



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday 26 August 2009

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

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING	9
2	DEVOTIONAL SEGMENT	9
3	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE	9
4	RECEIPT AND CONFIRMATION OF MINUTES	10
5	MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES	10
5.1	REPORT FROM CHIEF EXECUTIVE OFFICER	10
5.1.1	REQUEST FOR REPORT – RESEARCH ON THE IMPACT OF TRAIL BIKES ON THE REDLANDS.....	10
5.1.2	PETITION – OBJECTING TO THE TRIAL CLOSURE OF SOUTH STREET, CLEVELAND	10
5.1.3	POTENTIAL FORMATION OF A BUSINESS IMPROVEMENT DISTRICT	10
5.1.4	PROPOSED ROAD OPENING – SUSAN STREET TO SONIA STREET, RUSSELL ISLAND	11
5.1.5	REGIONAL SPORTING FACILITY	11
5.1.6	PETITION (DIVISION 6) – REQUEST FOR BIKE TRACK BETWEEN MOUNT COTTON VILLAGE AND MOUNT COTTON STATE SCHOOL	11
5.1.7	PETITION (DIVISION 9) – REQUEST FOR FOOTPATHS TO BROSNAN AND BARBER DRIVES, CAPALABA	11
6	PUBLIC PARTICIPATION	12
7	PETITIONS/PRESENTATIONS	13
7.1	PETITION (DIVISION 2) - PROVISION OF LEASE FOR THE NORTH STRADBROKE ISLAND HOLIDAY PARKS.....	13
8	MOTION TO ALTER THE ORDER OF BUSINESS	14
9	DECLARATION OF INTEREST ON ANY ITEMS OF BUSINESS.....	14
9.1	MATERIAL PERSONAL INTEREST – ITEM 15.2.1	14

10	PLANNING & POLICY COMMITTEE 5/08/09 - RECEIPT AND ADOPTION OF REPORT	15
10.1	PLANNING & POLICY	15
10.1.1	PETITION - POOR STATE OF PULLEN & ORANGE GROVE STREETS, COOCHIEMUDLO ISLAND & STORM WATER ISSUES	15
10.2	GENERAL BUSINESS	18
10.2.1	RENAMING OF STREET IN CAPALABA	18
11	REDLAND WATER COMMITTEE 18/08/09 - RECEIPT AND ADOPTION OF REPORT	19
11.1	REDLAND WATER	19
11.1.1	REDLAND WATER BUSINESS UNIT REPORT - JULY 2009 ..	19
12	PLANNING & POLICY COMMITTEE 19/08/09 - RECEIPT AND ADOPTION OF REPORT	22
12.1	GOVERNANCE	22
12.1.1	APPOINTMENT OF BRISBANE SHOW HOLIDAY IN THE REDLANDS 2010	22
12.2	PLANNING & POLICY	25
12.2.1	REDLAND BAY CENTRE AND FORESHORE MASTER PLAN AND SUBMISSION REVIEW REPORT	25
12.2.2	ESTABLISHMENT OF PROJECT TEAM FOR WASTE STRATEGY DEVELOPMENT	37
12.3	GENERAL BUSINESS	41
12.3.1	CARE OF INJURED WILDLIFE	41
12.3.2	SOLAR LIGHTING – EDDIE SANTAGULIANA WALKWAY	41
12.3.3	CLEVELAND POINT RESERVE MASTERPLAN	41
13	FINANCE AND CORPORATE MANAGEMENT COMMITTEE 19/08/09 - RECEIPT AND ADOPTION OF REPORT	43
13.1	OFFICE OF CEO	43
13.1.1	INVESTIGATION REPORT UNDER SECTION 501E OF THE LOCAL GOVERNMENT ACT 1993	43

13.2	CORPORATE SERVICES.....	47
13.2.1	JULY 2009 - MONTHLY FINANCIAL REPORTS	47
13.2.2	CARRYOVER FUNDING FROM 2008/2009 TO 2009/2010	52
13.3	CUSTOMER SERVICES	56
13.3.1	AMENDMENT TO THE SCHEDULE OF FEES AND CHARGES FOR 2009/10	56
13.3.2	WASTE MANAGEMENT SERVICES BUSINESS UNIT REPORT - JULY 2009	58
13.4	GOVERNANCE.....	61
13.4.1	CORPORATE BALANCED SCORECARD REPORT – JULY 2009	61
13.5	GENERAL BUSINESS.....	65
13.5.1	PROVISION OF LEASE – NORTH STRADBROKE ISLAND HOLIDAY PARKS.....	65
13.5.2	FUTURE RATING STRATEGY.....	65
14	MAYORAL MINUTES	66
15	DIRECT TO COUNCIL REPORTS.....	67
15.1	OFFICE OF CEO.....	67
15.1.1	APPOINTMENT OF INDEPENDENT EXTERNAL APPOINTEE - AUDIT COMMITTEE	67
15.2	CORPORATE SERVICES.....	69
15.2.1	WATER REFORM PROGRAM - WINDING UP OF INTERIM DISTRIBUTION ENTITY	69
15.3	GOVERNANCE.....	73
15.3.1	DELEGATION OF POWER REGARDING SUBMISSIONS ON LOCAL GOVERNMENT ACT REGULATIONS.....	73
16	URGENT BUSINESS WITHOUT NOTICE.....	76
16.1	CAR PARKING BIRKDALE RAILWAY STATION	76
16.2	RENAMING OF ROAD RESERVE	76

16.3 APPLICATIONS LODGED SPRINGACRE, WOODLANDS,
TAYLOR & BOUNDARY ROADS, THORNLANDS.....76

17 MEETING CLOSURE.....77

1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.01pm and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets. The Mayor also paid Council's respect to their elders, past and present, and extended that respect to any indigenous Australians present.

2 DEVOTIONAL SEGMENT

Ms Deborah Wagner of the Redlands Ministers' Fellowship led Council in a brief devotional segment.

3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

MEMBERS PRESENT:

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

EXECUTIVE LEADERSHIP GROUP:

Mr G Stevenson PSM	Chief Executive Officer
Ms T Averay	General Manager Regulatory Services
Mr G Underwood	General Manager Planning and Policy
Mr G Soutar	General Manager Redland Water
Mr M Drydale	General Manager Corporate Services
Mr M Hyde	General Manager Customer Services
Mr N Clarke	General Manager Governance

MINUTES:

Mrs J Parfitt	Corporate Meetings & Registers Team
Mrs J Thomas	Corporate Meetings & Registers Team

4 RECEIPT AND CONFIRMATION OF MINUTES

Moved by: Cr Ogilvie
Seconded by: Cr Townsend

That the minutes of the General Meeting of Council held on 29 July 2009 be confirmed.

CARRIED

5 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES

5.1 REPORT FROM CHIEF EXECUTIVE OFFICER

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

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

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

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

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

It was noted previously that a report addressing this matter was proposed to be presented to a Planning and Policy Committee meeting in June 2009. However, officers have had discussions with the Divisional Councillor and it has been agreed that Council will be going out for community engagement on options for this matter, followed by a report in due course.

5.1.3 POTENTIAL FORMATION OF A BUSINESS IMPROVEMENT DISTRICT

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

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

5.1.4 PROPOSED ROAD OPENING – SUSAN STREET TO SONIA STREET, RUSSELL ISLAND

At the General Meeting of 25 March 2009 consideration of this matter (Item 12.3.2) was deferred.

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

5.1.5 REGIONAL SPORTING FACILITY

At the General Meeting of 24 June 2009 Council resolved that officers prepare a report investigating acquisition of land for Regional Sporting Facility in the major development area south of Boundary Road.

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

5.1.6 PETITION (DIVISION 6) – REQUEST FOR BIKE TRACK BETWEEN MOUNT COTTON VILLAGE AND MOUNT COTTON STATE SCHOOL

At the General Meeting of 29 July 2009 Council resolved that the petition requesting that a bike track be built between Mount Cotton Village and Mount Cotton State School be received and referred to the appropriate area of Council for consideration and a report back to Council.

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

5.1.7 PETITION (DIVISION 9) – REQUEST FOR FOOTPATHS TO BROSNAN AND BARBER DRIVES, CAPALABA

At the General Meeting of 29 July 2009 Council resolved that the petition requesting that Council provide footpaths for Brosnan and Barber Drives in Capalaba be received and referred to the appropriate area of Council for consideration and a report back to Council.

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

6 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING

Moved by: Cr Henry
Seconded by: Cr Ogilvie

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

CARRIED

The following speakers addressed Council in relation to the Weinam Creek Carpark:

1. Mr M Edwards from Russell Island, President Moreton Bay Islands Association;
2. Mr B Paddison from Russell Island;
3. Mr W Butler from Lamb Island;

Moved by: Cr Henry
Seconded by: Cr Williams

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

CARRIED

The following further speakers addressed Council in relation to the Weinam Creek Carpark:

4. Ms G Nemeth from Macleay Island, also representing Mr L Hackett;
5. Mr M Ford from Macleay Island;
6. A resident from Macleay Island;
7. Ms L Taylor from Macleay Island;
8. Ms C Larkman from Russell Island; and
9. Mr F Bradley from Russell Island addressed Council in relation to various budgeting and rating revenue issues with respect to SMBI.

MOTION TO RESUME MEETING

Moved by: Cr Williams
Seconded by: Cr Henry

That the proceedings of the meeting resume.

CARRIED

Cr Ogilvie left the meeting at 4.43 pm.

7 PETITIONS/PRESENTATIONS

Moved by: Cr Williams
Seconded by: Cr Boglary

That permission be granted for Cr Ogilvie to present a petition to Council at a later stage in the meeting's proceedings.

