives that attend its monthly meetings).

In the absence of administrative resources and support, the North Stradbroke Island Aboriginal and Islander Housing Co-operative provides secretariat services for the Quandamooka Forum, which is currently finalising its 'terms of reference'. Aunty Joan Hendrick, a respected community Elder was nominated by the Forum in June 2008 as its first Chair. The Forum has invited the Mayor and Councillors to attend its October 29 meeting to progress discussions relating to its Community Plan and this Policy.

### **Quandamooka Aboriginal Community Plan**

The Quandamooka Aboriginal Community Plan is the main output of the North Stradbroke Island Shared Responsibility Agreement (SRA) signed in 2005 by representatives of the three tiers of Government and the following community organisations:

- North Stradbroke Island Aboriginal and Islander Housing Co-operative Society Ltd.
- North Stradbroke Island Community Development Employment Program Aboriginal Corporation (now ceased operating)
- Quandamooka Lands Council Aboriginal Corporation
- Minjerribah-Moorgumpin Elders-in-Council
- Nunukul Ngugi Cultural Heritage Corporation
- Oodgeroo Nunnukul Trust (now ceased operating)
- Minjerribah Indigenous Youth Network
- Yulu-Burri-Ba Aboriginal Corporation for Community Health

In 2008, after the formation of these organisations into the Quandamooka Forum, other active organisations on North Stradroke Island became members of the Forum:

- Saltwater Murriss - Quandamooka Inc.
- Jandawal Action Group
- Dunwich State School

The Quandamooka Community Plan "aims to describe a broad plan of action to deal with management issues affecting the Aboriginal residents and Traditional Owners of North Stradbroke Island". It is structured into the following 10 themes each with identified objectives and actions:

1. Governance and accountability strategy
2. Administration, planning and information management strategy
3. Community development and wellbeing strategy
4. Health strategy
5. Cultural heritage management strategy
6. Land, freshwater and sea management strategy



7. Physical services and infrastructure strategy
8. Housing strategy
9. Economy and employment strategy
10. Resource allocation and funding strategy

The Plan's Executive Summary states:

"Priorities for service development and resources include family support, emotional and physical health services, school to work transitions for young people and care of seniors. Prevention and early intervention services, which integrate family support with child protection, are urgent priorities.

Identified priority community issues also include;

- Improved governance arrangements
- Youth care and support
- Health and aged care
- Drug and alcohol abuse
- Domestic violence and child safety
- Land and housing tenure
- Enterprise and employment
- Water extraction to the mainland
- Community facilities
- Ownership and promotion of Aboriginal cultural heritage and rights
- Native Title
- Co-ordination of land and sea management"

On March 5 2008 at Dunwich, the Quandamooka Forum formally presented its Community Plan to senior representatives from across the Queensland Government and Redland City Council that participate in the Regional Managers Coordination Network (RMCN), and the Commonwealth Indigenous Coordination Centre. Discussion focussed on creating practical arrangements to achieve the goals of the plan, through coordinated action from three tiers of Government in line with their areas of responsibility. Since then Council staff have been active participants in a dedicated RMCN working group established to progress State Government action towards service improvements in line with the Plan.

### **Indigenous Community Policy and the Murren Report**

The Indigenous Community Policy contained in the Murren Report was explored with Councillors in a workshop facilitated by Anne Dunn and Jackie Huggins on June 11. The Indigenous Community Policy commits Council to 15 policy priorities including:

1. Acknowledgement of all Traditional Owners within the Redlands
2. Recognition of the centrality of the Quandamooka people, and their culture and heritage to the Redlands
3. Acknowledgement of the Quandamooka Forum as the principal body for consultation with Indigenous people of the Redlands

4. Processes which will seek agreement between the Quandamooka Forum, Council, Queensland and Commonwealth Governments on areas of joint action, and
5. Processes to bring the Indigenous and non-Indigenous people of North Stradbroke Island together with Council to develop long term sustainable plans and actions

The Murren Report provides a framework for Council action to give effect to the Indigenous Community Policy. In the chapter, "Turning Policy into Practice" priorities are identified in the following categories:

- Immediate next steps
- Quandamooka Plan
- Relationship building
- Quandamooka Forum
- Working in Partnership
- Acknowledgement and visibility
- Community Planning on North Stradbroke Island
- Employment

The Report proposes that Council develop an action plan to achieve its objectives that identifies specific outcomes, timeframes, responsibility within the organisation and costs. A commitment to working in consultation with the Quandamooka Forum on all matters within Council's responsibility identified in the Quandamooka Community Plan is an essential element, as is a system for reporting annually on progress.

Public celebration following adoption of the Policy, and negotiation with the Quandamooka Forum to acknowledge and reflect Aboriginal cultural protocols and practices are proposed for immediate action. Additionally, the Quandamooka Community Plan and Council's forthcoming City-wide community plan project are recognised as key instruments to progress the policy commitments articulated in the North Stradbroke Island / Minjerribah Planning and Management Study 2001.

## **RELATIONSHIP TO CORPORATE PLAN**

The recommendation supports all Council's strategic priorities but is especially relevant to community health and wellbeing priorities. Cultural development strategies are essential to building safe, strong and self reliant communities with access to community services, infrastructure and opportunities for participation in community life. Acknowledging and supporting local Indigenous cultural heritage practices and protocols is an important element in this.

## **FINANCIAL IMPLICATIONS**

There are no immediate financial implications of this report. It is recognised that some resources will be required to support the Quandamooka Forum's secretariat for a period of time to sustain its coordination activities. To that end, Council will negotiate with the Queensland and Commonwealth Governments for a funding partnership. Funds are earmarked within Council's 2008/09 budget to leverage a whole-of-

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Government commitment. Council's current resources and programs will accommodate many early actions which will need to be identified across all programs. The Action Plan based on the Murren Report will inform future budget and corporate planning.

### **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 Report reflects a broad consensus on strategic directions and core principles within the diverse local Indigenous community. External stakeholders consulted include:

- Quandamooka Native Title Family Representatives Steering Committee
- Quandamooka Combined Aboriginal Organisations Forum
- Minjerribah-Moorgumpin Elders-in Council
- Quandamooka Land Council Aboriginal Corporation
- North Stradbroke Island Aboriginal and Islander Housing Co-operative
- Yulu-Burri-Ba Aboriginal Corporation for Community Health
- North Stradbroke Island Aboriginal Enterprises
- Oodgeroo Nunnukul Trust
- Saltwater Murris Art Group
- Nunukul Ngugi Cultural Heritage Corporation
- Jandawal Action Group
- Dunwich State School
- Goori House (Cleveland)
- Indigenous community members in informal and public meetings
- Regional Managers Coordination Network (Queensland Government)
- Commonwealth Government Indigenous policy and service agencies

Internal stakeholders who participated in a series of workshops and provided feedback on the Murren Report include:

- Executive Leadership Group
- All Managers in Planning and Policy Division
- Manager Customer and Community Services
- Manager Project Delivery Group
- Manager Legal Services
- Manager Marketing and Communications
- Community and Social Planning team
- Community and Cultural Development staff
- Environmental Management staff
- Councillors (workshop)

The Report reflects the strong support of senior managers, key staff and Councillors for a renewed commitment to a practical partnership with Indigenous community stakeholders in the Redlands.

## **OPTIONS**

### **PREFERRED**

1. That Council adopt the Indigenous Community Policy POL-3081; and
2. That Council endorse the Murren Report for planning purposes.

### **ALTERNATIVE**

1. That Council adopt the Indigenous Community Policy; and
2. That Council note the Murren Report for planning and implementation purposes through business plans, SLAs and budget processes.

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

Moved by: Cr Hobson  
Seconded by: Cr Boglary

### **That Council resolve to:**

1. **Adopt the Indigenous Community Policy POL-3081; and**
2. **Endorse the Murren Report for planning purposes.**

## **CARRIED**

Mayor Hobson resumed the Chair.

**12.1.2 REVIEW OF LOCAL LAW NO. 1 (ADMINISTRATION)**

<b>Datworks Filename:</b>	<b>L&amp;E Local Law No. 1 - Administration</b>
<b>Attachments:</b>	<a href="#"><u>Administration (Amendment) Local Law (No.1) 2008</u></a>
<b>Responsible Officer Name:</b>	<b>Luke Wallace Manager Corporate Planning, Performance and Risk</b>
<b>Author Name:</b>	<b>Trevor Green Senior Advisor Environmental Health</b>

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**EXECUTIVE SUMMARY**

Local Law No 1 (Administration) provides the legal framework for the administration, implementation and enforcement of Council's local laws and subordinate local laws.

The *Local Government Act 1993* (the Act) requires that all Queensland local governments review their local laws between 1 January 2008 and 31 December 2010, to identify and address any possible redundant provisions and anti-competitive provisions. An internal review of the local law has identified that changes to the Act now necessitate amendment of the local law to upgrade the law to contemporary drafting standards.

A proposed amendment local law has been drafted which addresses replacing "Shire" with "City", and upgrading provisions that relate to the recent amendments to the Act (general complaints process and fees).

As the local law contains no anti-competitive provisions a Public Interest Test is not required. As the amendment process relates to a local law, a State Interest Check is required.

**PURPOSE**

1. To propose to make Redland City Council Administration (Amendment) Local Law (No. 1) 2008.
2. That Council refers the proposed amending local law to the Minister for Main Roads and Local Government for State Interest Checking
3. To delegate to the Chief Executive Officer its powers under section 867(7) of the *Local Government Act 1993* to agree to satisfy any conditions imposed by the Minister and proceed further in making the proposed amendment local law by consulting with the public about the proposed amendment local law.

**BACKGROUND**

- Local Law No 1 (Administration) 2003 was adopted by Council at the General Meeting of 26 March 2003.

- The *Local Government Act 1993* (the Act) requires that all Queensland local governments review their local laws between 1 January 2008 and 31 December 2010 and confirm that they are still relevant. Those local laws not reviewed and confirmed within this period will automatically expire on the 31 December 2010. The Act requires local governments to:
  - Review local laws and subordinate local laws, specifically to identify and address any redundant provisions; and
  - Review all anti-competitive provisions of the local laws and subordinate local laws.

## ISSUES

### LOCAL LAW NO.1

Local Law No 1 (Administration) provides the legal framework for the administration, implementation and enforcement of Council's local laws and subordinate local laws.

### REVIEW OF THE LOCAL LAW

The law was last reviewed in 2003. At the General Meeting of 26 March 2003 Council adopted the Model Local Law and repealed the then existing local law. This was done to bring it into line with changes in State law (*Local Government Act 1993*).

As part of Council's Local Law Review 2008 – 2010 an internal review of Local Law No 1 (Administration) 2003 has been conducted by officers. This review identified that further changes to the *Local Government Act 1993* now necessitate new amendment of the local law to upgrade the law to contemporary drafting standards.

### DRAFT AMENDMENT LOCAL LAW

A proposed amendment local law has been drafted which addresses three changes:

1. "Redland Shire Council" is replaced with "Redland City Council".
2. Since Local Law 1 was adopted by Council in 2003, *the Local Government Act 1993* has been amended to detail the process that local governments must follow relating to general complaints. These provisions now supersede the local law provisions, making the local law provisions obsolete. The amendment local law replaces these provisions with a simple referral to the requirements of the Act.
3. Since Local Law 1 was adopted by Council in 2003, *the Local Government Act 1993* has been amended with matters relating to charges under section 974 of the Act being replaced with section 1071A and change of the definition from "charges" to "fees". The amendment local law notes these changes.

### ANTI-COMPETITIVE PROVISIONS

The local law contains no anti-competitive provisions and therefore a Public Interest Test is not required.

### STATE INTEREST CHECK

As the amendment process relates to a local law, a State Interest Check is required. As the amendments relate to changes in State legislation (the Act) and the minor change from Shire to City, the State Interest Check should be relatively simple.

### EXTERNAL ENGAGEMENT

A community engagement process will be conducted for the amendment local law as part of the amendment process.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

The short term financial implications are minor in relation to the amendment process. Costs are estimated at approximately \$1,000, which will be funded from the Corporate Planning, Performance and Risk operational budget.

### **PLANNING SCHEME IMPLICATIONS**

There are no Redlands Planning Scheme implications.