CARRIED

At 6.44pm Cr Ogilvie presented the following petition:

7.1 PETITION (DIVISION 2) - PROVISION OF LEASE FOR THE NORTH STRADBROKE ISLAND HOLIDAY PARKS

Moved by: Cr Ogilvie
Seconded by: Cr Henry

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

“We the undersigned electors of the City of Redlands and visitors to North Stradbroke Island request:

- 1. An immediate halt to any decision regarding the tender for a 30 year lease on all North Stradbroke Island camp grounds.***
- 2. Full engagement with North Stradbroke Island residents and organisations regarding the future of these camping reserves.***

For the following reasons:

- 1. The 30 year leasing will have long term environmental, social, cultural and economic ramifications to the island and its people.***
- 2. The island community needs to be active participants in development of sustainable strategies for its camping reserves and foreshores.***

CARRIED

8 MOTION TO ALTER THE ORDER OF BUSINESS

Nil

9 DECLARATION OF INTEREST ON ANY ITEMS OF BUSINESS**9.1 MATERIAL PERSONAL INTEREST – ITEM 15.2.1**

The Chief Executive Officer declared a Material Personal Interest in Item 15.2.1 *Water Reform Program – Winding Up of Interim Distribution Entity*, as a Director on the Board, and advised that he had taken no part in the preparation of this report. The CEO left the meeting at 6.24pm for discussion and decision on this item.

10 PLANNING & POLICY COMMITTEE 5/08/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Murray
Seconded by: Cr Reimers

That the Planning & Policy Committee Report of 5 August 2009 be received.

CARRIED

10.1 PLANNING & POLICY**10.1.1 PETITION - POOR STATE OF PULLEN & ORANGE GROVE STREETS, COOCHIEMUDLO ISLAND & STORM WATER ISSUES**

Datworks Filename: RTT Maintenance – Road Mainland & Coochiemudlo Island
Responsible Officer Name: David Elliott
Manager Infrastructure Planning
Author Name: David Elliott
Manager Infrastructure Planning

EXECUTIVE SUMMARY

Residents of Pullen and Orange Grove Streets, Coochiemudlo Island have petitioned Council to have their respective streets sealed to overcome drainage problems being experienced.

The report recommends that Council undertake resealing works in Pullen Street in 2009/10 and note that Orange Grove Street has been listed in the 10 year capital program for sealing in 2010/11.

PURPOSE

To respond to a petition from resident requesting the sealing of Orange Grove and Pullen Streets, Coochiemudlo Island.

BACKGROUND

The need to upgrade Orange Grove Street was recognised some years ago and is currently listed in the 10 year capital program for sealing in 2010/11.

Pullen Street was sealed in 2007/08 as a trial scalping (rejuvenated asphalt) project.

ISSUES

The principal issues raised by the petitioners relate to damage of property and road pavements due to stormwater run-off during storm events.

In the case of Pullen Street it is proposed in 2009/10 to apply an overlay seal to the scalpings and undertake minor remedial drainage works in the northern section of the street to minimise stormwater run-off through the properties.

Orange Grove Street has been included in the 10 year capital program for upgrade in 2010/11. The upgrade will include necessary drainage works and pavement sealing.

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

Funds are available in the 2009/10 capital budget to reseal Pullen Street. The 10 year capital program lists Orange Grove Street for construction in 2010/11.

PLANNING SCHEME IMPLICATIONS

The recommendations in this report do not impact on the Redlands Planning Scheme.

CONSULTATION

The Division 4 Counsellor has been consulted and supports the recommendations in the report.

OPTIONS

PREFERRED

1. Pullen Street, Coochiemudlo Island be listed for reseal in the 2009/10 capital program;
2. It be noted that Orange Grove Street, Coochiemudlo Island is listed in the current 10 year capital program for sealing in 2010/11; and
3. The principal petitioner be advised of the above and requested to convey the information to all other signatories to the petition.

ALTERNATIVE

No alternative suggested.

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

Moved by: Cr Murray
Seconded by: Cr Reimers

That Council resolve as follows:

- 1. That Pullen Street, Coochiemudlo Island be listed for reseal in the 2009/10 capital program;**
- 2. That it be noted that Orange Grove Street, Coochiemudlo Island is listed in the current 10 year capital program for sealing in 2010/11; and**
- 3. That the principal petitioner be advised of the above and requested to convey the information to all other signatories to the petition.**

CARRIED

10.2 GENERAL BUSINESS

Permission was granted for Cr Williams to bring forward the following item of General Business.

10.2.1 RENAMING OF STREET IN CAPALABA**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Murray
Seconded by: Cr Reimers

That Council investigate the renaming of a street in Capalaba that currently has three different names in less than 400m; being Faccio Lane, Raymond Street and Loraine Street, Capalaba.

CARRIED

11 REDLAND WATER COMMITTEE 18/08/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Henry
Seconded by: Cr Boglary

That the Redland Water Committee Report of 18 August 2009 be received.

CARRIED

11.1 REDLAND WATER

11.1.1 REDLAND WATER BUSINESS UNIT REPORT - JULY 2009

Datworks Filename: WW Redland Water Committee
WS Redland Water Committee

Attachments: [Business Unit Report - July 2009](#)
[Appendix A – Wastewater treatment plants supplementary performance information](#)

Responsible Officer Name: Gary Soutar
General Manager, Redland Water

Author Name: Gary Soutar
General Manager, Redland Water

EXECUTIVE SUMMARY

The Redland Water (RW) business unit report is presented to Council for noting. The report provides the business unit's performance for the month of July 2009 and covers financial and non-financial indicators for water and wastewater.

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

The report provides a regular opportunity for Council to consider the RW's performance 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

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

ISSUES

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

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

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

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

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

RELATIONSHIP TO CORPORATE PLAN

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

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

FINANCIAL IMPLICATIONS

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

CONSULTATION

Consultation has occurred with:

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

OPTIONS

PREFERRED

That Council resolve to accept the Redland Water business unit report for July 2009, as presented in the attachment.

ALTERNATIVE

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

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

Moved by: Cr Henry
Seconded by: Cr Townsend

That Council resolve to accept the Redland Water business unit report for July 2009, as presented in the attachment.

CARRIED

12 PLANNING & POLICY COMMITTEE 19/08/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Ogilvie
Seconded by: Cr Boglary

That the Planning & Policy Committee Report of 19 August 2009 be received.

CARRIED

12.1 GOVERNANCE

12.1.1 APPOINTMENT OF BRISBANE SHOW HOLIDAY IN THE REDLANDS 2010

Datworks Filename: HRM Gazetted Public Holiday
Responsible Officer Name: Nick Clarke
General Manager Governance
Author Name: Tina Marshall
Executive Officer to CEO

EXECUTIVE SUMMARY

The Attorney General and Minister for Industrial Relations has written to Council (22 June 2009) seeking its application for the appointment of a show holiday for the district in the year 2010. In the past, Council has considered this matter in relation to the Brisbane Show holiday and maintained the status quo by applying for the holiday on the Monday of the week the Brisbane Show holiday is declared.

The Brisbane Show holiday is proposed to be held on Wednesday 11 August 2010. To maintain the status quo Council will need to apply for the 'Brisbane Show Holiday in Redlands' on Monday 9 August 2010. Council's application for the district holiday must be made with the Minister before 4 September 2009.

At the General Meeting on 29 July 2009, Council resolved to defer this item to a subsequent Planning & Policy Committee meeting to further consider a Redland City local festival, rather than a capital city event.

PURPOSE

This report is presented with a recommendation to Council to resolve to make a request to the Attorney General and Minister for Industrial Relations under Section 4 of *the Holidays Act 1983* for a 'Brisbane Show Holiday in Redlands' to be appointed on Monday 9 August 2010.

BACKGROUND

Each year Council receives a request from the Minister responsible for administration of the *Holiday Act 1983* to provide details to appoint a show holiday.

In 2000 Council sought community feedback on the show holiday prior to making a decision. The community response clearly indicated a preference to maintain the status quo. In 2001, Council resolved to maintain the status quo for the date of the show holiday, but requested that the name be changed to 'Brisbane Show Holiday in Redlands'. Community feedback on this matter was not sought.

ISSUES

BUSINESS ISSUES

The Brisbane Show holiday in the Redlands has always been provided on a different day from the Brisbane Show holiday as, among other reasons, it provides benefits to business.

COMMUNITY ISSUES

Council has previously placed a public notice in the local paper seeking feedback to the date of the show holiday. The majority of responses were to maintain the status quo. A separate holiday allows Redland City residents a more enjoyable visit to the Brisbane Show with the option to attend on the Monday and avoid the big crowds.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

There are no unbudgeted financial implications for Council as the costs of the Show holiday have been considered and funded in the current budget.

CONSULTATION

No consultation is necessary as this is consistent with all previous reports and decisions in this matter.

OPTIONS

PREFERRED

1. That Council resolve to give notice in accordance with section 4 of the *Holidays Act 1983* and make a request to the Attorney General and Minister for Industrial Relations, prior to deadline of 4 September 2009, that a 'Brisbane Show Holiday in Redlands' be appointed as a special holiday in Redland City on Monday 9 August 2010; and

2. That a report be prepared and presented to Council detailing options for future gazetted holidays from 2011, including the nomination of a local festival for Redland City, in place of a 'Brisbane Show Holiday in Redlands'.

ALTERNATIVE 1

That Council resolve to give notice in accordance with section 4 of the *Holidays Act 1983* and make a request to the Attorney General and Minister for Industrial Relations, prior to deadline of 4 September 2009, that a 'Brisbane Show Holiday in Redlands' be appointed as a special holiday in Redland City on Monday 9 August 2010.

ALTERNATIVE 2

That Council resolve not to make a request to the Minister for the appointment of a 'Brisbane Show Holiday in Redlands'.

If this option were adopted, a gazetted 'Brisbane Show Holiday in Redlands' on Monday 9 August 2010 will not be possible.