### **CONSULTATION**

Consultation has occurred with the Office of the Chief Executive Officer, Legal Services and King and Company Solicitors. All are in agreement with the proposed amendments to the local law.

Community engagement will be undertaken as part of the local law making process.

### **OPTIONS**

#### **PREFERRED**

That Council resolve as follows:

1. That pursuant to section 866 of the *Local Government Act 1993* to propose to make Redland City Council Administration (Amendment) Local Law (No. 1) 2008;
2. That Council refers the proposed amending local law to the Minister for Main Roads and Local Government for State Interest Checking; and
3. To delegate to the Chief Executive Officer its powers under section 867(7) of the *Local Government Act 1993* to agree to satisfy any conditions imposed by the Minister and proceed further in making the proposed amendment local law by consulting with the public about the proposed amendment local law.

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

Moved by: Cr Murray  
Seconded by: Cr Boglary

**That Council resolve as follows:**

1. That pursuant to section 866 of the *Local Government Act 1993* to propose to make *Redland City Council Administration (Amendment) Local Law (No. 1) 2008*;
2. That Council refers the proposed amending local law to the Minister for Main Roads and Local Government for State Interest Checking; and
3. To delegate to the Chief Executive Officer its powers under section 867(7) of the *Local Government Act 1993* to agree to satisfy any conditions imposed by the Minister and proceed further in making the proposed amendment local law by consulting with the public about the proposed amendment local law.

**CARRIED**



**12.1.3 UPGRADE OF FORESHORE TRAILS (DIV 10) THORNESIDE/BIRKDALE**

**Dataworks Filename:** RTT: Bikeways  
**Attachments:** [Attachments 1 & 2 - Proposed Upgrade Section and Typical Condition of Pathway](#)  
**Responsible Officer Name:** David Elliott  
Manager Infrastructure Planning  
**Author Name:** Allan Bourke  
Advisor Cycling & Public Transport

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**EXECUTIVE SUMMARY**

At Council's Planning and Policy Committee meeting dated 18 June 2008, it was requested a report be furnished to Council on the proposed upgrade to the 985m long foreshore trail extending from Beth Boyd Park, Thorneside, to Aquatic Paradise Park West, Birkdale.

The trail forms part of the Southern Moreton Bay Cycleway, and has been identified in Council's Priority Infrastructure Plan for future upgrade to a nominal 3.0 m wide cyclepath, estimated to cost \$300,000. The link currently consists of a degraded asphalt pathway 1.0 to 1.5 m in width, and does not conform to current shared use pathway standards.

This report recommends the rehabilitation of the foreshore trail commence in 2008/09 with an allocation of \$75,000 from the Parks and Trails Rehabilitation account, and \$75,000 from Sport and Recreation Queensland grant funding if available, and with the remaining works to be considered for funding in future capital budgets.

**PURPOSE**

To investigate the proposed upgrade to Australian Standards of the foreshore trails in Birkdale and Thorneside, and to report the findings to Councils' Planning and Policy Committee.

**BACKGROUND**

A request was made at Councils' Planning and Policy committee meeting dated 18 June 2008 that the foreshore trail from Birkdale to Thorneside be investigated for upgrade to Australian Standards. The subject trail is approximately 985 m in length, and extends from Beth Boyd Park, Thorneside, to Aquatic Paradise Park West, Birkdale, as detailed in "Attachment 1, Proposed Upgrade Section".

The trail currently consists of a degraded asphalt pathway 1.0 to 1.5 m in width, with overgrown edges and numerous surface cracks and other surface deformations, as shown in attachment 2; 'typical condition of pathway'. The trail forms part of the Southern Moreton Bay Cycleway (SMBC).

Cyclists and Pedestrians co-use the existing pathway regularly. Austroads, Guide to Traffic Engineering Practice, Bicycles, Part 14, recommends an acceptable path width of 3.0 to 4.0 m for recreational shared use paths.

## **ISSUES**

- The existing section of pathway caters for a relatively high volume of pedestrian and cyclist traffic, and does not conform to the minimum acceptable width of 3.0 m for a recreational shared use path;
- The pathway contains numerous surface defects and overgrowth which could pose potential trip hazards or squeeze points for pedestrians and cyclists;

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

The cost of the total pathway works is estimated to be \$300,000. The 2008/09 Stage 1 works are estimated at \$150,000, of which \$75,000 has been identified as likely grant funding from Sport and Recreation Queensland. Council funds for Stage 1 works are available in job no.45658 Paths and Trails Rehabilitation (\$100,000).

If no grant is forthcoming from Sport & Recreation QLD the works in 08/09 will be limited to \$75,000.

Agreement to Stage 1 funding will not lock Council into providing the balance allocation in 2009/10 or subsequent years.

## **PLANNING SCHEME IMPLICATIONS**

There are no planning scheme implications.

## **CONSULTATION**

The Divisional Councillor has been consulted and supports the pathway being upgraded.

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows to:

1. Support the proposed staged rehabilitation of the Queens Esplanade, Thorneside foreshore trail;
2. Note the proposed allocation of funds from the current capital budget; and

3. List for consideration the completion of rehabilitation works in a future capital program.

**ALTERNATIVE**

That the rehabilitation/upgrade of the Queens Esplanade foreshore trail be listed for consideration in the 10 year capital program for construction in a future year.

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

Moved by: Cr Murray  
Seconded by: Cr Reimers

**That Council resolve as follows to:**

1. **Support the proposed staged rehabilitation of the Queens Esplanade, Thorneside foreshore trail;**
2. **Note the proposed allocation of funds from the current capital budget; and**
3. **List for consideration the completion of rehabilitation works in a future capital program.**

**CARRIED**

**12.1.4 PETITION (DIV 3) CONTROL TRAFFIC SPEEDS IN CLIFFORD PERSKE DRIVE THORNLANDS**

**Datworks Filename:** RTT: Traffic Calming  
GOV: Petitions

**Responsible Officer Name:** David Elliott  
Manager Infrastructure Planning

**Author Name:** Abdish Athwal  
Senior Engineer Traffic & Transport

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**EXECUTIVE SUMMARY**

On 10 December 2007, residents of Clifford Perske Drive and the adjoining street submitted a petition requesting Council investigate means of controlling traffic speeds in Clifford Perske Drive, Thornlands to address wildlife fatalities, the safety concern of resident and pedestrians and the accompanying decline in amenity and quality of life. This petition was tabled at the General Meeting of 30 January 2008 and Council resolved to consider the request and report back to Council. A report was submitted to the Planning & Policy Committee meeting of 18<sup>th</sup> June 2008, when consideration of this matter was deferred and listed for September 2008 Planning & Policy Committee meeting to allow further investigation by officers.

In 2008, Council undertook 7 day traffic surveys for traffic volumes and speeds at three locations along Clifford Perske Drive. The results obtained were generally within the Manual of Uniform Traffic Control Devices (MUTCD) acceptable speed distributions for a 60km/h speed zone, except for the section north of Dasen Street.

Clifford Perske Drive north of Dasen Street dissects a designated creek/fauna corridor. Council is aware of a range of fauna crossing this site including koalas, ducks and possums. Research of the reported koala fatality records has revealed that there have been no fatalities reported since recording started in 1997. However, in order to adopt a proactive stance in Council's Koala Policy and Strategy 2008 Action Plan to prevent koala mortality, this report recommends that Councils support an application to the Redlands Speed Management Committee to reduce the speed limit from 60kph to 50kph along the entire length of Clifford Perske Drive, and to implement physical traffic control measures along Clifford Perske Drive north of Dasen Street to support the reduced speed regime. This option addresses the petitioner concerns and aligns with Councils Koala Policy and Strategy 2008 Action Plan.

**PURPOSE**

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

## BACKGROUND

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

A report was submitted to the P&P Committee meeting of 18<sup>th</sup> June 2008, when consideration of this matter was deferred and listed for September 2008 P&P Committee meeting to allow further investigation by officers.

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

## ISSUES

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

Date	Road Name	Suburb	Description	ADT	CV%	V85	Mean	Notes
2007-03	Clifford Perske Drive	Thornlands	Common boundary of 31-33	2233	4.10	68.00	0	
2008-04	Clifford Perske Drive	Thornlands	100m south of South Street	2166	4.90	63.00	55.80	
2008-06	Clifford Perske Drive	Thornlands	Approx 100m north of Dasen Street	2111	5.40	70.60	63.00	
2008-07	Clifford Perske Drive	Thornlands	Approx 50m south of Jeff Street	1923	6.30	63.00	55.00	

Table 1 - traffic survey results along Clifford Perske Drive.

The results of traffic survey data collected along Clifford Perske Drive are shown in Table 1 above. The indicated mean (average) speed is below the signed 60 kph speed for the roadway, except for the section north of Dasen Street fronting the wildlife corridor which is a flat straight section of roadway with the mean speed marginally above the accepted range.

The 85<sup>th</sup> percentile speed is again below the upper limit of 69 km/h and again except for the same section of roadway just marginally above the accepted range. The

average daily volumes are between 1,923 and 2,166 vehicles per day, and are well below the 10,000 vehicles per day expected for this class of roadway.

This data is in line with the traffic survey data collected in March 2007 and shows that there has been slight improvement in the traffic conditions along Clifford Perske Drive in the past year.

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

The data collected above and site inspections do not support any threat to the safety of residents, pedestrians and wildlife and show a slight improvement to the amenity and quality of life along the Clifford Perske Drive with the reduction in volume and speeds of vehicles.

Clifford Perske Drive north of Dasen Street dissects a designated creek/fauna corridor. Council is aware of a range of fauna crossing this site including (koala, ducks, possums). Appropriate fauna mechanisms should be undertaken to reduce the impact of vehicles on these fauna. A range of options could be utilised which is identified in "Action Plan to Reduce Koala Mortality on Redlands Roads". In this case it would be appropriate to reduce vehicle speeds through the site, thus providing people with the opportunity to see wildlife and thereby reduce the likelihood of death from vehicle strike.

Research of the reported koala fatalities records has revealed that there has been no fatalities (road-kill) reported, since recording started in 1997. However, in order to be proactive in the Koala Policy and Strategy 2008 Action Plan, Council could be planning for the future by taking positive steps in preventing and reducing potential koala mortality on Redlands Roads. In this instance, the implementation of traffic control devices with street planting along Clifford Perske Drive would provide a constrained driving environment and the required visual effect to meet the desired outcomes to align with the Action Plan.

## **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 IMPLICATION**

Preferred - LATM devices with streetscape, community consultation and information for change of traffic conditions estimated to cost \$50,000. Funds are available in 2008/09 to undertake traffic control design and community engagement. It is recommended that the construction be listed for consideration in the 2009/10 capital program budget.

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

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

Council's Environmental Management Group and the Divisional Councillor have been consulted regarding the recommendation contained in this report and both support the preferred recommendations.

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows:

1. To support an application to the Redlands Speed Management Committee to reduce the speed limit from 60kph to 50kph along the entire length of Clifford Perske Drive, and to implement physical traffic control measures along Clifford Perske Drive north of Dasen Street to support the reduced speed regime; and
2. That the principal petitioner be advised of Council's resolution in this matter and requested to advise all signatories to the petition of Council's decision.

### **ALTERNATIVE**

To take no further action on the requested provision of traffic calming devices in Clifford Perske Drive, Thornlands but to install repeater 60km/h speed signs to align the current roadway with MUTCD standards.

## **OFFICER'S RECOMMENDATION**

That Council resolve as follows:

1. To support an application to the Redlands Speed Management Committee to reduce the speed limit from 60kph to 50kph along the entire length of Clifford Perske Drive, and to implement physical traffic control measures along Clifford Perske Drive north of Dasen Street to support the reduced speed regime; and
2. That the principal petitioner be advised of Council's resolution in this matter and requested to advise all signatories to the petition of Council's decision.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Henry  
Seconded by: Cr Townsend

**That Council resolve as follows:**

- 1. To support an application to the Redlands Speed Management Committee to reduce the speed limit from 60kph to 50kph along the entire length of Clifford Perske Drive, and to implement physical traffic control measures, in accordance with Council's LATM policy, along Clifford Perske Drive north of Dasen Street to support the reduced speed regime; and**
- 2. That the principal petitioner be advised of Council's resolution in this matter and requested to advise all signatories to the petition of Council's decision.**

**CARRIED**



Cr Boglary declared a material personal interest in the following item at the Planning & Policy Committee and General Meeting, as the owner of the property, and left the meeting for discussion and decision on this item.