OFFICER'S RECOMMENDATION

1. That Council resolve to give notice in accordance with section 4 of the *Holidays Act 1983* and make a request to the Attorney General and Minister for Industrial Relations, prior to deadline of 4 September 2009, that a 'Brisbane Show Holiday in Redlands' be appointed as a special holiday in Redland City on Monday 9 August 2010; and
2. That a report be prepared and presented to Council detailing options for future gazetted holidays from 2011, including the nomination of a local festival for Redland City, in place of a 'Brisbane Show Holiday in Redlands'.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Williams

1. That Council resolve to give notice in accordance with section 4 of the *Holidays Act 1983* and make a request to the Attorney General and Minister for Industrial Relations, prior to deadline of 4 September 2009, that a 'Brisbane Show Holiday in Redlands' be appointed as a special holiday in Redland City on Monday 9 August 2010; and
2. That a report be prepared and presented to Council detailing options for future gazetted holidays from 2011.

CARRIED

12.2 PLANNING & POLICY

12.2.1 REDLAND BAY CENTRE AND FORESHORE MASTER PLAN AND SUBMISSION REVIEW REPORT

Datworks Filename: LUP Master Plan - Redland Bay Town Centre & Foreshore

Attachments: [Attachment 1 – Redland Bay Centre and Foreshore Master Plan](#)
[Attachment 2 – Submission Review Report](#)
[Attachment 3 – Supporting Information](#)
[Attachment 4 – Communications Plan](#)

Responsible Officer Name: Wayne Dawson
Manager Land Use Planning

Author Name: Martin Hunt
Principal Advisor - City Wide Planning

EXECUTIVE SUMMARY

At the Planning and Policy Meeting of 22 October 2008, Council resolved to commence public display of the draft Redland Bay Centre and Foreshore Master Plan. As a result of this public display comments/feedback received, the draft master plan has been subject to internal review and amendment. The revised Redland Bay Centre and Foreshore Master Plan is provided in Attachment 1.

The non statutory public display period was held between the 25 October 2008 and 5 December 2008. At the closure of the display period, Council had received submissions from 389 individual residents, commercial enterprise and Southern Moreton Bay Island (SMBI) community interest groups, and 3 petitions including 3711 signatures.

All submissions have been reviewed by Council officers and subsequently presented in a Councillor workshop as part of the submission review report. Attachment 2 – Submission Review Report provides a summary of all submissions, an officer comment, and subsequent recommendations in response to the submissions, with this reflecting the discussion from the Council workshop.

PURPOSE

The Purpose of this report is to:

1. Review the public submission received during the public display of the draft Redland Bay Centre and Foreshore Master Plan, and adopt responses incorporating the outcomes of the recent Councillor workshop.
2. Endorse the amended Redland Bay Centre and Foreshore Master Plan thereby allowing the master plan to:

- (a) Inform Council's budget, capital works and operational plans;
 - (b) Provide Council with an advocacy tool for liaison with the State Government on key planning issues;
 - (c) Guide and inform future detailed design and planning processes pertaining to the Redland Bay centre, the foreshore, open space and recreation areas, the Weinam Creek marina, boat ramp, public transport interchange, car parking area and surrounds.
3. Endorse the proposed communication and marketing activities outlined in Attachment 4 – Communications Plan.

BACKGROUND

The master 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 centre. 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 in the Redland Bay centre 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 SMBI.
- 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 centre and its foreshore.
- To identify sustainable development opportunities and protect environmental values.
- To identify sustainable transport solutions to the SMBI and establish a walking (pedestrian), cycling and public transport friendly environment in the centre 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 centre and its environs.

ISSUES

Summary of Submissions:

As outlined in the table below, the submission review indicated that significant community objection was raised in relation to the draft master plan. However, of the submissions received in objection to the draft master plan approximately 70% were specifically regarding the proposed car parking pricing system, or existing public transport issues.

	In Support	In Objection	Total Submissions
Petitions	0	3	3
			(3711 signatures)
Submissions	41	345	386
Total	41	348	389

To effectively respond to the issues raised throughout the submission process, submissions were grouped into the following specific categories, and associated issues:

Category	Issues Raised in Submissions
Master Planning the Redland Bay Foreshore	<ul style="list-style-type: none"> ▪ Redlands Planning Scheme ▪ Redland Bay Foreshore
Transportation Infrastructure and Services	<ul style="list-style-type: none"> ▪ Weinam Creek Ferry Terminal Car Parking ▪ Transportation and Traffic Issues ▪ Marine Infrastructure and Services
Project Administration Issues	<ul style="list-style-type: none"> ▪ Administration Issues ▪ Documentation and Editorial Issues
Southern Moreton Bay Islands	<ul style="list-style-type: none"> ▪ Planning on the SMBI ▪ Economic Development on the SMBI ▪ SMBI Infrastructure and Servicing.

The Submission Review Report (Attachment 2) provides:

- A comprehensive analysis of these issues.
- Responses and outcomes of the Councillor Workshop.
- Recommended amendments to the publicly displayed version of the Redland Bay Centre and Foreshore Master Plan.

Key Outcomes of Submission Review:

A number of key actions have now been incorporated into the revised Redland Bay Centre and Foreshore Master Plan as direct a result of this community participation. Recommendations include a suite of mainland and island-based initiatives, that will form part of Council's wider efforts to address community concerns relating to the Redland Bay foreshore and Southern Moreton Bay Islands (as addressed in Council's recent initiative *Bay Island Blueprint – A Partnership Approach*).

Examples of the key actions and improvements to the Redland Bay Centre and Foreshore Master Plan include:

- A framework for the future implementation of a responsible pricing policy.
- Enabling commercial private vehicle parking stations to be incorporated into medium density residential developments.
- Incorporating a café precinct close to Weinam Creek, the foreshore and transit facility.
- Significant recommendations for environmental management, reporting and monitoring plans.
- Further support to elevate Redland Bay centre from neighbourhood level to the district level zone under the Redlands Planning Scheme.
- Increasing opportunities to establish tourist accommodation at Redland Bay (through the abovementioned amendment to the Redlands Planning Scheme).
- Seeking State Government support to start preliminary investigations into the future development intent of the Marine Facilities Investigation Area.
- Ensuring the new boat ramp has adequate disabled, boat and trailer parking, adequate queuing facilities, provision for a dinghy ramp and addresses pedestrian safety concerns.
- Using the recently reviewed population information for the SMBI to enable more accurate forward planning.
- Further collection and analysis of background data and additional studies (Attachment 3) to provide an improved basis for informed decision making, including:
 - (a) 2009 Travel Survey (for comparison with the 2003 Travel Survey).
 - (b) Briefing Note – Weinam Creek Car Park 16 June 2009.
 - (c) Issues Paper – SMBI Population and Dwelling Profile.
- Developing and implementing a comprehensive campaign that calls on the State Government to, in partnership with Council and the community, commit to a long term special funding program that addresses the SMBI civil and social infrastructure needs. Such initiatives would be undertaken concurrently with the recently commenced Bay Island Blueprint.
- Reviewing the Redlands Integrated Local Transport Plan and seeking State Government commitment to a joint integrated transport plan. Together these plans would explore commercial transport opportunities and aim to significantly improve public transport services through:
 - (a) more connections to the ferry terminal
 - (b) future island bus services
 - (c) improved barge services (and hours of operation)
 - (d) better integrated ferry/bus timetabling

- (e) integrated ticketing on bay island ferry services
- (f) a park 'n' ride facility in the Southern end of the City.

- Increased pedestrian and cycling linkages on the Redland Bay foreshore, connecting the centre with the bay via a network of open space.
- Parklands that offer master planned facilities, increased usability and recreational opportunities for residents and visitors.
- Increased open spaces, scenic values and foreshore conservation works to ensure the amenity and environmental attributes of Redland Bay are protected and enhanced.

Next Steps:

On receiving Council endorsement, Council will write to all submitters, residents of Redland Bay and the SMBI, to inform the community of the outcomes of the submission review process. Additionally, other proposed communications and marketing activities outlined in Attachment 4 – Communications Plan will be undertaken.

The Redland Bay Centre and Foreshore Master Plan will then be used to:

1. Inform Council's budget, capital works and operational plans;
2. Provide Council with an advocacy tool for liaison with the State Government on key planning issues;
3. Guide and inform future detailed design and planning processes pertaining to the Redland Bay centre, the foreshore, open space and recreation areas, the Weinam Creek marina, boat ramp, public transport interchange, car parking area and surrounds.

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.
- 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 primarily support 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 Master Plan is currently budgeted within the 2009/2010 financial year. However, the Master Plan also provides a basis for further detailed planning and design projects, works programming and budgeting. As a result of Council adoption, future budgeting and operational plans within the study area will need to consider the initiatives adopted within the Master Plan.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group recommends that the Redlands Planning Scheme be amended to align with the strategic intent of the Redland Bay Centre and Foreshore Master Plan and Submission Review Report.

CONSULTATION

Officer:

Officers have been consulted from the Planning and Policy Department during the preparation of the master plan, and submission review process.

Comments and technical advice from Planning and Policy have assisting the Land Use Planning Group in responding to community submissions, and undertaking subsequent revisions to the draft master plan.

Councillors:

Councillors have been consulted in this process at past Councillor Workshops held at the projects inception, and more recent Workshops, which focused on responding to community submissions.

Community:

The community has been consulted in this process through the following mechanisms:

- **Project Webpage:**
A project webpage was established that provides a range of information including media releases, meeting minutes, copies of the draft plan, newsletters and where to get more information.
- **Newsletters:**
Project newsletters were widely distributed at the commencement of the public display period, to Redland Bay and SMBI residents, at customer service centres, libraries, and community display boards.
- **Community Information Sessions:**
A number of community information sessions were held at various locations and times on the mainland and SMBI. At this time, Council officers including planners,

environmental scientists, urban designers, and engineers were available to answer community questions or concerns.

- **Public Display Period:**
The draft master plan was publicly displayed between the 25 October and 5 December 2008. At this time the community had the opportunity to make comment on the draft plan.
- **Redlands Conversation:**
Two Redlands Conversation sessions were also held during the public display period on Macleay and Russell islands. The master plan was discussed throughout this process.
- **Future Communications Activities:**
Future communications activities area outlined in Attachment 4 - Communications Plan.

Southern Moreton Bay Islands Community Advisory Committee (SMBI CAC):

At a workshop on the 11 August 2009 the SMBI CAC made the following statement to Council:

'The SMBI Communities Advisory Committee commends in its broadest sense the Redland Bay Centre & Foreshore Master Plan. However the existing parking fee structure must be maintained unchanged until the social impact study (pp.75, Table 8 Planning on the SMBI) is completed and the following issues have been satisfactorily resolved:

- a. Provision to maintain some form of free parking.*
- b. Park and ride facilities and arrangements.*
- c. Barge improvements through alternative route methods of reducing Journey time and cost.*
- d. Integrated ticketing and the implications for passenger ferry pricing through Translink.*
- e. Viable transport system as pp.17, 3.2.1 Public Transport.*
- f. Fees only be introduced incrementally as alternatives become available.*

Also, that fees only be introduced incrementally and proportionally to the introduction of alternatives rather than disincentives to parking.

SMBI Advisory Committee recommends that Council is given more time to prepare the document and adjust minor errors before presenting to Planning and Policy meeting in September. The SMBI Advisory Committee also recommends that the timing and intent of the master plan issues in relation to the SMBI community be further explained to the community in an explanatory statement or document'.

In light of the Committee's Statement, it is important to clarify the intended implementation of the Master Plan and the sequence of initiatives relating generally

to transport planning and particularly to Weinam Creek parking upgrade and revised pricing structure. To clarify this, the Master Plan includes (among others) the following sequence of initiatives:

- Master Plan adoption.
- Continued lobbying of State Government and private sector regarding various Public Transport improvements.
- SMBI Integrated Local Transport Plan (ILTP) review involving stakeholder engagement and the SMBI Communities Advisory Committee.
- Detailed car park design and capital budget adoption.
- Car park price determination and transition planning.
- Tendering and construction.
- Commissioning of new car park operation.

It is likely that price determination will be undertaken in June 2010 as part of Council's budget process, and that the car park construction and ultimate commissioning of the new pricing structure would occur later in the following financial year. In this regard, while the requests of the Advisory Committee are not explicitly reiterated in the Officer's recommendation, it is intended that these matters will be substantively addressed prior to the commissioning of the new car park and the implementation of the new pricing structure.

OPTIONS

PREFERRED:

1. That Council resolve to adopt:
 - a. The Redland Bay Centre and Foreshore Master Plan - Submission Review Report (Attachment 2).
 - b. The amended Redland Bay Centre and Foreshore Master Plan (Attachment 1) thereby allowing the master plan to:
 - (i) Inform Council's budget, capital works and operational plans;
 - (ii) Provide Council with an advocacy tool for liaison with the State Government on key planning issues;
 - (iii) Guide and inform future detailed design and planning processes pertaining to the Redland Bay centre, the foreshore, open space and recreation areas, the Weinam Creek marina, boat ramp, public transport interchange, car parking area and surrounds.
 - c. The proposed Communications Plan (Attachment 4).

2. That the Council acknowledges the Statement of Southern Moreton Bay Islands Community Advisory Committee (SMBICAC) workshop dated 11 August 2009, and resolve that:
 - a. The existing car parking fee structure will remain unchanged (other than annual budget adjustments) until options for parking and public transport improvements have been addressed in accordance with the Master Plan.
 - b. The sequence for development and implementation of any new pricing structure will include all steps outlined in the Master Plan including but not necessarily limited to the following:
 - (i) Review of the SMBI Integrated Local Transport Plan;
 - (ii) Assessment of the social and economic impact of the proposed pricing structure, in the context of broader strategic planning on the Southern Moreton Bay Islands.
3. Council does not accede to the request for delay of Council's consideration of the Master Plan as it has previously published clear and firm timeframes which if not met would delay public access to the Master Plan.

ALTERNATIVE:

That Council resolve not to adopt the draft Redland Bay Centre and Foreshore Master Plan and/or Submission Review Report and associated communication and marketing activities.

OFFICER'S RECOMMENDATION

1. That Council resolve to adopt:
 - a. The Redland Bay Centre and Foreshore Master Plan - Submission Review Report (Attachment 2).
 - b. The amended Redland Bay Centre and Foreshore Master Plan (Attachment 1) thereby allowing the master plan to:
 - (i) Inform Council's budget, capital works and operational plans;
 - (ii) Provide Council with an advocacy tool for liaison with the State Government on key planning issues;
 - (iii) Guide and inform future detailed design and planning processes pertaining to the Redland Bay centre, the foreshore, open space and recreation areas, the Weinam Creek marina, boat ramp, public transport interchange, car parking area and surrounds.
 - c. The proposed Communications Plan (Attachment 4).

-
2. That Council acknowledges the Statement of Southern Moreton Bay Islands Community Advisory Committee (SMBICAC) workshop dated 11 August 2009, and resolve that:
- a. The existing car parking fee structure will remain unchanged (other than annual budget adjustments) until options for parking and public transport improvements have been addressed in accordance with the Master Plan.
 - b. The sequence for development and implementation of any new pricing structure will include all steps outlined in the Master Plan including but not necessarily limited to the following:
 - (i) Review of the SMBI Integrated Local Transport Plan;
 - (ii) Assessment of the social and economic impact of the proposed pricing structure, in the context of broader strategic planning on the Southern Moreton Bay Islands;
 - c. Council does not accede to the request for delay of Council's consideration of the Master Plan as it has previously published clear and firm timeframes which if not met would delay public access to the Master Plan.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Townsend
Seconded by: Cr Elliott

1. That Council resolve to adopt:

- a. **The Redland Bay Centre and Foreshore Master Plan - Submission Review Report (Attachment 2).**
- b. **The amended Redland Bay Centre and Foreshore Master Plan (Attachment 1) thereby allowing the master plan to:**
 - (i) Inform Council's budget, capital works and operational plans;**
 - (ii) Provide Council with an advocacy tool for liaison with the State Government on key planning issues;**
 - (iii) Guide and inform future detailed design and planning processes pertaining to the Redland Bay centre, the foreshore, open space and recreation areas, the Weinam Creek marina, boat ramp, public transport interchange, car parking area and surrounds;**
 - (iv) Provide further opportunities for engagement with the community and stakeholders throughout its implementation.**
- c. **The proposed Communications Plan including information to be released subsequent to today's meeting providing clear messages to the community and stakeholders regarding this decision (Attachment 4).**

-
2. That Council acknowledges the Statement of Southern Moreton Bay Islands Community Advisory Committee (SMBICAC) workshop dated 11 August 2009, and resolve that:
- a. The existing car parking fee structure will remain unchanged (other than annual budget adjustments) until options for parking and public transport improvements have been addressed in accordance with the Master Plan.
 - b. The sequence for development and implementation of any new pricing structure will include all steps outlined in the Master Plan including but not necessarily limited to the following:
 - (i) Review of the SMBI Integrated Local Transport Plan;
 - (ii) Assessment of the social and economic impact of the proposed pricing structure, in the context of broader strategic planning on the Southern Moreton Bay Islands.
 - c. Council does not accede to the request for delay of Council's consideration of the Master Plan as it has previously published clear and firm timeframes which if not met would delay public access to the Master Plan.

During discussion on this item, disorderly dialogue between councillors and members of the gallery took place, disrupting the proceedings of the meeting, with the Mayor subsequently adjourning the meeting at 5.09 pm for 30 minutes.

At 5.39 pm the Mayor moved as follows:

PROCEDURAL MOTION

Moved by: Cr Hobson

That the meeting recommence.

CARRIED

All Councillors were present at the resumption of the meeting.

Further disruption from a member of the gallery, Mr Frank Bradley, was caused by his request for an apology from Cr Elliott. The Chief Executive Officer was requested to escort Mr Bradley from the Chamber. The Chief Executive Officer asked him to be quietly seated or to leave, and advised that if order could not be restored, the meeting would have to end. Mr Bradley chose to leave the meeting.

Cr Townsend's motion was put to the vote and **CARRIED**.

A division was called for.

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

Crs Burns and Williams voted in the negative.

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

12.2.2 ESTABLISHMENT OF PROJECT TEAM FOR WASTE STRATEGY DEVELOPMENT

Dataworks Filename: WM Strategy
Responsible Officer Name: David Elliott
Manager Infrastructure Planning
Author Name: Paula Kemplay
Senior Advisor Waste Planning

EXECUTIVE SUMMARY

Council has committed to the development of its draft waste strategy by December 2009. There will be a strong focus on improving the upper end of the waste hierarchy through the new Strategy which will involve greater community engagement.

It is considered necessary to establish a project team comprised of Councillors dedicated to the scoping the framework of this strategy and being supported by an internal technical reference group of key Council officers.

PURPOSE

For Council to consider the establishment of a project team and invite Council to nominate Councillors for participation in this team including a Chair.

BACKGROUND

The previous Council waste strategy was adopted in 2003 and is due for a review under the provisions of the Environmental Protection (Waste) Policy 2000.

ISSUES

The traditional model for developing strategies has been built around regulatory drivers for waste management and consequently most of local government budget allocation is focused on recycling and disposal infrastructure for domestic wastes. The other components of the waste hierarchy relating to waste avoidance and reduction and reuse of resources need more application and concentration of effort through the new strategy.

For Council to be effective in this area it needs to encourage new ways of thinking and canvass ideas to achieve sustainable waste behaviors and ownership for all community sectors. A project team is requested to be composed of 3-4 Councillors and officers to further develop the framework. To achieve a strategy by December the following timeframes apply.

- **End August** - Council adopt Councillor membership of project team including Chair
- **Early September** – initial workshop to generate ideas and establish terms of reference and framework.