### **12.1.5 INTERIM VEGETATION PROTECTION ORDER- 257-259 WELLINGTON STREET, ORMISTON**

**Datworks Filename:** EM Vegetation Protection  
**Attachments:** [Attachment 1 Interim VPO - VP 6](#)  
**Responsible Officer Name:** Angela Wright  
A/ Manager Environmental Management  
**Author Name:** Candy Daunt  
Support Officer

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#### **EXECUTIVE SUMMARY**

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

This report outlines the rationale and considerations for the proposed Interim Vegetation Protection Order for the eight trees and one vine identified in this report.

#### **PURPOSE**

That Council resolve to make an Interim Vegetation Protection Order under the provision of Local Law 6 "Protection of Vegetation" on six mature *Eucalyptus tereticornis* and two mature *Melaleuca sp* including the significantly large *Parsonsia straminea* growing on the two *Melaleucas*, located at rear of the property, 257-259 Wellington Street, Ormiston (Lot 186 RP 1709).

#### **BACKGROUND**

- Redland City Council's Local Law 6 (Protection of Vegetation) provides for the protection of vegetation through Vegetation Protection Orders.
- The owner of the property lodged an application for a VPO on the 24<sup>th</sup> of July, 2008

#### **ISSUES**

Any person may apply to have a Vegetation Protection Order (VPO) placed on vegetation on private land. Local Law 6, 'Protection of Vegetation' provides the power for Local Government to make VPOs for 'significant vegetation', (as defined by Local Law 6) on private land. This request is assessed by Council and by resolution an interim VPO is placed upon the vegetation for a period of six months. Within this period, the requirements for establishing a VPO can be undertaken. This includes

public notification and the consideration of submissions and an expert report. Council may then confirm the VPO.

#### GROUNDS FOR THE VEGETATION PROTECTION ORDER

Local Law 6 defines 'significant vegetation' by providing criteria (a) to (s). The owner in her application has stated the grounds for the application are:

- a) a significant habitat for native animals (including native or migratory birds) or a part of a fauna and flora corridor; or
- b) a significant part of a vegetation system or other ecological system; or
- c) important for its aesthetic value or its beneficial effect on the amenity of the locality in which it is situated; or
- d) important for its age, height, trunk circumference, or canopy spread; or
- e) important as a buffer zone adjacent to areas of conservation significance

Subordinate Local Law No. 6 permits damage to protected vegetation under the following circumstances:-

- 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 under the Vegetation Protection Order that damage to the trees is only permitted under Section 27 (J) "if the damage is allowed under a permit issued by Council under the provisions of this Local Law".

#### NOTICE OF ORDER

If Council resolve to begin action to protect the vegetation, the owner of the land will need to be given written notice of the Order. In addition, public notice of the Order must be advertised in the local newspaper. One requirement of the notice is to invite submissions for or against the Order.

#### EXPERT REPORT

An expert report must be undertaken within the six month interim VPO period. This report will assess the vegetation against the criteria as well clearly identifying and locating, via GPS, the vegetation to be protected.

#### **RELATIONSHIP TO CORPORATE PLAN**

The recommendation primarily supports Council's strategic priority to ensure the enhancement of biodiversity including koala habitat, bushland, greenspace, waterways, catchments, air and coastal ecosystems in recognition of our unique location on Moreton Bay; as well as supporting Council's strategic priority to preserve a balance with urban, rural, bushland, village, coastal and island character of the Redlands by managing growth.

#### **FINANCIAL IMPLICATIONS**

##### **Redland City Council**

There are minor financial implications with this application associated with in-kind support (advise) to the owners when required from Council officers.

There are financial implications of \$1200.00 per VPO associated with the expert report and advertising of the public submissions notice. These costs are allocated under the general administration budget of the Natural Areas Management Team.

##### **Owner**

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

#### **PLANNING SCHEME IMPLICATIONS**

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

## CONSULTATION

Consultation has been undertaken with Environmental Management, Development Assessment, Operations and Maintenance and the property owners, Wendy and Joe Boglary. All parties are supportive of the recommendation.

## OPTIONS

### PREFERRED

That Council resolve as follows:

1. To make an Interim Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation' on the six mature *Eucalyptus tereticornis* and two *Melaleuca sp* including the significantly large *Parsonsia straminea* growing on the two *Melaleucas*, on the property described in VPO application 6; and
2. That damage to the vegetation is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.

### ALTERNATIVE

That Council resolve **not** to make an Interim Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation' on the six mature *Eucalyptus tereticornis* and two *Melaleuca sp* including the significantly large *Parsonsia straminea* growing on the two *Melaleucas*, on the property described in VPO application 6.

## OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Murray  
Seconded by: Cr Dowling

That Council resolve as follows:

1. To make an Interim Vegetation Protection Order under the provisions of Local Law 6 'Protection of Vegetation' on the six mature *Eucalyptus tereticornis* and two *Melaleuca sp* including the significantly large *Parsonsia straminea* growing on the two *Melaleucas*, on the property described in VPO application 6; and
2. That damage to the vegetation is only permitted under Section 27 (J) 'if the damage is allowed under a permit issued by Council under the provisions of this Local Law'.

## CARRIED

Cr Boglary returned to the meeting.

### 12.1.6 DRAFT SERPENTINE CREEK ROAD CEMETERY SITE AND HABITAT MANAGEMENT PLAN 2008-2028 - PUBLIC SUBMISSION PERIOD

**Dataworks Filename:** EM-Cultural Heritage Management Plan-  
Serpentine Creek Road

**Attachment:** [Serpentine Creek Road Cemetery – Site and  
Habitat Management Plan](#)

**Responsible Officer Name:** Angela Wright  
A/Manager- Environmental Management

**Author Name:** Leo Newlands  
Advisor-Reserves Management

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#### EXECUTIVE SUMMARY

Council is trustee and manager of the heritage listed Serpentine Creek Road Cemetery in Southern Redland Bay.

Council has received a formal request from Natural Resources and Water (NR&W) to develop a management plan for the site. Council now has obligations under the *Lands Act 1994* to produce a management plan for the site and make it available for public submissions.

Council officers have endeavoured to work with the Friends of Serpentine Creek Road Cemetery Group to produce an acceptable management plan for the site. The Friends of Serpentine Creek Road Cemetery have also produced their own management plan titled the *Friends of Serpentine Creek Cemetery Bush Care Management Plan* for the site which they submitted to the Environment Protection Agency (EPA).

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

Council Officers are now seeking to have the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 approved for public display and invitation of public submissions.

#### PURPOSE

The purpose of this report is to seek council approval for the draft Serpentine Creek Road Site and Habitat Management Plan to be released for public display and submission as per Council's obligations under Section 48 of the *Land Act 1994* for development of land management plans.

**BACKGROUND**

- RCC has been made trustee to the Queensland Heritage Listed Serpentine Creek Road Cemetery site. The cemetery is listed under the *Queensland Heritage Act 1992*.
- In 2005 Council Officers commenced the development of the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 for the site, through external consultants.
- In February 2006 the Friends of Serpentine Creek Road Cemetery (Kathleen Hughes) produced the *Friends of Serpentine Creek Cemetery Bush Care Management Plan* and submitted it to the EPA for approval as a 'to be adopted' management plan.
- In 2006 Council's Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 was submitted to EPA for approval of the Vegetation and Cultural Heritage Management components of plan.
- In June 2007 the EPA encouraged RCC to adopt the *Friends of Serpentine Creek Cemetery Bush Care Management Plan*. This plan was not considered submissible by Council, under Section 48 of the *Land Act 1994*, as a land management plan.
- In 2008 the EPA advised Council that the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 is acceptable for adoption but that it should also incorporate and utilise the *Friends of Serpentine Creek Cemetery Bush Care Management Plan*.
- Throughout the last two years various meetings have been held with Friends of Serpentine Creek Cemetery (Kathleen Hughes) to resolve issues regarding the role and content of the two plans.
- A course of action has been taken by council officers that includes using Council's Draft Plan for the strategic level planning component of the Final Draft LMP and the Friend's Plan to inform the operational level work plans (providing work plans are still consistent with Council's management plan).
- In August 2008 a meeting was convened between RCC and NR&W to develop a means to resolve issues around management of the site, potential council relinquishment of site and the discontent of a member of the Friends group. The accepted outcome of the meeting was that NR&W would formally request Council, as trustees of the land, to develop a Land Management Plan for the site.
- In August 2008 Council received formal request from NR&W to develop a Land Management Plan for the site.

- The Environmental Management Group has produced the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028 which is now recommended for public review and submission.

## ISSUES

### THE SITE

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

### TRUSTEESHIP OF LAND

Council is trustee to a variety of pieces of land throughout the city including the Serpentine Creek Road Cemetery site in Redland Bay. An Incorporated Body however may become trustee of a piece of State owned land at the approval of the State agent for the land (eg NR&W).

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

#### *CULTURAL HERITAGE ACT 1992*

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

#### *LANDS ACT 1994*

Council is obligated under the Section 48 of the *Lands Act 1994* to engage community consultation and input for the development of a Land Management Plan for a parcel of land the Council holds as trustee. Council has been asked specifically by NR&W to produce a Land Management Plan for the Serpentine Creek Road Cemetery and as such must fulfil its obligations in regards to public consultation by seeking public submissions for the draft management plan for the site.

### PUBLIC SUBMISSION PROCESS

Written public submissions will be invited from the public and other stakeholders for the period of one month from the time of making report available (proposed 06/10/08 – 03/11/08). Identified critical stakeholders will be provided with a copy of the management plan to provide feedback for the same period. The submission forms and a copy of Council's management plan will be posted on the Council website.

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

Council's plan sets out to manage the site's natural and cultural heritage components in keeping with Council's Biodiversity Strategy 2008-2012, Koala Policy and

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Implementation Strategy, Vegetation Enhancement Strategy, Pest Management Plan, *Lands Act 1994* and *Cultural Heritage Act 1992*.

RELATIONSHIP BETWEEN THE RCC DRAFT SERPENTINE CREEK ROAD CEMETERY SITE AND HABITAT MANAGEMENT PLAN 2008-2028 AND THE FRIENDS OF SERPENTINE CREEK CEMETERY BUSH CARE MANAGEMENT PLAN

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

*The Friends of Serpentine Creek Cemetery Bush Care Management Plan* may be used, where appropriate, to form the development of annual bushcare site work plans. The site work plans must still be consistent with the intent of Council's current Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008-2028.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

There will be minor financial implications (officer's time and advertising costs) for advertising the plan for public review, liaison and drafting of the final land management plan.

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

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



**OPTIONS****PREFERRED**

That Council resolve to approve the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008 - 2028 to be put on public review and the public invited to make submissions as per Council's obligations under the *Lands Act 1994*.

**ALTERNATIVE**

That Council resolve that after further consultation with stakeholders the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008- 2028 be approved for public review and the public be invited to make submissions as per Council's obligations under the *Lands Act 1994*.

**OFFICER'S RECOMMENDATION**

That Council resolve to approve the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008 - 2028 to be put on public review and the public invited to make submissions as per Council's obligations under the *Lands Act 1994*.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Boglary

**That Council resolve to endorse the Draft Serpentine Creek Road Cemetery Site and Habitat Management Plan 2008 - 2028 to be put on public review and the public invited to make submissions as per Council's obligations under the *Lands Act 1994*.**

**CARRIED**

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### 13 FINANCE AND CORPORATE MANAGEMENT COMMITTEE 24/09/08 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Townsend  
Seconded by: Cr Henry

That the Finance and Corporate Management Committee Report of 24 September 2008 be received.

CARRIED

#### DECLARATION OF OPENING

Cr Townsend declared the meeting open at 2.00 pm.

#### RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

##### Members Present

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

##### Committee Manager

Mr R Turner	General Manager Corporate Services
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##### Officers

Mr G Stevenson PSM	Chief Executive Officer
Mr G Underwood	General Manager Planning and Policy
Mr G Soutar	General Manager Redland Water and Waste
Mr L Smith	Acting General Manager Customer Services
Mr B Appleton	Manager Development Coordination
Mrs K Phillips	Manager Financial Services
Mr M Elliott	Property Services Manager
Ms D Wilson	Team Leader Animal Management
Ms M Pipia	Acting Group Manager Project Delivery
Mr L Wallace	Manager Corporate Planning Performance & Risk

##### Minutes

Mrs J Thomas	Corporate Meetings & Registers Officer
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**APOLOGY**

Cr M Hobson PSM            Mayor

**PUBLIC PARTICIPATION AT MEETING**

Nil

**DECLARATION OF INTEREST**

Nil

**ORDER OF BUSINESS**

Moved by:            Cr Murray

Seconded by:        Cr Reimers

That item 2.2 (as listed on the agenda) – *Proposed Land Transfer – 32 Clive Road, Birkdale*, be brought forward and discussed as the first item of business.

**CARRIED**

Cr Ogilvie left the meeting at 2.10 pm (during item 1.1) and returned at 2.36 pm (during item 2.1);

Cr Dowling left the meeting at 2.23 pm (during item 1.4).

## 13.1 CORPORATE SERVICES

### 13.1.1 AUGUST 2008 - MONTHLY FINANCIAL REPORTS

**Datworks Filename:** FM Monthly Financial Reports to Committee  
**Attachment:** [August 2008 – Monthly Financial Reports](#)  
**Responsible Officer Name:** Kerry Phillips  
Manager Financial Services  
**Author Name:** Deborah Hall  
Finance Officer

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#### 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 August 2008 financial statement of accounts to Council and provide detailed analytical commentary. The revised budget figures in the attachment are following the Carryover Budget Review on 4 August 2008 and include the amounts carried forward from the 2007-2008 financial year.

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

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

Council's end of month operating financial result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of budget by \$2.3 million, with operating expenditure favourable by \$1.0 million and operating revenue favourable by \$1.3 million.

The cash flow position for the year is ahead of original forecast levels by \$19.9 million, although Council started the year with \$9.1 million more than was previously budgeted. The cash held is ahead of the target range at \$85.3 million.

At the General Meeting on 20 August 2008, Councillor Elliot requested a report on the amount it costs Redland City Council for credit card transactions in relation to the total amount collected. The budget for 2008/2009 estimates that the charges will be in the order of \$340,000 off a revenue base of \$54.3 million.

## PURPOSE

The purpose is to present the August 2008 report to Council and explain the content and analysis of the report. Section 528 of the *Local Government Act 1993* requires the Chief Executive Officer of a local government to present statements of its accounts to the local government.

## BACKGROUND

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

## ISSUES

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

### **Corporate Financial Report Card (A)**

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

### **Report Card Analysis (B)**

Classifies variances between revised budget and actual results as being either timing or permanent variances as well as favourable or unfavourable. Timing variances are anticipated to disappear once 30 June 2009 figures are produced. Permanent variances imply the variance will remain into the next financial year.

### **Council Financial Report 1 (C)**

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

### **Council Financial Report 2 (D)**

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

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

## RELATIONSHIP TO CORPORATE PLAN

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

## FINANCIAL IMPLICATIONS

The overall financial position as at end August 2008 remains strong with EBITD of \$12.7 million (\$2.3 million ahead of budget). This result is due to total operating revenue of \$31.7 million (\$1.3 million ahead of budget) and total operating costs of \$18.9 million (favourable variance of \$1.0 million).

### Operating Revenue

Rates and utility charges are favourable by \$0.3 million, in the main due to wastewater and water and the variance is expected to disappear by June 2009. Fees and charges are under budget by \$0.1 million due in part to the slowing of the market since the budget was adopted. The fees and charges unfavourable variances are all timing variances at this stage. Operating grants and subsidies is over budget by \$0.2 million, timing variances in the main although of particular note is the Federal Assistance Grant of \$79,000 which is a permanent positive variance. Interest rates and surplus funds have been higher than anticipated, resulting in a \$0.3 million variance in external interest and other revenue is favourable by \$0.6 million due in the main to a state government subsidy for street lighting \$0.6 million.

### Operating Expenditure

Employee costs are under budget by \$0.1 million due to vacancies, goods and services is under budget by \$1.2 million due to several factors including reduced volumes in green waste and electricity charges. Transaction costs are less than originally budgeted by \$18,000 although this variance is expected to disappear by June 2009.

The majority of transaction charges are attributable to credit card charges. Councillor Elliot addressed Council in relation to these charges in Item 10.4 of the General Meeting 20 August 2008. Councillor Elliot requested a report on the amount it costs Council for credit card transactions to the total amount collected. In response to this request, Council's budget for 2008/2009 provides approximately \$340,000 for these charges assuming a revenue base of \$54.3 million. The charge represents an average of 0.63% on the base. The actual amount however is influenced by the nature of the payment as different payment options attract a different % charge to base.

Councillor Henry addressed Council in relation to the cost of fuel in Item 10.2.3 of the General Meeting 9 July 2008. Councillor Henry requested more frequent updates on the cost of fuel to Council. Schedule K in the attachments provides information pertaining to July and August providing insight into cost and consumption by fuel type.

**Capital Revenue**

Capital contributions and donations are over budget by \$0.2 million due to better than expected cash contributions from developers for parks infrastructure, transport infrastructure and stormwater trunk infrastructure. The unfavourable variance of \$0.1 million in capital grants and subsidies is expected to disappear by the end of the financial year.

**Capital Expenditure**

Capitalised goods and services is under budget at the end of August by \$2.1 million, with \$0.5 million attributable to road construction and \$0.6 million due to under expenditure on bus stops and lay byes. \$0.6 million favourable variance arises through the delays in the start and timing of capital projects in Treatment Operations. Capitalised employee costs is over budget by \$39,000 due in the main to delays in the start and timing of capital projects within Treatment Operations.

The investment of surplus funds for the month returned a weighted average rate of return of 8.37%, which is ahead of the UBS Bank Bill Index of 8.15%. These returns are reported on a monthly weighted average return and Council benchmarks the funds against the UBS Australia Bank Bill Index. Interest return is reported on both an annual effective and nominal rate of return.

The cash balance exceeds the target range of \$32 million to \$42 million at the end of August 2008, at \$85.3 million which is equivalent to 6.5 months cash capacity.

**PLANNING SCHEME IMPLICATIONS**

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

**CONSULTATION**

Consultation has taken place amongst the Executive Leadership Group.

**OPTIONS****PREFERRED**

That Council note the End of Month Financial Reports for August 2008 and explanations as presented in the attachments.

**ALTERNATIVE**

That Council requests additional information.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

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

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

**CARRIED**



**13.1.2 DRAFT UNAUDITED FINANCIAL STATEMENTS 2007/2008**

**Datworks Filename:** FM Financial Statements  
**Attachments:** [Unaudited Financial Statements 2008](#)  
**Responsible Officer Name:** Kerry Phillips  
Manager Financial Services  
**Author Name:** Kerry Phillips  
Manager Financial Services

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**EXECUTIVE SUMMARY**

The unaudited 30 June 2008 annual financial statements for Council have been prepared in accordance with the *Local Government Act 1993*, The *Local Government Finance Standard 2005* and the Australian Accounting Standards which include Australian Equivalents to International Financial Reporting Standards.

The unaudited financial statements were prepared, signed by the CEO and Mayor and presented to external auditors KPMG 15 September 2008 in accordance with the *Local Government Finance Standard*.

Under section 49 of the *Local Government Finance Standard 2005* as soon as practicable after the proposed financial statements are given to the Auditor-General, the statements must be presented to a meeting of the local government.

This report provides:

1. notification in accordance with the *Local Government Finance Standard 2005*; and
2. a brief analysis of key financial data for the financial year 2007/08.

It is recommended that Council resolve to note the unaudited financial statements for the year ended 30 June 2008 as attached.

**PURPOSE**

This report provides notification in accordance with the *Local Government Finance Standard 2005* and a brief analysis of key financial data for the financial year 2007/08. This report is not intended to provide comparisons between actual and budget data – please refer to the monthly financial management reports for this information.

**BACKGROUND**

Under section 49 of the *Local Government Finance Standard 2005*, as soon as practicable after the proposed financial statements are given to the Auditor-General, the statements must be presented to a meeting of the local government.

The draft annual financial statements were prepared, signed by the CEO and Mayor and presented to external auditors KPMG 15 September 2008 in accordance with the *Local Government Finance Standard 2005*.

## ISSUES

The unaudited 30 June 2008 annual financial statements for Council have been prepared in accordance with the *Local Government Act*, the *Local Government Finance Standards* and the Australian Accounting Standards. Australian Accounting Standards include Australian Equivalents to International Financial Reporting Standards. The components of the annual financial statements include:

- Income Statement;
- Balance Sheet;
- Statement of Cash Flows;
- Statement of Changes in Equity;
- Notes to and Forming Part of the Financial Statements; and
- Statement of Activities to which the Code of Competitive Conduct Applies;

### *The Income Statement*

Operating revenue from ordinary activities increased by 10.9% from \$145.5 million (2006/07) to \$161.6 million (2007/08). Capital revenue increased by 30.5% from \$30.1 million to \$39.22 million. The non cash component of capital income being predominately developer contributed infrastructure was \$13.1 million.

Net rates and utility charges increased by 8.9% from \$112.9 million to \$122.9 million. Income from fees and charges increased by 5% from \$16.7 million to \$17.5 million.

Total operating expenses increased by 9% from \$172.9 million (2006/07) to \$187.7 million (2007/08). Employee costs, which represent 31.8% of total operating expenses, increased by 3% from \$57.9 million to \$59.6 million. Materials and services expenses increased by 2.9% from \$64.9 million to \$66.8 million.

The following table summarises the earnings *before* interest and depreciation (EBITD) and the net result *after* interest and depreciation for the years ending 30/6/08 and 30/6/07. EBITD remained healthy at \$31.5 million (2007/08) and is up significantly from the previous year's \$17.6 million result.

The impact of compulsory ongoing revaluations on council's asset base is constantly increasing depreciation charges. Depreciation charges increased from \$38.3 million to \$50 million which reflects the flow on from the major revaluation impacts on infrastructure assets following the 2006/07 revaluation process.

	<b>Year Ending 30 June 2008</b>	<b>Year Ending 30 June 2007</b>
Earnings before interest and depreciation (\$M)	31.5	17.6
Capital revenue (\$M)	39.2	30.0
Interest expense (\$M)	7.5	6.6
Depreciation (\$M)	50.0	38.3
Net result (\$M)	13.0	2.7

#### *Balance Sheet*

Overall there has been an increase in community equity or the net worth of Council of \$32.5 million to \$1.957 billion.

Cash held at the bank and investments totalled \$71 million as at 30 June 2008 down from \$77.1 million at 30 June 2007.

Outstanding trade creditors and other payables amounted to \$18.4 million at 30 June 2008. The figure of \$22.9 million for 2007 is considerably higher than the balance outstanding at 30 June 2006 of \$15.8 million principally due to the accrual of the settlement proceeds for a block of land situated at Capalaba which was resumed by Council. This amount was settled in August 2007.

Provisions for employee entitlements amounted to \$4.5 million and \$8.2 million for annual leave and long service leave respectively. Provisions for the remediation of old and current landfill sites across the city rose from \$20.1 million (30/6/07) to \$20.4 million (30/6/08).

The balance of outstanding loans held with Queensland Treasury Corporation decreased from \$132.7 million (30/6/07) to \$128.5 million (30/6/08). Council drew down \$14.0 million in new loans in the 2007/08 financial year and made principal repayments of \$18.2 million and interest service payments of \$7.5 million.

Revaluations of council land and buildings were carried out effective 30 June 2008. The effect of the revaluation was in part offset by the impairment adjustments of \$41.1 million associated with the write down of asset values due to the imminent asset transfer of assets to the new Water authorities 1 July 2008. Road and Stormwater drainage saw significant increases in cost indices for the year and hence revaluation indices were applied to this class. The impact of the revaluation for each class of assets is summarised in the following table:

Land	\$14.5 million
Buildings	\$3.8 million
Roads and Stormwater Drainage	\$44.3 million

#### *Statement of Cash Flows*

The balance of cash decreased by \$6 million to \$71 million at 30 June 2008. Net cash from operating activities decreased by \$12.3 million to \$34.9 million. Payment to suppliers was up, due to several one off payments including the settlement proceeds for a block of land situated at Capalaba which was resumed by Council.