- **September** – engage consultants for further research and development of options and conduct surveys with business, industry, community and educational groups.
- **October** – presentation of research and options to project team
- **November** – further analysis by project team to finalise strategy & strategy circulated to established online Community Feedback network for groundtruthing
- **December** – draft strategy referred to Council for consideration.
- **January** – draft strategy circulated for public consultation
- **February** – finalisation of strategy
- **March** – final strategy referred to Council for adoption
- **April** – strategy lodged with State Government

Alternative Option

It is recognised that whilst Council is committed to developing a waste strategy by December, there is an opportunity for Council to engage with the community in greater detail by adding in an additional upstream step.

This alternative option involves adding 6-8 community representatives onto the project team in addition to Councillors and is based on a model that the Sunshine Coast Regional Council (SCRC) have recently used. The strategy could take 3 months longer to produce but is expected to result in greater community ownership and minimisation of any risks involved in implementing the strategy.

The SCRC report a high level of satisfaction from their community on their process.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

Funding for the development of the waste strategy has been allocated within the 2009/10 budget.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has occurred with the Sunshine Coast Regional Council on their engagement process and Councils Community Plan Project Manager and Community Engagement Advisor.

OPTIONS**PREFERRED:**

That Council:

1. Establish a Project team comprising 6-8 community members and 3-4 Councillors which will determine a terms of reference for the waste strategy;
2. Nominate which Councillors will be members of the project team and which Councillor will be the Chair;
3. Call for Expressions of Interest for community members to be appointed to the project team; and
4. Establish a technical reference group of key Council officers and Consultants to support the Project team and Project Manager.

ALTERNATIVE:

That Council:

1. Establish a Project team comprising 3-4 Councillors and officers which will determine a terms of reference for the waste strategy;
2. Nominate which Councillors will be members of the project team and which Councillor will be the Chair; and
3. Establish a technical reference group of key Council officers and Consultant to support the Project team and Project Manager.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Establish a Project team comprising 6-8 community members and 3-4 Councillors which will determine a terms of reference for the waste strategy;
2. Nominate which Councillors will be members of the project team and which Councillor will be the Chair;
3. Call for Expressions of Interest for community members to be appointed to the project team;
4. Establish a technical reference group of key Council officers and Consultants to support the Project team and Project Manager.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Elliott
Seconded by: Cr Burns

That Council work in partnership with a consultant to prepare a waste management strategy for the City in order to plan service and infrastructure requirements for the next 10 years and comply with the Queensland Environmental Protection (Waste Management) Policy 2000 and in accord with Local Government Act provisions.

CARRIED

A division was called for.

Crs Burns, Murray, Elliott, Bowler, Williams, Townsend, Henry and Boglary voted in the affirmative.

Crs Reimers, Ogilvie and Hobson voted in the negative.

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

12.3 GENERAL BUSINESS

Permission was granted for the following items of General Business to be raised.

12.3.1 CARE OF INJURED WILDLIFE

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Williams

That a report be prepared that looks at the responsibilities and action in the Redlands that improve the quality and timeliness of care of injured wildlife.

CARRIED

12.3.2 SOLAR LIGHTING – EDDIE SANTAGULIANA WALKWAY

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Williams

- 1. That Council resolve that a report be prepared on the feasibility and financial implications of providing solar lighting on, and upgrading of the Eddie Santaguliana Walkway between the Cleveland CBD and Wharf Street; and**
- 2. That this report be brought to Council for review and consideration for inclusion in the capital works program.**

CARRIED

12.3.3 CLEVELAND POINT RESERVE MASTERPLAN

COMMITTEE RECOMMENDATION

1. That Council resolve to seek community consultation on alternative Cleveland Point Reserve masterplan layouts subject to the Federal Government funding not being affected on any subsequent changes to the masterplan; and
2. That the results of the consultation be submitted to a future Planning and Policy Committee Meeting.

COUNCIL DISCUSSION

Cr Ogilvie tabled three layout plans for Cleveland Point for consideration during the consultation process.

COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Boglary

1. That Council resolve to seek community consultation on alternative Cleveland Point Reserve masterplan layouts, as tabled, [\[Layout Plans\]](#) subject to the Federal Government funding not being affected on any subsequent changes to the masterplan; and
2. That the results of the consultation be submitted to a future Planning and Policy Committee Meeting.

CARRIED

A division was called for.

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

Cr Williams voted in the negative.

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

13 FINANCE AND CORPORATE MANAGEMENT COMMITTEE 19/08/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Townsend
Seconded by: Cr Bowler

That the Finance and Corporate Management Committee Report of 19 August 2009 be received.

CARRIED

13.1 OFFICE OF CEO

Cr Townsend left the committee meeting at 2.05 pm prior to discussion and decision on the following matter.

Cr Townsend left the Council meeting at 6.18pm prior to discussion and decision on the following matter.

13.1.1 INVESTIGATION REPORT UNDER SECTION 501E OF THE *LOCAL GOVERNMENT ACT 1993*

Datworks Filename: GOV LG Act s.501E Investigation Reports –
General Complaints Process

Attachments: [Briefing Note to the CEO](#)
[Attachment 1 to Briefing Note](#)
[Attachment 2 to Briefing Note](#)
[Attachment 3 to Briefing Note](#)
[Attachment 4 to Briefing Note](#)

Responsible Officer Name: Gary Stevenson
Chief Executive Officer

Author Name: Kylie Fernon
Manager Internal Audit

EXECUTIVE SUMMARY

A complaint was received by the Chief Executive Officer against Cr Barbara Townsend, which may constitute a breach of the Councillor Code of Conduct.

An investigation has been carried out and it was found that although witnesses have corroborated the complainant's allegation, Cr Townsend has not admitted the alleged conduct and does not accept that she has a conflict of interest regarding the complainant.

Accordingly, the complaint has not been resolved under the General Complaints Process, and must be dealt with in accordance with Section 250S of the Local Government Act 1993 (LGA).

It is recommended that these findings be accepted and that the alleged minor breach be referred to Council for determination and appropriate action.

PURPOSE

The purpose of this report is to refer the alleged minor breach to Council for determination and appropriate action.

BACKGROUND

On 3 July 2009, the Chief Executive Officer received an email from a complainant alleging that, at the function to meet the candidates at the Sharks Football Club on 5 May 2009, Cr Townsend had made a fingered gesture to him and said that he was a loser. He claims that her action was witnessed by Cr John Burns, Mr Alan Barker and their wives, who were sitting with him at the time.

The complainant considers that the alleged behaviour by Cr Townsend on 5 May 2009, indicates she has a conflict of interest in matters involving his development company. However, the alleged behaviour, if proved, is insufficient to establish that Cr Townsend has a conflict of interest in matters concerning his development company.

Nevertheless, the complaint has been investigated as a possible minor breach of the Code of Conduct for Councillors. Councillors have an obligation under the Code to exhibit high standards of personal behaviour and demonstrate respect for others. A thorough investigation was conducted by Graham Toohey, Senior Internal Auditor.

Specifically the investigation found:

- The complainant considers that Cr Townsend has a conflict of interest with him and his company, and should not be able to vote on his development applications or be an active participant in any discussions involving his company.
- Cr Burns and Mr Barker corroborated the complainant's allegation that Cr Townsend made the fingered gesture to the complainant and said "You are a loser".
- Cr Townsend cannot recall making a fingered gesture to the complainant or calling him "a loser". She does not consider she has a conflict of interest with him or his development company.

Although witnesses have corroborated the complainant's allegation, Cr Townsend has not admitted the alleged conduct and does not accept that she has a conflict of interest regarding the complainant's development company.

Accordingly, the complaint has not been resolved under the General Complaints Process, and must be dealt with in accordance with Section 250S of the LGA.

This matter is referred to Council to deal with in accordance with Section 250S of the LGA as outlined below.

ISSUES

A breach of the ethical or behavioural obligations under the Councillor Code of Conduct is defined by Section 250M of the LGA as a “minor breach”. The only ethical or behavioural obligation under the Code of Conduct which might possibly be relevant comes under the category “Integrity of Local Government”. It states that “Councillors must exhibit high standards of personal behaviour and demonstrate respect for others”.

Section 250S of the LGA requires Council to deal with unresolved complaints about minor breaches of the Councillors’ Code of Conduct in the following way:

- Decide, by resolution, to take no further action in relation to the complaint if satisfied that it concerns frivolous matter or was made vexatiously; **or**
- Decide, by resolution, whether the Councillor has committed the alleged minor breach.

If Council decides the Councillor committed the minor breach, it may:

- a) Take no further action in respect of the breach; or
- b) Impose one or more of the following penalties on the Councillor:
 - i. A written reprimand; and/or
 - ii. Suspension from one ordinary meeting of Council.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to effective leadership through accountable and ethical standards of behaviour.

FINANCIAL IMPLICATIONS

Nil.

CONSULTATION

Consultation was undertaken in accordance with the General Complaints Process Guideline.

OPTIONS

1. That Council accept the investigator’s findings and decide, by resolution, to take no further action in relation to the complaint if satisfied that it concerns a frivolous matter or was made vexatiously; or

2. That Council decide, by resolution, whether the Councillor has committed the alleged minor breach.

If Council decides that the Councillor has committed the minor breach, it may:

- a) Take no further action in respect of the breach; or
- b) Impose one or more of the following penalties on the Councillor:
 - i. a written reprimand; and/or
 - ii. suspension from one ordinary meeting of Council.

OFFICER'S RECOMMENDATION

That Council considers the options provided in this report.

COMMITTEE RECOMMENDATION

That Council accept the investigator's findings and resolve to take no further action in relation to the complaint, as Council is satisfied that it concerns a frivolous matter or was made vexatiously.

COUNCIL RESOLUTION

Moved by: Cr Bowler
Seconded by: Cr Boglary

That Council note the investigator's findings and resolve to take no further action in relation to the complaint, as Council is satisfied that it concerns a frivolous matter or was made vexatiously.

CARRIED

A division was called for.

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

Cr Burns voted in the negative.

Cr Townsend was not present when this motion was put.

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

Cr Townsend returned to the meeting at 6.21pm.