#### *Notes to and Forming Part of the Financial Statements*

The notes to the financial statements provide considerable additional detail for noting with respect to the reported results.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

There is no financial implication as these statements are for noting only.

### **CONSULTATION**

The reports have been prepared based upon statutory Australian Equivalents to International Financial Reporting Standards and the *Local Government Finance Standard 2005*. The Manager Financial Services and the General Manager Corporate Services have reviewed the financial statements.

### **OPTIONS**

#### **PREFERRED**

That Council resolve to note the unaudited financial statements for the year ending 30 June 2008 as presented in the following attachments:

1. Income Statement;
2. Balance Sheet;
3. Statement of Cash Flows;
4. Statement of Changes in Equity;

5. Notes to the Financial Statements;
6. Statement of Activities to which the Code of Competitive Conduct Applies.

**ALTERNATIVE**

That Council notes the unaudited financial statements 2007/2008 and requests additional information.

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

Moved by: Cr Williams

Seconded by: Cr Dowling

**That Council resolve to note the unaudited financial statements for the year ending 30 June 2008 as presented in the following attachments:**

- 1. Income Statement;**
- 2. Balance Sheet;**
- 3. Statement of Cash Flows;**
- 4. Statement of Changes in Equity;**
- 5. Notes to the Financial Statements; and**
- 6. Statement of Activities to which the Code of Competitive Conduct Applies.**

**CARRIED**

### 13.1.3 SALE OF LAND FOR OVERDUE RATES

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

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#### EXECUTIVE SUMMARY

The *Local Government Act 1993* [LGA] provides a number of avenues for the collection of unpaid rates and charges. In the event that collection activity does not result in the payment of arrears the LGA provides for the sale of land for overdue rates for properties where the overdue rates remain unpaid for:

1. a rate levied on a mining claim—3 months;
2. a rate levied on vacant land or land used solely for commercial purposes for which the local government has obtained judgment—1 year;
3. another rate—3 years.

The attached schedule identifies 43 properties that are overdue greater than 3 years with a zoning of SMBI Residential.

The 43 properties identified in Schedule A are submitted to Council with the recommendation that:

1. A Notice of Intention to sell the land under section 1041 of the *Local Government Act 1993* be issued;
2. The land is offered for sale by auction within the required period of 6 months, if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale have not been paid;
3. A market value be obtained on all land that will be offered for sale by auction;
4. The reserve price be set as the higher of either the sum of the amount of all overdue rates levied on the land plus the expenses incurred for the intended sale, or the Unimproved Capital Value [UCV];
5. A property assessment is carried out on all vacant land offered for sale to ensure prospective bidders are aware of the development potential of the land.

#### PURPOSE

To request Council resolve to recover unpaid rates and charges that remain outstanding greater than 3 years on properties identified in the attached schedule under Chapter 14 Division 3 Sale of Land for Overdue Rates.

## BACKGROUND

The LGA provides for the sale of land for overdue rates (Chapter 14 Division 3) for properties where the overdue rates remain unpaid for 3 years.

## ISSUES

Chapter 14 Division 3 Sale of Land for Overdue Rates provides that a local government can sell land where an overdue rate remains unpaid for the following period:

- (a) For a rate levied on a mining claim – 3 months;
- (b) For a rate levied on vacant land or land used solely for commercial purposes for which the local government has obtained judgment – 1 year;
- (c) For another rate – 3 years.

The attached schedule identifies 43 properties that are overdue greater than 3 years with a zoning of SMBI Residential in the Redlands Planning Scheme. The SMBI Residential zone includes properties suitable for construction of a low-key, single detached dwelling house. Eleven properties have no identified zone overlays, and the remainder are identified within the Acid Sulfate Soils Overlay. This Overlay applies to all land within the City potentially containing acid sulphate soils and ensures that future development of such land identifies and manages acid sulphate soils through the development assessment process. Forty properties are vacant land and 3 are identified as having a residential dwelling erected. To the best of the officer's knowledge none of the residential dwellings are owner/occupied.

Land Use Planning and Environmental Management have identified 6 properties in the schedule as adjoining private or public land currently zoned conservation or Council land that Council has resolved to be included in the conservation zone. There is merit in the 6 properties coming into public ownership to further consolidate conservation areas; however there is no mechanism currently available to achieve this outcome. The probability of recovery of the unpaid rates through continued activity of phone, letter, and legal action is doubtful. Financial Services recommend that the overdue rates on the 6 properties be addressed through the Sale of Land for Overdue Rates legislation and that if the rates are not paid, the land is offered for public auction.

The 43 properties identified in Schedule A are submitted to Council with the recommendation that:

1. A Notice of Intention to sell the land under section 1041 of the *Local Government Act 1993* be issued;
2. The land is offered for sale by auction within the required period of 6 months if the amount of all overdue rates levied on the land and all expenses incurred for the intended sale have not been paid;
3. A market value be obtained on all land that will be offered for sale by auction;

4. The reserve price be set as the higher of either the sum of the amount of all overdue rates levied on the land plus the expenses incurred for the intended sale or the Unimproved Capital Value [UCV];
5. A property assessment is carried out on all vacant land offered for sale to ensure prospective bidders are aware of the development potential of the land.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

Rates and charges outstanding total \$458,270.18. All costs associated with the auction are considered recoverable.

### **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**

- Debtor Management;
  - Manager Corporate Acquisitions, Fleet & Facilities;
  - General Manager Redland Water & Waste;
  - Manager Assessment Services;
  - Manager Land Use Planning;
  - Stormwater Management Engineer;
  - General Manager Planning & Policy;
  - GIS Technical Officer;
  - Senior Conservation Officer;
  - Conservation Fire Management Officer;
  - Regulatory & Health Services Manager;
  - Senior Strategic Planner;
  - Property Services Manager;
  - Senior Property Officer;
  - Team Leader Local Laws & Administration Support;
  - General Manager Customer Services; and
  - Team Leader Environment Strategies.
-



## OPTIONS

### PREFERRED

That Council resolve as follows:

1. To issue a Notice of Intention under section 1041 of the *Local Government Act 1993* on the properties listed in the attached Schedule A to sell the land;
2. To offer the land for sale by auction within the required period of 6 months, 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 set the reserve price as the higher of either the sum of the amount of all overdue rates levied on the land plus the expenses incurred for the intended sale or the Unimproved Capital Value [UCV]; and
5. To carry out a property assessment on all vacant land offered for sale to ensure prospective bidders are aware of the development potential of the land.

### 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 Townsend  
Seconded by: Cr Reimers

That Council resolve as follows:

1. To issue a Notice of Intention under section 1041 of the *Local Government Act 1993* on the properties listed in the attached Schedule A to sell the land;
2. To offer the land for sale by auction within the required period of 6 months, 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 set the reserve price as the higher of either the sum of the amount of all overdue rates levied on the land plus the expenses incurred for the intended sale or the Unimproved Capital Value [UCV]; and
5. To carry out a property assessment on all vacant land offered for sale to ensure prospective bidders are aware of the development potential of the land.

### CARRIED

**13.1.4 CAPALABA LAWN BOWLS CLUB INC.**

**Dataworks Filename:** P-200661  
**Attachments:** [Site Plan – Capalaba Lawn Bowls Club Inc](#)  
**Responsible Officer Name:** Brian Lewis  
Manager Corporate Acquisitions Fleet & Facilities  
**Author Name:** Merv Elliott  
Property Services Manager

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**EXECUTIVE SUMMARY**

The Capalaba Lawn Bowls Club Inc. has a lease over Council land at Ney Road, Capalaba for a term of 20 years expiring on 18 December 2013. Due to financing arrangements proposed, the club has applied for a new lease with a term of 20 years. This request will be recommended to Council.

**PURPOSE**

The purpose of this report is to obtain Council approval to negotiate a new lease of the subject premises for a 20 year term with the Capalaba Lawn Bowls Club Inc.

**BACKGROUND**

In 1993, Council granted a lease to the Capalaba Lawn Bowls Club Inc. over Council land described as part of Lot 11 on RP209581 shown on the plan attached.

Approximately 7 years ago, the club was having difficulty in repaying a loan to the ANZ bank, who appointed Lucas & Coy Chartered Accountants as receivers and interim managers of the club.

Following consultation between Council officers, Local Councillor, Mayor, (at that time), Capalaba Lawn Bowls Club Inc and a company called Franson Pty Ltd, a submission was made to Council for the transfer of the mortgage from the ANZ bank to Franson Pty Ltd. This recommendation was approved by Council on 2 May 2001. What this decision meant was that the Bowls Club were no longer under the control of the receivers. The Bowls Club and Franson then entered into an agreement whereby the club would make a monthly payment to Franson until the debt was repaid. This arrangement has been progressing satisfactorily for the past 7 years.

With rising interest costs, the monthly repayment has increased substantially and as a result, the Bowls Club has approached financiers with a view to borrowing sufficient funds to pay out the Franson debt. Approval in principle has been given by the financiers to the loan on the condition that the lease term be extended to 20 years.

The Bowls Club has been a long term member of the Redlands community and has conducted their business and activities in support of community interests in a very worthwhile manner. It is considered appropriate that Council should support their request.

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## **ISSUES**

Whilst the club has 5 years of their lease unexpired, it is unlikely that any financiers would lend significant funds for such a short period. The new lease would comply with Council's recent policy in respect to leases for a 20 year term due to the high capital value of its assets erected on the lease area (\$5,329,164). The club has 62 staff employed, 6,678 members and 100 gaming machines. With the proposed new financial arrangements, the club will save approximately \$16,000 per calendar month in repayments.

## **RELATIONSHIP TO CORPORATE PLAN**

The recommendation primarily supports Council's strategic priority to provide a range of community services to support basic qualities of community life and maximise opportunities for community participation and development.

## **FINANCIAL IMPLICATIONS**

All costs associated with the preparation and registration of the new lease are to be met by Capalaba Lawn Bowls Club Inc.

## **CONSULTATION**

Property Services Manager has consulted with the Local Councillor and Manager of Community and Social Planning, both of whom support the request.

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows:

1. To agree to the surrender of the existing lease to Capalaba Lawn Bowls Club Inc. which expires in December 2013;
2. To grant a new lease in accordance with policy POL 3071 – Leasing of Council Land and Facilities to Capalaba Lawn Bowls Club Inc. over land described as part of Lot 11 RP209581 for a term of 20 years;
3. To delegate authority to the Chief Executive Officer to sign all documentation in relation to this matter; and
4. To agree to the Capalaba Lawn Bowls Club Inc. taking out a loan with the contents and chattels of the premises as security for the loan.

**ALTERNATIVE**

That Council resolves as follows:

1. To not grant a new lease to the Capalaba Lawn Bowls Club Inc. over land described as part of Lot 11 RP209581 for a term of 20 years; and
2. To continue with the existing lease to Capalaba Lawn Bowls Club Inc which expires in December 2013.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve as follows:**

1. **To agree to the surrender of the existing lease Capalaba Lawn Bowls Club Inc. which expires in December 2013;**
2. **To grant a new lease in accordance with policy POL 3071 – Leasing of Council Land and Facilities to Capalaba Lawn Bowls Club Inc. over land described as part of Lot 11 RP209581 for a term of 20 years;**
3. **To delegate to the Chief Executive Officer the authority to sign all documentation in relation to this matter; and**
4. **To agree to the Capalaba Lawn Bowls Club Inc. taking out a loan with the contents and chattels of the premises as security for the loan.**

**CARRIED**

**13.1.5 CLEVELAND LIBRARY RESTAURANT**

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

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**EXECUTIVE SUMMARY**

At its meeting held on 30 January 2008, Council granted approval for the calling of tenders for the lease of the Cleveland Library Restaurant for a period of 5 years. One tender was received which was not in accordance with the tender conditions and was therefore rejected. This report will recommend that Council grants approval to negotiate a 10 year lease of the subject property.

**PURPOSE**

The purpose of this report is to obtain Council approval to negotiate the lease of the subject premises for a 10 year term.

**BACKGROUND**

Tenders were recently called under the provisions of the *Local Government Act* for a lease of the subject premises for a period of 5 years. Only one tender was received which was not acceptable on the grounds that the tenderer required a 10 year term. This was not in accordance with the tender conditions or the Council resolution.

Since that time, Council's commercial agents have been strenuously endeavouring to obtain a suitable tenant.

A total of two written offers have now been received, one offering a 5 year term at a rental which is considered unacceptable, and one offering a 10 year term at an acceptable rental.

It is considered that the best option for Council in relation to "value for money" is to agree to the leasing of the subject premises for a 10 year term.

**ISSUES**

Under the *Local Government Act*, Council must call tenders or auction premises or land that it wishes to dispose of by way of lease or sale. If the tenders received are not acceptable, Council may negotiate with any party for a lease provided the lease rental is above that which was offered at tender.

One of the offers received fulfils this requirement, however the applicant has requested a 10 year term, as it is the applicant's intention to spend a considerable sum of money in refurbishing the premises.

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As a consequence, it is in Council's best interest to agree to grant a lease for a 10 year term.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

Financial Implications are that Council will achieve a higher rental per month for a 10 year term.

### **CONSULTATION**

Property Services Manager has consulted with prospective lessees and Council's commercial property agents.

### **OPTIONS**

#### **PREFERRED**

That Council resolve as follows:

1. To grant approval for the leasing of Council premises, referred to as Cleveland Library Restaurant, for a term of 10 years on terms and conditions considered satisfactory by the Chief Executive Officer;
2. To authorise the Chief Executive Officer to negotiate with potential lessees and enter into a new lease agreement with the proposed lessee; and
3. To authorise the Chief Executive Officer to sign all necessary documentation.

#### **ALTERNATIVE**

#### **NOT PREFERRED**

That Council resolve as follows:

1. To grant approval for the leasing of Council premises, referred to as Cleveland Library Restaurant, for a term of 5 years as provided for in its resolution of 30 January 2008 on terms and conditions considered satisfactory by the Chief Executive Officer;
2. To authorise the Chief Executive Officer to negotiate with potential lessees and enter into a new lease agreement with the proposed lessee; and
3. To authorise the Chief Executive Officer to sign all necessary documentation.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve as follows:**

- 1. To grant approval for the leasing of Council premises, referred to as Cleveland Library Restaurant, for a term of 10 years, on terms and conditions considered satisfactory by the Chief Executive Officer;**
- 2. To authorise the Chief Executive Officer to negotiate with potential lessees and enter into a new lease agreement with the proposed lessee; and**
- 3. To authorise the Chief Executive Officer to sign all necessary documentation.**

**CARRIED**

**13.1.6 TELSTRA LEASE - THORNLANDS**

**Dataworks Filename:** P-130451  
**Attachments:** [Site Plan – Telstra Lease - Thornlands](#)  
**Responsible Officer Name:** Brian Lewis  
Manager Corporate Acquisitions, Fleet & Facilities  
**Author Name:** Merv Elliott  
Property Services Manager

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**EXECUTIVE SUMMARY**

Council is the owner in fee simple of Lot 1 RP138577 situated at the corner of Redland Bay Road and Island Outlook, Thornlands. The land is developed with a Community Hall and Bay FM radio facility. A proposal has been submitted by Telstra requesting a sub-lease for mobile phone tower purposes over part of the land leased to Bay FM Radio.

**PURPOSE**

The purpose of this report is to recommend that approval be granted to Bay FM to grant a sub-lease to Telstra for the purpose of constructing a mobile phone tower on the leased land.

**BACKGROUND**

Bayside Community Radio Association Inc holds a lease from Council expiring in 2027 over land on which the facility is proposed to be constructed. Under the lease with Council, Bay FM is required to obtain Council approval to any sub-lease of the leased area. This report will recommend that Council grant that approval.

**ISSUES**Town Planning

Council's Assessment Services have granted preliminary approval as the site proposed, an existing radio tower, is to be utilised for the purpose required. All statutory requirements including emission levels will be met prior to the lease being executed.

Leasing Issues

The lease with Bay FM requires Council consent to the granting of a sub-lease which cannot be unreasonably denied. There appears to be no valid reason for not granting that approval.

Term of Sub-Lease

Telstra has requested a 10 year term plus 2 consecutive options of 10 years. This request cannot be approved as the original lease has only 19 years to run. Therefore approval for a 10 year term can be granted plus an additional term expiring in 2027.



### Rental

The rental offered of \$20,000.00 per annum, plus increases of 3% per annum is acceptable. It is proposed that the rental should be shared equally between Bay FM and Council. This arrangement is consistent with previous dealings with sporting clubs on Council leased land.

### Legal and Other Costs

All costs to be met by Telstra.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

There will be no financial impact to Council as the cost of lease preparation, registration etc will be met by Telstra. Council will share the revenue with Bay FM.

## **CONSULTATION**

Property Services Manager has consulted with Bay FM and Executive Leadership Group.

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows:

1. To grant approval for the sub-lease of premises described as Lot 1 on RP138577 to Telstra Corporation Limited for a term of 10 years, plus an additional term expiring in 26 June 2027 on terms and conditions considered satisfactory by the Chief Executive Officer; and
2. To delegate authority to the Chief Executive Officer to sign all necessary documentation.

### **ALTERNATIVE**

#### **NOT PREFERRED**

That Council not grant approval for the sub-lease of premises described as Lot 1 on RP138577 to Telstra Corporation Limited.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve as follows:**

- 1. To grant approval for the sub-lease of premises described as Lot 1 on RP138577 to Telstra Corporation Limited, for a term of 10 years plus an additional term expiring in 26 June 2027, on terms and conditions considered satisfactory by the Chief Executive Officer; and**
- 2. To delegate authority to the Chief Executive Officer to sign all necessary documentation.**

**CARRIED**

## 13.2 CUSTOMER SERVICES

### 13.2.1 SOLE PROVIDER - FERAL ANIMAL TRAPPING PROGRAM

**Dataworks Filename:** EM Pest Control - Feral Animals  
**Responsible Officer Name:** Tim Donovan - Manager Assessment Services  
**Author Name:** Gary Kirby  
Regulatory & Health Services Manager

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#### EXECUTIVE SUMMARY

Redland City Council for the last two years has seen an increase in the number of complaints received regarding feral animal activity within Council's area of responsibility. Specifically, it has been identified that the population of foxes has increased over the last few years.

In 2006, Council adopted the Redland Shire Pest Management Plan 2006 – 2010 to manage both plant and animal pests within the area.

In 2007, Animal Management commenced the feral animal trapping program, focussing on a number of significant reserves within the area. The program was successful, however there is a requirement to continue with a regular trapping and eradication program to ensure that feral animals are either totally eradicated or numbers significantly reduced.

It is necessary that work commence within the near future as breeding season for foxes has already commenced. Fox cubs (our main target species) generally disperse the dens around early to mid spring.

#### PURPOSE

The purpose of this report is to seek a Council resolution that in accordance with Section 486 of the *Local Government Act 1993*, Council is satisfied that there is only 1 supplier reasonably available to provide feral animal management services, and the services are of such a specialised nature that it would be impractical or disadvantageous to invite tenders or quotations.

#### BACKGROUND

Council resolved on 29 March 2006 to adopt the Redland Shire Local Government Area Pest Management Plan (PMP) 2006 – 2010.

The PMP covers the management of both declared plants and animal pests within the City.

The key objectives of the PMP are:

- To reduce the local impact of pests;

- To improve the use of the resources and expertise available for managing pests within the City;
- To provide a coordinated approach to pest management within the City; and
- To provide clear direction and responsibility for pest management in the Redlands.

Forming part of the management of the declared species, Animal Management commenced a program in August 2007 for the surveillance, enforcement and control of declared animals.

Some of the feral animals included in the PMP for control or eradication are detailed as follows:

- Feral cats;
- Feral pigs;
- Foxes;
- Wild dogs;
- European rabbit;
- Red ear slider turtle; and
- Ferret.

## **ISSUES**

### Specialised nature of work

In 2005, Council invited quotations to conduct the feral animal trapping program, however had no response to the tender.

In an attempt to locate a suitable contractor to perform the feral animal eradication program, officers recently contacted the Department of Primary Industries, a number of other local Councils, as well as reviewing the yellow pages, white pages and the internet. However it would appear that there are no providers available capable of providing the full spectrum of pest management services other than Michael Dickinson (Australian Wildlife and Feral Management).

In June 2006, Michael Dickinson was contracted by the Environmental Management Team to complete a monitoring program for feral pigs in the Redland Bay area. Michael Dickinson was engaged to collect data on the distribution and population size of feral pigs within three key reserve areas, and to document the type and level of impact they impose.

Michael Dickinson has 25 years of zoological experience and is a specialist in the field of wildlife and feral animal management in South East Queensland. Michael is highly skilled in the management of both wildlife and feral animals. He covers a range of environmental disciplines including fauna management, habitat assessments and monitoring programs, as well as having extensive experience and understanding of wildlife and feral animal activity.

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Michael Dickinson has a good understanding of the legislation and disposal methods to allow for specific feral animal management. Whilst feral animals are active all year round, emphasis is placed on the fox (being the primary animal pest within the Redlands) as they become more active during the breeding season in early winter and den dispersal in early spring.

To ensure a reasonable level of success in eradicating or reducing the numbers of feral animals, it is important that the project continue over consecutive years. Feral animal eradication work commenced last year, with the monitoring of activity and the removal of a number of significant active feral animal areas within the Redlands and it is now critical that this work continue this financial year.

Michael Dickinson has specialised knowledge, equipment and experience to carry out this specialised work. Fox dens are fumigated with carbon monoxide. An alternative to this is the setting of collarum, foot traps or cage traps. The control of pigs in traps is somewhat more difficult, and the most efficient and effective means of disposal is through the use of firearms. Michael Dickinson holds a current firearms licence and is fully aware of the use and control of firearms within this field.

## **RELATIONSHIP TO CORPORATE PLAN**

The recommendation primarily supports Council's strategic priority to ensure the enhancement of biodiversity including koala habitat, bushland, green space, waterways, catchments, air, and coastal ecosystems in recognition of our unique location on Moreton Bay.

## **FINANCIAL IMPLICATIONS**

Funding of \$60,000 has been provided through the Environmental Levy for feral animal management. The cost of the services to be provided by Michael Dickinson to 30 June 2009 is estimated to be between \$40,000 and \$60,000. The final cost is subject to the extent of feral animal activity detected and level of eradication services required.

## **CONSULTATION**

Consultation has occurred with:

- Environmental Management – Senior Advisor Natural Environment;
- Supply Services - Procurement Coordinator; and
- Legal Services.

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows:

1. That under Section 486 of the *Local Government Act 1993* it is satisfied that Michael Dickinson (Australian Wildlife and Feral Management) is the only supplier

reasonably available to provide feral animal management services, and that the services are of such a specialised nature it would be impractical or disadvantageous to invite tenders or quotations;

2. To enter into a contract with Michael Dickinson (Australian Wildlife and Feral Management) to implement the feral animal trapping and eradication program for the period 1 October 2008 to 30 June 2009; and
3. That the Chief Executive Officer be delegated authority to sign and amend all relevant documentation.

#### **ALTERNATIVE 1**

That Council resolve that it is not satisfied that there is only one supplier reasonably available to it to implement the feral animal trapping program and invite tenders for the provision of feral animal management services in Redland City.

#### **ALTERNATIVE 2**

That Council resolve not to implement a feral animal trapping program for Redland City.

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

Moved by: Cr Townsend

Seconded by: Cr Reimers

**That Council resolve as follows:**

1. **That under Section 486 of the *Local Government Act 1993* it is satisfied that Michael Dickinson (Australian Wildlife and Feral Management) is the only supplier reasonably available to provide feral animal management services, and that the services are of such a specialised nature it would be impractical or disadvantageous to invite tenders or quotations;**
2. **To enter into a contract with Michael Dickinson (Australian Wildlife and Feral Management) to implement the feral animal trapping and eradication program for the period 1 October 2008 to 30 June 2009; and**
3. **That the Chief Executive Officer be delegated authority to sign and amend all relevant documentation.**

**CARRIED**

**13.2.2 PROPOSED LAND TRANSFER - 32 CLIVE ROAD, BIRKDALE**

**Datworks Filename:** P.106209/SB005069  
**Responsible Officer Name:** Bruce Appleton  
Manager Development Co-ordination  
**Author Name:** Kerry Warrilow  
PA to Manager Development Co-ordination

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**EXECUTIVE SUMMARY**

The allotment at 32 Clive Road, Birkdale was approved as part of a 1989 residential subdivision. This property only has temporary easement access to Clive Road that requires the access to be closed whenever an alternative becomes available.