Cr Ogilvie left the meeting at 6.21pm.

13.2 CORPORATE SERVICES

13.2.1 JULY 2009 - MONTHLY FINANCIAL REPORTS

Datworks Filename: FM Monthly Financial Reports to Committee
Attachment: [July 2009 EOM Financial Report](#)
Responsible Officer Name: Kerry Phillips
Manager Financial Services
Author Name: Deborah Hall
Finance Officer

EXECUTIVE SUMMARY

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

The attachments to this report present the July 2009 financial statement of accounts to Council and provide detailed analytical commentary. The revised budget figures in the attachment are prior to the 2008-2009 Carryover Budget Review and are therefore subject to change.

The financials demonstrate that six 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; and
- longer term financial stability – debt to assets ratio.

The one Key Performance Indicator that was outside of the target was operating performance and this is due to less than budgeted receipts from customers, in particular cash for rates and utility charges. The Key Performance Indicator is fully expected to meet the target by the end of the next period as rates are due for payment in August.

Council's end of month operating financial result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of budget by \$0.5 million, with operating expenditure favourable by \$2.3 million, slightly offset by operating revenue unfavourable by \$1.8 million.

The under expenditure in operating expenditure is timing at this stage. The unfavourable variance in operating revenue is also expected to be timing at this early point in the financial year.

The cash flow position for the year is behind revised budget levels by \$6.7 million, although Council started the year with \$1.4 million less than was originally budgeted. The cash held is ahead of targeted levels at \$77.8 million, equal to 8.4 months cash capacity against an original target of three to four months. The variance against budget is due in the main to the budget phasing and this timing difference is expected to disappear by the end of the next period as rates are due for payment.

The Mayor and Councillors' Community Benefit Funds are currently under review and in transition. Subsequently this end of month report for July 2009 will not contain the three page report that outlines the expenditure for the Mayor and Councillors.

The structure of the monthly financial reports to committee is currently under review. The report set comprises a combination of strategic and operational data which does not readily lend itself to assist the reader in gaining a better understanding of Council's strategic financial position and performance. A proposal of a revised report will be presented to ELG and Council over the coming weeks for review and comment during a workshop. Following the feedback from this consultation process, a revised set of monthly financial reports will be produced that may facilitate more in-depth debate on financial performance against Council's Financial Strategy.

PURPOSE

The purpose is to present the July 2009 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 July 2009:

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 2010 figures are produced. Permanent variances imply the variance will remain into the next financial year.

Council Financial Report 1 (C)

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

Council Financial Report 2 (D)

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

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

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The overall financial position as at the end of July 2009 remains strong with EBITD of \$6.0 million (\$0.5 million ahead of budget). This result is due to total operating revenue of \$15.6 million (\$1.8 million behind budget) and total operating costs of \$9.6 million (favourable variance of \$2.3 million).

Operating Revenue

Rates and Utility Charges is over budget by \$237,000 due in the main to Water Access charges \$108,000, and budget phasing in the Landfill Remediation \$600,000 and Environmental Special Charges \$100,000. These favourable variations in Rates and Utility Charges are anticipated to be timing at this stage. Unfavourable variances that partly net off the amounts above include credits held \$463,000 and general rate revenue \$145,000; once again timing differences as rates are due for payment in August. Pensioner Remissions is unfavourable against budget due to a budget phasing issue. Fees and Charges is under budget by \$142,000 in the main due to camping fees, School Age Care fees and weighbridge income although these variances are timing only at this stage. Operating Grants and Subsidies is under budget by \$1.5 million due to budget phasing of the Federal Assistance Grant and this will be addressed in upcoming budget reviews.

Operating Expenditure

Employee Costs is under by \$686,000 in the main due to \$494,000 which is the budget for the Defined Benefit Superannuation (potential shortfall). Following the

adoption of the budget, advice has been received that there is no longer a shortfall for Council to meet and hence this budgeted amount will be given up in a future Budget Review. Operational Goods and Services is under year to date budget by \$1.8 million and the variances are all expected to be timing at this stage. Of particular note, a \$311,000 underspend in valuation fees is expected to disappear in period two when the invoice is processed; \$190,000 is attributable to street lighting, \$100,000 is an underspend on the Judy Holt project and \$323,000 is predominantly underspends on contractors and consultants for Redland Water.

Capital Revenue

Contributions and Donations is \$66,000 over budget as Planning and Policy developer contributions were received ahead of budget and are just timing differences. Grants and Subsidies is \$70,000 over budget due to Planning and Policy subsidies being received ahead of budget. This variance is timing only. \$167,000 of developer contributions were received ahead of budget so they have been transferred to the reserve, accounting for the majority of the \$145,000 variance against revised budget. The dollar value for Capital Transfers To/From Reserves was calculated incorrectly for the adoption of the original budget and will be addressed at the Carryover Budget Review in August 2009.

Capital Expenditure

Goods and Services is \$383,000 over year to date budget, as a result of overspends in Customer Services \$375,000 and Planning and Policy Departments \$846,000, slightly offset by underspends in Redland Water \$619,000 and Corporate Services Departments \$220,000.

Overspends include \$1.2 million in budget phasing: \$163,000 in Operations and Maintenance, \$825,000 Conservation Land Acquisition and \$220,000 Fleet Services orders not yet arrived or been fully processed for payment. Underspends include delays to the following capital works: Water Retic \$166,000, Wastewater Treatment \$53,000, Wastewater ICS \$76,000 and Pumpstation 6 \$303,000.

Employee Costs has a favourable variance of \$86,000 due in the main to vacancies in Customer Services Department.

Cash and Investments

The investment of surplus funds for the month returned a weighted average rate of return of 3.51%, which is again ahead of the UBS Aust Bank Bill Index of 3.17%. 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. It is also relevant to note that the RBA policy interest rate is 3.00% as at the end of July 2009.

The cash balance is \$77.8 million at the end of July 2009 which is equivalent to 8.4 months cash capacity. Council is intentionally maintaining a higher balance than target whilst it monitors the impact of the structural reforms to the water business.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has taken place amongst the Executive Leadership Group.

OPTIONS**PREFERRED**

That Council note the End of Month Financial Reports for July 2009 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 July 2009 and explanations as presented in the following attachments:

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

CARRIED

13.2.2 CARRYOVER FUNDING FROM 2008/2009 TO 2009/2010

Dataworks Filename: FM Carryovers
Attachment: [Carryover Funding 08/09 to 09/10](#)
Responsible Officer Name: Kerry Phillips
Manager Financial Services
Author Name: Gavin Holdway
Service Manager, Budget, Financial Modelling
and Group Support

EXECUTIVE SUMMARY

This report reviews the 30 June 2009 position with regard to over and under expenditure along with the implications of the proposed carryover funding requirements from 2008/2009 being incorporated into the adopted budget for the 2009/2010 financial year.

Attached to this report are the following details:

- Revised Key Performance Indicators (KPI's) for 2009/2010;
- Revised 2009/2010 Budgeted Statement of Cash Flows;
- Revised 2009/2010 Budget Statement of Financial Position (Balance Sheet);
- Details of Proposed Carry Overs from 2008/2009 to 2009/2010 (summary and detail);
- Revised 2009/2010 Strategic Priority Financial Statements; and
- Revised 2009/2010 Operating Statements, Capital Funding and Other Items.

It is proposed that Council resolve to adopt the revised budget for 2009/2010 at Redland City Council (RCC) consolidated level. In addition to this and in accordance with Section 520 of the *Local Government 1993*, it is proposed that Council resolve to adopt the Redland Water financial statements and the Redland Waste financial statements that are presented in the attached documentation. The relevant pages are outlined within the Officer's Recommendation contained in this report.

Please note, due to recent structural changes associated with the Waste Business Unit separating from the Redland Water Department, this proposed budget review now reports the Waste Business Unit in both the Customer Services and Planning and Policy Departments. Of particular note, the monthly financial and performance reporting for the Waste Business Unit activities still remains part of Council's overall financial reporting framework, however, further refinement and development of budget reporting will be undertaken.

PURPOSE

To ensure budget funding exists for items requiring to be carried over across financial years from 2008/2009 to 2009/2010.

BACKGROUND

This report reviews the 30 June 2009 position with regard to over and under expenditure and the implications of the proposed carry over funding requirements from 2008/2009 to the 2009/2010 budgeted financial year.

ISSUES

This proposed budget review has identified 173 carry over submissions and a summary of these items is provided on page 4 of the attached financial information. The carry over requests are predominantly made up of capital projects that were not completed during the 2008/2009 financial year, thus this review proposes that those funds be carried forward to accommodate the required expenditure and project completion in the 2009/2010 budget.

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

The carryovers amount to a net cash movement of \$5.046 million and this is primarily made up of the following:

- \$6.969 million worth of capital expenditure, offset by \$3.367 million worth of capital revenue/funding associated with various capital projects;
- \$2.102 million worth of operational projects that were originally funded in the 2008/09 financial year that will be completed now in the 2009/10 financial period, offset by \$0.114 million worth of operational revenue/funding associated with various operational projects; and
- \$0.544 million worth of proceeds from sale of property, plant and equipment.

Of particular note, this proposed carryover budget review provides Council with a position whereby all financial KPI's are favourable with respect to their individual targets, with the exception of the operating performance measure which has reduced from 15.2% to 14.1%. This has been attributable to the net position of operational carryover funding of \$1.988 million into the 2009/10 budget. Given that this KPI falls slightly below the desired target and in order to ensure that this measure again meets an acceptable level, the Q1 2009/10 budget review will closely look at any potential savings in operational expenditure; the possibility of delaying or cancelling any operational projects with a low priority and will further explore any opportunity of additional operational revenue.

Even though this proposed review has one indicator slightly below the desired range, the adoption of the proposed carryover items into Council's 2009/10 budget will not impact Council's ability to make payments as they fall due.