Council has a small piece of land described as Lot 5 on RP 222872 (107sqm) set aside for future road purposes which, if transferred to the owners of 32 Clive Road, would facilitate finalising access to 32 Clive Road through a new estate being constructed to the immediate north of the property.

The recommendation is that Council facilitate the transfer of Lot 5 on RP222872 to the adjoining property owner for access purposes.

**PURPOSE**

That Council resolve to transfer land to an adjoining property owner for access purposes.

**BACKGROUND**

A brief presentation of this matter was made at the Development Assessment workshop on the 9 September 2008.

In 1989, Council approved a development which created a residential lot at 32 Clive Road, Birkdale, without providing direct frontage to a dedicated road. 32 Clive Road relies on easement access through 34 Clive Road. That easement is described in the plan of survey as a "Right of way until alternative access is made available to dominant tenement." That means that as soon as an alternative access becomes available, this easement is to be extinguished.

Council also created Lot 5 RP222872 at the same time and took ownership of the lot in fee simple for the purpose of providing ultimate access to 32 Clive Road.

Subsequent approval and development of land to the immediate north of 32 Clive Road is to provide land (proposed lot 30) which may form the access to this property. Council's Lot 5 intervenes between 32 Clive Road and a proposed driveway (lot 30).

## ISSUES

Lot 5 is the remaining land between 32 Clive Road and a proposed road access. The transfer of Lot 5 to the ownership of 32 Clive Road would enable the finalisation of permanent access to this property. No other property relies on Lot 5 for access, and there are no issues for surrounding lot owners which would arise from the transfer.

The development of land to the north of Lot 5 is yet to be completed. Council has received a draft plan of survey to create the lots in the development but has not yet received the plan for approval. That plan is intended to create another allotment to provide access to 32 Clive Road. The plan will be approved with similar intent that the lot providing access to 32 Clive Road will firstly be vested in Council.

Due to the wording of the access easement for 32 Clive Road, Council has an obligation to facilitate the provision of the final access to 32 Clive Road.

It is recommended that Council resolve to facilitate the transfer of Lot 5 RP222872 to the owners of 32 Clive Road, Birkdale subject to conditions.

## RELATIONSHIP TO CORPORATE PLAN

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

## FINANCIAL IMPLICATIONS

The implications are that the transfer of this land must be carried out under the provisions of the *Local Government Act*, which may have financial implications for the owners of 32 Clive Road. Costs are likely to accrue for land valuations, legal services, State fees, taxes and charges.

The financial implications for Council should be minimised where possible.

## 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 Property Services, Land Development, the developers of 26 Clive Road and the owners of 32 Clive Road.



**OPTIONS****PREFERRED**

That Council resolve as follows:

1. To facilitate the transfer of Lot 5 on RP222872 to the owners of 32 Clive Road, Birkdale for access purposes, with all costs to be borne by the property owners, and
2. That the Chief Executive Officer be delegated authority to sign all documentation relating to this matter.

**ALTERNATIVE**

The alternative is not to transfer Lot 5 to the owners of 32 Clive Road, but this has implications for the owners of 32 Clive Road in terms of continued access to their property.

**OFFICER'S RECOMMENDATION**

That Council resolve as follows:

1. To facilitate the transfer of Lot 5 on RP222872 to the owners of 32 Clive Road, Birkdale for access purposes, with all costs to be borne by the property owners, and
2. That the Chief Executive Officer be delegated authority to sign all documentation relating to this matter.

**ADDENDUM – 24 SEPTEMBER 2008**

Following discussions between Manager Development Co-ordination and Property Services Manager, a revised Officer's Recommendation was presented to Committee for consideration. The revised recommendation has taken into account the considerable expense and timeframe taken to provide the property owner with permanent access and recommends that all costs associated in this matter be borne by Council.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

That Council resolve as follows:

1. To facilitate the transfer of Lot 5 on RP222872 to the owners of 32 Clive Road, Birkdale for access purposes, with all costs to be borne by Council; and
2. That the Chief Executive Officer be delegated authority to sign all documentation relating to this matter.

**CARRIED**

### 13.2.3 2008/09 PROJECTS OVER \$500,000 INCLUDING GST - DELEGATED AUTHORITY

**Dataworks Filename:** 30448; 41696; 41773; 45046; 45370; 70803

**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 2008/2009 approved Capital and Operational Works Programs consists of a number of projects with an estimated tender component value over \$500,000 (including GST). These projects will either:

- be tendered as a whole project, or
- constructed by Council's internal construction crews and may contain certain elements that will need to go to tender.

To assist with expediting the contract award process and delivery of projects, the Project Delivery Group has been presenting reports to Council over the last few financial years requesting that authority be delegated to the Chief Executive Officer to make, vary and discharge contracts for various tenders with a value over \$500,000 (including GST).

In the 2006/2007 financial year, six reports were presented to Council and in 2007/2008 financial year five reports were presented to Council. All reports were approved by Council and the delegated authority was granted. It is anticipated that in the 2008/2009 financial year that six reports on projects with tenders with an estimated value over \$500,000 (including GST) will be presented to Council seeking the same delegations as previous years.

This report recommends that the Chief Executive Officer be delegated authority to accept the tenders and make, vary and discharge all contracts over \$500,000 (including GST) for the following listed projects within the 2008/2009 financial year approved budget.

Project Number	Project Name
30448	Aquatic Paradise Dredging
41696*	Moreton Bay Cycleway - Eprapah Bridge
41773	Capalaba Regional Park Playground Stage 3
45046	Wellington Point Seawall
45370*	Double Jump Road, Mount Cotton
70803	Judy Holt Sportsfields (Stage 3)

**Note:** \* 41696 and 45370 are to be tendered for during 2008/09 and built across two financial years.

This delegation will assist Council by reducing the timeframe for the tender process so that the awarding of the contract is not dependent on Council meeting dates and will expedite the process.

## PURPOSE

The purpose of this report is to seek resolution from Council to delegate authority to the Chief Executive Officer to accept the tenders and make, vary and discharge all contracts over \$500,000 (including GST) for the following listed projects within the 2008/2009 financial year approved budget.

Project Number	Project Name
30448	Aquatic Paradise Dredging
41696*	Moreton Bay Cycleway - Eprapah Bridge
41773	Capalaba Regional Park Playground Stage 3
45046	Wellington Point Seawall
45370*	Double Jump Road, Mount Cotton
70803	Judy Holt Sportsfields (Stage 3)

**Note:** \* 41696 and 45370 are to be tendered for during 2008/09 and built across two financial years.

## BACKGROUND

The 2008/2009 approved Capital and Operational Works Programs consists of a number of projects with an estimated tender component value over \$500,000 (including GST).

These projects will either:

- be tendered as a whole project, or
- constructed by Council's internal construction crews and may contain certain elements that will need to go to tender.

At the General Meeting held 30 October 2002 Council delegated authority to the Chief Executive Officer (CEO) to make, vary and discharge contracts that do not exceed \$500,000 including GST where:

1. the spending of funds to be incurred by making, varying or discharging the contract has been provided for in an approved budget for the financial year when the making, varying or discharging happens, or
2. the spending of funds to be incurred have been provided for in a budget pending the adoption by Council (section 522 of the Local Government Act).

Over the last few financial years the Project Delivery Group has been presenting reports to Council requesting that authority be delegated to the Chief Executive

Officer to make, vary and discharge contracts for various tenders with a value over \$500,000 (including GST). This process has been used to assist with expediting the contract award process and delivery of the project.

In the 2006/2007 financial year, six reports on projects with tenders with an estimated value over \$500,000 (including GST) were presented to Council by the Project Delivery Group seeking resolution to delegate authority to the CEO to make, vary and discharge the contracts. In 2007/2008 financial year five reports on projects with tenders with an estimated value over \$500,000 (including GST) were presented to Council seeking the same resolution. All reports were approved by Council and the delegated authority was granted.

## ISSUES

It is anticipated that in the 2008/2009 financial year, under the current process of seeking delegated authority for individual projects, that six reports on projects with tenders with an estimated value over \$500,000 (including GST) will be presented to Council by the Project Delivery Group seeking Council resolution to delegate authority to the CEO to make, vary and discharge the individual contracts.

Council resolution is being sought to delegate authority to the CEO to make, vary and discharge the contracts associated with the six projects listed in the table below. This one resolution will cover all of the contracts over \$500,000 (including GST) that are awarded for the projects listed.

Project Number	Project Name and Description	Estimated Value of Tender 2008/2009
30448	<b>Aquatic Paradise Dredging</b> Dredging of 1000m of the entrance canal and 250m of the inner canal with the dredge spoil to be disposed of at Mud Island.	\$2,016,727
41696*	<b>Moreton Bay Cycleway - Eprapah Bridge, Victoria Point</b> Bridge & Bikeway Construction from Beveridge Road to Cameron Court Park, Victoria Point.	\$2,000,000
41773	<b>Capalaba Regional Park Playground Stage 3</b> Upgrade Capalaba Regional Park with amenities such as shelters, BBQ's, seating, landscaping an all abilities playground area, decks, ramps, and terraced walls.	\$568,817
45046	<b>Wellington Point Seawall, Wellington Point</b> Recap 67m of existing rock armour wall, install 333m new panel wall in front of existing, and 80m of one step high wall in front of beach. Stairs to be replaced. This project forms part of the Wellington Point Reserve Upgrade.	\$1,400,000
45370*	<b>Double Jump Road, Mount Cotton</b>	\$1,530,000

Project Number	Project Name and Description	Estimated Value of Tender 2008/2009
	Widen and reseal Double Jump Road (Stage 3a) - Mt Cotton Rd to Warren Street. This is to provide wider driving lanes and provide an on-road bicycle lane. This project is to be constructed internally (external asphalt tender approx. \$1m).	
70803	<b>Judy Holt Sports Fields (Stage 3)</b> Capping and reprofiling the main cricket field at Judy Holt Sports fields. These works are intended to improve existing clay capping and reprofile existing sportsfields to improve overall thickness and composition of the existing playing surfaces. The improvements will assist with drainage and reduction of water infiltration into the landfill mass.	\$830,979

**Note:** \* 41696 and 45370 are to be tendered for during 2008/09 and built across two financial years.

This delegation will assist Council by reducing the timing for the tender process so that the awarding of the contract is not dependent on Council meeting dates and will expedite the process. All of the projects listed are to be managed by the Project Delivery Group in the 2008/2009 financial year and have been approved as part of the 2008/2009 budget approval process. The projects listed include both capital works and major operational works.

Some projects listed have budgets that contain external funding and the timing of the delivery of these projects is critical so as to comply with the relevant funding conditions. Approval of this report will help reduce delays in delivering these projects which in turn should avoid additional costs to Council and the potential loss of funding.

Should Council decide not to delegate authority to the Chief Executive Officer, it may result in delays with the awarding of contracts and the construction of the projects which could lead to additional costs to Council and the potential loss of funding.

## RELATIONSHIP TO CORPORATE PLAN

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

## FINANCIAL IMPLICATIONS

All the listed projects in this report are approved projects for the 2008/2009 financial year and have been approved as part of the budget approval process.

## 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 Tenders and Contracts Officer, Acting Services Manager, Project Management Services Unit, the Acting Group Manager, Project Delivery Group and the Acting General Manager, Customer Services have been consulted in the preparation of this report and are supportive of the recommendation.

## OPTIONS

### PREFERRED

That Council resolve as follows:

1. To delegate authority to the Chief Executive Officer to accept the tenders and make, vary and discharge all contracts over \$500,000 (including GST) for the following listed projects within the 2008/2009 financial year approved budget;

Project Number	Project Name
30448	Aquatic Paradise Dredging
41696*	Moreton Bay Cycleway - Eprapah Bridge
41773	Capalaba Regional Park Playground Stage 3
45046	Wellington Point Seawall
45370*	Double Jump Road, Mount Cotton
70803	Judy Holt Sportsfields (Stage 3)

**Note:** \* 41696 and 45370 are to be tendered for during 2008/09 and built across two financial years.

2. To delegate authority to the Chief Executive Officer to sign and amend all relevant documentation;
3. To appoint the Chief Executive Officer as Principal's Representative for these contracts; and
4. To authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.

### ALTERNATIVE

That Council resolve to not delegate this authority to the Chief Executive Officer which may result in delays with the awarding of contracts and the construction of the projects and could lead to additional costs to Council and the potential loss of funding.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve as follows:**

1. To delegate authority to the Chief Executive Officer to accept the tenders and make, vary and discharge all contracts over \$500,000 (including GST) for the following listed projects within the 2008/2009 financial year approved budget;

Project Number	Project Name
30448	Aquatic Paradise Dredging
41696*	Moreton Bay Cycleway - Eprapah Bridge
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45046	Wellington Point Seawall
45370*	Double Jump Road, Mount Cotton
70803	Judy Holt Sportsfields (Stage 3)

Note: \* 41696 and 45370 are to be tendered for during 2008/09 but built across two financial years

2. To delegate authority to the Chief Executive Officer to sign and amend all relevant documentation;
3. To appoint the Chief Executive Officer as Principal's Representative for these contracts; and
4. To authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.

**CARRIED**

### 13.3 PLANNING AND POLICY

#### 13.3.1 BALANCED SCORECARD REPORT - AUGUST 2008

**Datworks Filename:** GOV Corporate BSC Monthly Reporting to Committee

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

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

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

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#### EXECUTIVE SUMMARY

The monthly Corporate Balanced Scorecard Report, as attached, provides a high level overview of Council's performance in key areas of our business using the four Balanced Scorecard Perspectives – Financial, Customer, Internal/Business Processes and People & Learning.

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

The overall rating for August is satisfactory, with a weighted score of 2.59.

#### PURPOSE

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

#### BACKGROUND

Further enhancements have been made to the report format again this month as implementation of our new reporting system progresses. The report now shows results against each KPI for the current month and the previous 12 months. Considering longer term trends and comparisons incorporating the same month last year, results in a better understanding of current performance levels.

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



The subsequent pages of the report provide details of the performance measures in each perspective. The actual performance results each month are displayed as a graph, with the red and green lines showing the normal expected range for the measure. The red line represents the minimum satisfactory level and the green line represents the outstanding level. The rating for each measure is also shown as a green tick (outstanding), a yellow line (satisfactory and above standard) or a red cross (unsatisfactory).

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

## **ISSUES**

Most measures are performing well within the expected ranges. The two measures which rated below satisfactory (cash levels and workplace health & safety actions) have their variances from target explained by the responsible managers in the attached report.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

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

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

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

## **OPTIONS**

### **PREFERRED**

That Council resolve to note the Corporate Balanced Scorecard Report for August 2008, as attached.

### **ALTERNATIVE**

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

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

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

**CARRIED**

## 14 MAYORAL MINUTES

### 14.1 SPONSORSHIP FOR A COUNCIL OF MAYORS' TELEVISION INITIATIVE

#### Background

Councils in South East Queensland, through their various environment and climate change programs, are undertaking a number of initiatives to engage their respective communities to work together to reduce their carbon emissions. This series, tentatively titled "*The Biggest Carbon Loser*", is designed to heighten community awareness about confronting the effects that carbon emissions have on climate change, and more importantly, it is intended to show how to go about reducing those emissions through simple and cost effective measures. It is proposed that the show feature residents chosen from throughout the region and highlight local solutions to climate change challenges facing our community.

Channel 10 will promote the show in conjunction with individual councils to emphasize environmental programs and activities in the area. Throughout the telecast of the series, mayors and/or councillors will be interviewed by the weather presenter during live weather crosses. Channel 10 is also investigating a sponsorship arrangement with Quest Newspapers to potentially leverage marketing opportunities for the program throughout South East Queensland.

Council's participation in this sponsorship arrangement is consistent with the Cities for Climate Protection Program which Council joined in 1999. The Redlands Greenhouse Action Plan set a target of reducing the community emissions by 15% in comparison to 1996 emission levels. However, the Council's Milestone 5 report in 2007 has shown that community emission have increased by 28.5% since 1996

The total cost of the sponsorship of the series will be \$413,000.00. The breakdown of this cost to each council direct contribution will be calculated under the standard population based funding formula which would equate to \$9 743.07 to \$18 891.49 for Redland City Council depending on the funding options available to the Council of Mayors. One funding options is where the whole of the sponsorship is obtained from member Council directly. The other option involves a direct contribution and a co – contribution from the Council of Mayors consolidated revenue funds.

It is proposed that in principle support for the initiative will be made at the Council of Mayors' (SEQ) Meeting on the 10th October 2008.

#### COUNCIL RESOLUTION

Moved by: Cr Hobson

**That Council delegate authority to the Mayor to approve Redland City Council's sponsorship for a Council of Mayors' (SEQ) television initiative (with Channel 10) to produce the "The Biggest Carbon Loser" a series of eight half hour television programs to be televised throughout South East Queensland subject to the following conditions:**

1. That the sponsorship will be limited to the breakdown of costs to each Council under the standard population based funding formula ranging from \$9743.07 to \$18 891.49 depending on the funding options available, and
2. The Council of Mayors (SEQ) approving the sponsorship of the television series at an ensuing meeting.

**CARRIED**

## **15 DIRECT TO COUNCIL REPORTS**

### **15.1 PLANNING & POLICY**

#### **15.1.1 DELEGATED AUTHORITY FOR PLANNING AND POLICY COMMITTEE - REDLAND BAY CENTRE AND FORESHORE MASTER PLAN**

**Dataworks Filename:** LUP Master Plan – Redland Bay Town Centre & Foreshore

**Responsible Officer Name:** Wayne Dawson  
Manager Land Use Planning

**Author Name:** Wayne Dawson  
Manager Land Use Planning

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### **EXECUTIVE SUMMARY**

The Redland Bay Centre & Foreshore Master Plan (hereafter called the Plan) will provide a set of key outcomes and strategies that will achieve a long term vision for planning of that area covered by the Plan. These Implementation strategies will enable the achievement of the defined outcomes of the Plan.

The draft Plan has been discussed, with Councillors at a workshop held on the 27<sup>th</sup> June 2008. A number of amendments were requested and are made to a revised draft Plan to be presented as part of the Officer's report to the Planning and Policy Committee on 22<sup>nd</sup> October 2008.

A Communications Plan has been prepared and will also be presented at that time for Councillors consideration. It is recommended that a report on this matter together with the Consultation Plan be presented to the 22<sup>nd</sup> October meeting of the Planning and Policy Committee. It is recommended that Council delegate authority to the Planning and Policy Committee to make the decision on adopting the draft Plan for public consultation.

### **PURPOSE**

The purpose of this report is to recommend that Council delegate authority to the Planning and Policy Committee of 22<sup>nd</sup> October 2008 to make the decision on adopting the draft Plan for public consultation.

### **BACKGROUND**

The Plan's inception arose from the recognition of a number of pressing land use, social, environmental, open space, transport and foreshore management issues confronting the Redland Bay township. Additionally, it was an opportune time to put in place well defined strategies (short to long term) which would achieve the following overall outcomes:

- To strengthen the role and identity of the Redland Bay township and its relationship to Moreton Bay including its function as a destination for waterfront and marine-based recreational activities and its key role as the principal gateway to the Southern Moreton Bay Islands.
- To rationalise the pattern of land use to achieve efficient, integrated and improved urban design and open space outcomes that will enhance the character and amenity of the Redland Bay township and its foreshore.
- To identify and protect environmental values and sustainable development opportunities.
- To provide sustainable transport solutions to the SMBI and establish a walking (pedestrian), cycling and public transport friendly environment in the township and its foreshore.
- To identify and address the impacts of the proposed strategy outcomes on local transport infrastructure.
- To create, reinforce and enhance pedestrian, bicycle, recreation and environmental linkages within the Redland Bay township and its environs.

## **ISSUES**

The issues will be covered in the report to be presented to the 22<sup>nd</sup> October 2008 Planning & Policy Committee.

## **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**

To be detailed in further reporting.

## **PLANNING SCHEME IMPLICATIONS**

To be detailed in further reporting.

## **CONSULTATION**

Consultation has occurred with the CEO, Mayor and Division Councillor and General Manager Planning and Policy Department, on this matter.

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows:

1. That a report to adopt the draft Redland Bay Centre and Foreshore Master Plan (2008) for public consultation be referred to the 22<sup>nd</sup> October 2008 meeting of the Planning and Policy Committee; and
2. That the Planning and Policy Committee be delegated authority, under section 472 of the *Local Government Act 1993*, to determine the adoption of the draft Redland Bay Centre and Foreshore Master Plan for public consultation.

**ALTERNATIVE**

That Council resolve not to delegate this matter and the decision on Redland Bay Centre and Foreshore Master Plan (2008) to the Planning and Policy Committee on 22<sup>nd</sup> October, 2008.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Townsend

Seconded by: Cr Boglary

**That Council resolve as follows:**

1. That a report to adopt the draft Redland Bay Centre and Foreshore Master Plan (2008) for public consultation be referred to the 22<sup>nd</sup> October 2008 meeting of the Planning and Policy Committee; and
2. That the Planning and Policy Committee be delegated authority, under section 472 of the *Local Government Act 1993*, to determine the adoption of the draft Redland Bay Centre and Foreshore Master Plan for public consultation.

**CARRIED**

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

## **16 NOTICE OF MOTION UNDER SECTION 451 OF LOCAL GOVERNMENT ACT 1993**

### **16.1 NOTICE GIVEN BY CR OGILVIE (DIVISION 2)**

#### **16.1.1 NOTICE OF MOTION TO AMEND RESOLUTION OF COUNCIL OF 20 AUGUST 2008 – ITEM 12.1.1 REDLANDS TOURISM GRANT FUNDING**

##### Background

At the Planning & Policy Committee of 20 August 2008 (*Item 12.1.1*), Committee, under delegated authority, resolved as follows:

1. *That the Officer's Recommendation not be adopted; and*
2. *That the alternative option be adopted as follows:*
  - (a) *Provide a grant to Redlands Tourism for 70% of their Secretariat project @ 25 hours part-time, a total of \$40,597.00. This grant would be on a one-off basis for a maximum of 12 months with the following KPIs:*
    - (i) *Formally elected Board of Directors with structure, roles and responsibilities;*
    - (ii) *Declared range and scope of proposed membership services;*
    - (iii) *Financial plan to provide membership services, detailing ability to provide financial support for operational requirements and project based activities;*
    - (iv) *Demonstrated membership support reported quarterly in November, February, May and August; and*
    - (v) *Presentation of an independent audited statement to demonstrate that the grant funds have been used for the specific purpose they were provided by 31 October 2008; and*
  - (b) *That the funding required for this grant be referred to the next quarterly budget review for consideration.*

In accordance with notice given by Cr Ogilvie on 3 September 2008, Cr Henry moved as follows:

##### **COUNCIL RESOLUTION**

Moved by: Cr Henry  
Seconded by: Cr Townsend

**That Council amend its decision on item 12.1.1 of the Planning & Policy Committee Meeting (*Redlands Tourism Grant Funding*) as follows:**

**That the date in point (v) be amended to read 31 October 2009, resolution (v) now reads as follows:**



**“(v) Presentation of an independent audited statement to demonstrate that the grant funds have been used for the specific purpose they were provided by 31 October 2009; and”**

**CARRIED**

**17 URGENT BUSINESS WITHOUT NOTICE**

**17.1 REVIEW OF PRIORITIES FOR FUNDING OF ROADWORKS**

**COUNCIL RESOLUITON**

Moved by: Cr Murray  
Seconded by: Cr Boglary

**That Council request the Chief Executive Officer to undertake discussions with relevant parties to review priorities for funding of roadworks and/or other improvements in the Quarry Road – Rickertt Road – Greencamp Road corridor, and to bring back progress reports starting as soon as possible.**

**CARRIED**

**18 MEETING CLOSURE**

There being no further business, the Mayor declared the meeting closed at 5.40pm.

Signature of Chairperson: \_\_\_\_\_

Confirmation date: \_\_\_\_\_