CONSULTATION

All group managers in consultation with the Executive Leadership Group (ELG) undertook the development of carryover requirements. Councillors reviewed the carryover requests with ELG in a workshop held on 11 August 2009.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To adopt the Revised Budget for 2009/10 at Redland City Council consolidated level. This refers to adopting the following:
 - a) RCC Budgeted Statement of Cash Flows – Page 2 of attachments;
 - b) RCC Statement of Financial Position (Balance Sheet) – Page 3 of attachments;
 - c) RCC Operating and Capital Funding Statement – Page 22 of attachments; and
 - d) RCC Strategic Priority Operating and Capital Funding Statement – Page 21 of attachments.
2. To meet the requirements of Section 520 of the *Local Government Act 1993*, to adopt the Redland Water Operating and Capital Funding Statement - Page 25 of the attached financial information.

ALTERNATIVE

That Council resolve to not adopt the revised budget for 2009/10 as presented in the Officer's Recommendation below.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Reimers

That Council resolve as follows:

1. To adopt the revised budget for 2009/10 at Redland City Council consolidated level. This refers to adopting the following:
 - a) RCC Budgeted Statement of Cash Flows – Page 2 of attachments;

- b) **RCC Statement of Financial Position (Balance Sheet) – Page 3 of attachments;**
 - c) **RCC Operating and Capital Funding Statement – Page 22 of attachments;**
 - d) **RCC Strategic Priority Operating and Capital Funding Statement – Page 21 of attachments; and**
- 2. To meet the requirements of Section 520 of the *Local Government Act 1993*, to adopt the Redland Water Operating and Capital Funding Statement - Page 25 of the attached financial information.**

CARRIED

13.3 CUSTOMER SERVICES

13.3.1 AMENDMENT TO THE SCHEDULE OF FEES AND CHARGES FOR 2009/10

Dataworks Filename: GOV Fees and Charges Documentation
Responsible Officer Name: Greg Jensen
Manager, Customer and Community Services
Author Name: Russell Cook
Service Manager, Leisure and Recreation
Services

EXECUTIVE SUMMARY

The Schedule of Fees and Charges for 2009/10 were adopted at a Special Meeting of Council on 26 June 2009.

Since this meeting, an amendment has been identified for the North Stradbroke Island 4WD Beach Access Permits fee. This fee is to be amended due to incorrect figures being used in calculating the permit fee.

PURPOSE

This report seeks Council's approval to amend the fee for North Stradbroke Island 4WD Beach Access Permits – Yearly Permit in the 2009/10 Fees and Charges from \$46.50 to \$33.00.

BACKGROUND

The 4WD Beach Access Permit fees are a regulatory fee and are set each year by estimating the cost per permit.

As stated under Section 1071A Power to fix regulatory fees subsection (2) of the *Local Government Act 1993* "a regulatory fee must not be more than the cost to the local government of providing the service or taking the action for which the fee is charged".

Apportioned costs which are incurred in producing each permit are administration overheads, postage, printing of 4WD brochures, permits, stickers and permit books and office overheads such as labour and compliance costs, vehicles and fuel.

ISSUES

The cost per permit is to be amended as incorrect figures were used in calculating the cost per permit. The incorrect figures were the number of 4WD permits sold each year and the salary cost per permit for database entry.

The calculated figure for the number of permits sold did not include the number of permits sold by the Straddie Holiday Parks Dunwich Office requiring the figure to be

increased from 7,500 to 10,500 permits sold (based on 2008/09 figures). The figure for the labour per permit was a typographical error.

As these figures require amendment, the salaries and compliance costs were also reviewed. The salaries have been recalculated using the new EBA salary figures and a more accurate figure for compliance costs has been sourced which includes up to date figures for the salary and includes costs for office overheads and accommodation which were previously omitted.

With the correct figures entered and the remaining costs such as salaries and compliance costs reviewed, the new cost for each permit is \$33.00.

For anyone who purchased a new permit at the incorrect cost in July and August 2009, we will extend the permit period for those customers by an additional 5 months based on a proportion of additional time purchased above the normal 12 month period and the reduction in price.

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

This amendment will not affect the estimated revenue from 4WD Permit sales for 2009/10 as the revenue was based on 7,500 permits being sold and even though the cost per permit is less, the higher number of permits sold offsets the reduction in the permit cost.

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 Regulatory and Health Unit within the Regulatory Services Department and Straddie Holiday Parks have been consulted over this amendment.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Reimers

That Council resolve to adopt the amended fee of \$33.00 for the North Stradbroke Island 4WD Beach Access Permits – Year Permits for 2009/10.

CARRIED

13.3.2 WASTE MANAGEMENT SERVICES BUSINESS UNIT REPORT - JULY 2009

Dataworks Filename: WM Waste Monthly Reports to Committee
Attachments: [Waste Management Services Business Unit Report - July 2009](#)
Responsible Officer Name: John Frew
Acting Manager Operations & Maintenance
Author Name: Mary-Anne Micovic
Finance Officer

EXECUTIVE SUMMARY

The Waste Management Services Business Unit report is presented to Council for noting. The report provides the business unit's performance for the month of July 2009 and covers financial and non-financial indicators for waste.

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

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

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

PURPOSE

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

BACKGROUND

Waste Management Services' performance plan identifies KPIs for which performance targets have been agreed with Council. Reporting is done each month through Council's Finance & Corporate Management Committee.

ISSUES

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

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

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

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

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

RELATIONSHIP TO CORPORATE PLAN

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

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

FINANCIAL IMPLICATIONS

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

CONSULTATION

Consultation has occurred with:

- Acting Manager Operations & Maintenance;
- General Manager Customer Services;
- Senior Advisor – Waste Planning.

OPTIONS

PREFERRED

That Council resolve to accept the Waste Management Services Business Unit report for July 2009, as presented in the attachment.

ALTERNATIVE

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

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

Moved by: Cr Townsend
Seconded by: Cr Reimers

That Council resolve to accept the Waste Management Services Business Unit Report for July 2009, as presented in the attachment.

CARRIED

13.4 GOVERNANCE

13.4.1 CORPORATE BALANCED SCORECARD REPORT – JULY 2009

Datworks Filename:	GOV Corporate BSC Monthly Reporting to Committee
Attachment:	<u>Balanced Scorecard Report – July 2009</u>
Responsible Officer Name:	Luke Wallace Manager Corporate Planning Performance & Risk
Author Name:	Jo Jones Service Manager Corporate Planning & Performance

EXECUTIVE SUMMARY

The monthly Corporate Balanced Scorecard report, as attached, provides a high level overview of Council's performance in key areas of Council business using the four Balanced Scorecard Perspectives – Financial, Customer, Internal/Business Processes and People & Learning.

This report is an important component of the 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 July 2009 is Above Standard, with a weighted score of 3.35.

PURPOSE

To provide Council with the Corporate Balanced Scorecard Report for the financial year to July 2009.

BACKGROUND

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

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

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

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

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

ISSUES

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

People & Learning Perspective (page 6)
Lost Time Injury Frequency Rate (LTIFR)

Please see the comments provided by managers in the attached report (pages indicated above).

A higher number of workplace injuries over the last 12-18 months continue to be of concern. All injuries are investigated as a matter of course and in the vast majority of cases the injuries have tended to be unavoidable.

With reference to this measure, collaboration has been undertaken between the Corporate Planning, Performance & Risk Group, the Human Resources Group and other senior staff which has resulted in the identification of a more meaningful performance measure that appropriately aligns to industry benchmarks and will drive positive outcomes for the organisation. It is proposed, with Council's endorsement, that the Lost Time Injury Frequency Rate measure be removed from the Corporate Balanced Scorecard and replaced with the Number of Workers' Compensation Hours Lost (see page six (6) of the attached report).

Whilst the LTIFR indicator accurately illustrated the number of injuries sustained within the organisation in a progressive 12 month rolling figure, it did not accurately represent the severity of the injuries, the hours lost and the overall impact on Council. Workers' Compensation Hours Lost provides a more balanced and meaningful indication of the effects of injuries sustained within the organisation as it provides an indication of severity and takes into account how well Council's rehabilitation program is operating in terms of getting employees back to work. If Council endorses this change to the Balanced Scorecard, the number of injuries each month will still be provided in the Manager's comments.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

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

OPTIONS**PREFERRED**

1. That Council resolve to note the Corporate Balanced Scorecard for July, 2009 as attached; and
2. That Council resolve to remove the Key Performance Indicator under the People and Learning Perspective of *Lost Time Injury Frequency Rate* and replace with *Number of Workers' Compensation Hours Lost*.

ALTERNATIVE

That Council resolve to note the Corporate Balanced Scorecard for July 2009 and request additional information.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. To note the Corporate Balanced Scorecard for the month of July 2009 as attached; and
2. To remove the Key Performance Indicator under the People and Learning Perspective of *Lost Time Injury Frequency Rate* and replace with *Number of Workers' Compensation Hours Lost*.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Townsend
Seconded by: Cr Reimers

That Council resolve as follows:

1. To note the Corporate Balanced Scorecard for the month of July 2009 as attached;
2. That the Key Performance Indicator under the People and Learning Perspective of *Lost Time Injury Frequency Rate* remain; and
3. That an additional Key Performance Indicator under the People and Learning Perspective, of *Number of Workers' Compensation Hours Lost*, be included.

CARRIED

13.5 GENERAL BUSINESS

13.5.1 PROVISION OF LEASE – NORTH STRADBROKE ISLAND HOLIDAY PARKS

Cr Elliott queried the reasons for the CEO's decision to withdraw the Confidential Report regarding the tender for management of the NSI Holiday Parks. The CEO advised that he withdrew the report due to the extensive community concerns and that in light of the concerns raised, the report was not complete and did not adequately articulate or address the community concerns. There was comprehensive discussion on this matter.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Reimers

That the general business item be noted.

CARRIED

13.5.2 FUTURE RATING STRATEGY

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Reimers

- 1. That a report be prepared outlining options for a future rating strategy to be considered for inclusion in Council's Financial Strategy, with this report to take account of:**
 - a. the use of a step differential system and explore alternative step arrangements within the current system;**
 - b. the impacts of current approaches on high UCV properties;**
 - c. the increased use of separate and special charges; and**
- 2. That Council consult with representative groups in the preparation of this report.**

CARRIED

14 MAYORAL MINUTES

Nil

15 DIRECT TO COUNCIL REPORTS

15.1 OFFICE OF CEO

15.1.1 APPOINTMENT OF INDEPENDENT EXTERNAL APPOINTEE - AUDIT COMMITTEE

Dataworks Filename: GOV Audit Committee
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Kylie Fernon
Manager Internal Audit

EXECUTIVE SUMMARY

At the General Meeting on 29 April 2009, Council resolved to appoint an additional independent external appointee to the Audit Committee and to seek expressions of interest from suitably qualified individuals for this role.

This report details the response to the expression of interest and makes a recommendation for this appointment.

PURPOSE

To advise on the outcome from the expressions of interest process and recommend a candidate for appointment.

BACKGROUND

At the General Meeting on 29 April 2009, Council resolved to appoint an additional independent external appointee to the Audit Committee and to seek expressions of interest from suitably qualified individuals for this role.

Council advertised for expressions of interest in the Courier Mail on Saturday, 16 May 2009 with a closing date of 1 June 2009. Ten (10) expressions were received and 2 applicants were short-listed for further consideration by Council. Both of these candidates had relevant skills and experience with one of the candidates being judged as the most superior with respect to experience and expertise.

ISSUES

The nomination for the additional independent external appointee to the Audit Committee is Mr Virendra Dua of Forestdale, Brisbane. He is a qualified Chartered Certified Accountant (FCCA) and a Member of the Australian Institute of Project Management (MAIPM).

Mr Virendra Dua's current roles include:

- Member of Logan City Council's Audit Committee since 2004 with tenure extended to June 2013;
- Business Planning & Development Consultant for First MGT Consulting;
- Project Manager for Suncorp Metway;
- Assistant Director/Private Housing Support Manager for Queensland's Department of Housing; and
- Business/Financial Controller for Standard Chartered Bank & Electricite de France.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to effective leadership through accountable and ethical standards of behaviour.

FINANCIAL IMPLICATIONS

Council provided a budget allowance for the additional independent external appointee in the 2009/2010 budget process.

CONSULTATION

The Mayor and Councillors have been consulted in this selection process.

Cr Ogilvie returned to the meeting at 6.23pm.
Cr Townsend left the meeting at 6.23pm.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Elliott
Seconded by: Cr Boglary

That Council resolve as follows:

- 1. To appoint Mr Virendra Dua as the additional independent external appointee to the Audit Committee, effective from the date of this resolution and until March 2012 in accordance with the terms and conditions, which may vary from time to time with the agreement of Council; and**
- 2. That the Chief Executive Officer be delegated authority to sign all relevant documentation.**

CARRIED

15.2 CORPORATE SERVICES

The Chief Executive Officer declared a Material Personal Interest in the following Item, as a Director on the Board, advising that he had taken no part in the preparation of this report. The CEO left the meeting at 6.24pm for discussion and decision on this item.

15.2.1 WATER REFORM PROGRAM - WINDING UP OF INTERIM DISTRIBUTION ENTITY

Datworks Filename: GOV WRAD - Distribution - Other
Attachment: [Attachment A - Waiver](#)
Responsible Officer Name: Martin Drydale
General Manager Corporate Services
Author Name: Eleanor Bray
Manager Water Reform

EXECUTIVE SUMMARY

A Corporations Law company has been established under the Government's water reform program to perform the role of an interim distribution entity – the South East Queensland Distribution Entity (Interim) Pty. Ltd. (SEQDE). The primary role of SEQDE is as a funding and contracting vehicle for the reform program and Council is a minority shareholder of the company. Following the recent decision by the Government to accept the Council of Mayors South East Queensland (CoMSEQ) recommendation to create three integrated distribution and retail water entities, it is now proposed to de-register SEQDE.

SEQDE has negotiated a "line of credit" with the Queensland Treasury Corporation (QTC) in order to fund set up costs and each shareholding Council has provided a guarantee to QTC on these borrowings. If QTC were to call in the outstanding debt, each Council would be required to pay their share of the debt in accordance with their equity holding in SEQDE. In RCC's case this would equate to 5% of the total debt.

If this scenario were to occur, councils could technically seek to recover the debt from SEQDE as an unsecured creditor. However, as the SEQDE does not have the potential to generate revenue streams or hold any assets, it would not be in a position to repay the councils and would have to declare itself insolvent and place the company in the hands of receivers.

To overcome this issue, SEQDE has asked that each shareholder waive their right to make a claim against SEQDE as an unsecured creditor in the event that the SEQDE shareholder is called upon, under the guarantee, to repay any amount outstanding under SEQDE's QTC facility.

PURPOSE

This report updates Council on an issue relating to the changed model for water reform and its effect on the interim distribution entity that was established to support the implementation of the previous model.

BACKGROUND

SEQDE has obtained a Loan and Working Capital Facility from Queensland Treasury Corporation (QTC facility). QTC has indicated that SEQDE will continue to be able to draw down on the QTC facility to meet its current and future liabilities.

On implementation of the Water Reform Project, the liability under the QTC facility was to be transferred to the new distribution entity, which would at the same time be placed in a position of assets and income sufficient to repay the QTC facility under normal commercial arrangements.

SEQDE's QTC facility is guaranteed by each SEQDE shareholder. If the guarantees are called upon and SEQDE shareholders are required to repay any amount outstanding under the QTC Facility, then the SEQDE shareholders would technically (pursuant to their respective rights of indemnity) have a right to make a claim against SEQDE as an unsecured creditor.

ISSUES

As a consequence of representations made to the State Government by the Council of Mayors (SEQ), a change in the proposed water reform model was announced by the Minister for Natural Resources, Mines and Energy. Under the new arrangements, Councils will join in the formation of a combined distribution and retail water business in partnership with Gold Coast and Logan City Councils. The previous model involved the establishment of a separate distribution business across South East Queensland and three separate retail businesses.

Work is now progressing on the establishment of the new water businesses, and a report will be presented to Council in the near future to initiate necessary establishment decisions and actions. There is now a requirement to put in place actions to wind up the interim distribution entity established under the previous model.

A Corporations Law company was established as an interim distribution entity – the South East Queensland Distribution Entity (Interim) Pty. Ltd. (SEQDE). The primary role of SEQDE was as a funding and contracting vehicle for the reform program. Council is a minority shareholder of the company, which is now proposed to de-register.

Any claim by an SEQDE shareholder against SEQDE as an unsecured creditor would result in SEQDE being unable to repay the SEQDE shareholder. This would affect the Company's solvency.

In the event that the waiver is not provided, the Directors of SEQDE will not be able to declare the company solvent (i.e. able to meet current and future liabilities) and the only practicable option available to wind up the company's affairs would be to place it into liquidation. If this were to occur, apart from the reputational damage to the Councils involved, a liquidator would be appointed and the shareholders of the company would lose control of the dispersal of the company's assets, in addition extra costs are likely to be incurred.

To overcome this issue, SEQDE has asked that each shareholder waive their right to make a claim against SEQDE as an unsecured creditor in the event that the SEQDE shareholder is called upon, under the guarantee, to repay any amount outstanding under SEQDE's QTC facility. Attachment A contains the draft waiver SEQDE is seeking from each shareholder.¹

The waiver contained in Attachment A has been drafted to be conditional on all shareholders providing the relevant waiver to SEQDE. If any Council fails to provide the waiver, RCC's waiver will not have any affect.

It is not considered that any risks are attached to Council providing a waiver. The current liabilities of the company will be transferred to the newly established entities to be capitalised into the new businesses. Work is under way to capture the intellectual property of the SEQDE, much of which will be usable and of assistance in the establishment of our new water entity.

It is therefore recommended that Council resolve to sign a waiver in accordance with the terms provided at Attachment A.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

No financial implications are expected as the current liabilities of the company will be transferred to the newly established integrated distribution and retail entity.

PLANNING SCHEME IMPLICATIONS

Not applicable.

CONSULTATION

Consultation has been made with CoMSEQ Water Reform Program.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. That as a shareholder in SEQDE, provide SEQDE with a waiver, in the form set out in Attachment A; and
2. That the General Manager Corporate Services be delegated authority to sign the waiver on behalf of Council.

Cr Townsend returned to the meeting at 6.24pm.

Cr Burns left the meeting at 6.25pm.

COUNCIL RESOLUTION

Moved by: Cr Williams

Seconded by: Cr Elliott

1. That as a shareholder in SEQDE, Redland City Council provide SEQDE with a waiver in the form set out in attachment A; *“This waiver shall not become binding on Council and shall have no force or effect until each shareholder of SEQDE has executed and delivered to SEQDE the waiver”*; and
2. That the General Manager Corporate Services be delegated authority to sign the waiver on behalf of Council.

CARRIED

The Chief Executive Officer returned to the meeting.

15.3 GOVERNANCE

15.3.1 DELEGATION OF POWER REGARDING SUBMISSIONS ON LOCAL GOVERNMENT ACT REGULATIONS

Datworks Filename: GOV Local Government Act 2009
Responsible Officer Name: Nick Clarke
General Manager Governance
Author Name: Luke Wallace
Manager Corporate Planning, Performance and Risk

EXECUTIVE SUMMARY

The State Government is releasing the supporting regulations to the *Local Government Act 2009* over three stages in the forthcoming months. Due to the deadlines involved for making submissions on the regulations, it is necessary to delegate Council's power in this matter to the Planning and Policy Committee.

PURPOSE

To delegate Council's power with respect to submissions on the *Local Government Regulations 2009* to the Planning and Policy Committee.

BACKGROUND

The *Local Government Bill 2008* was released late last year for consultation. On 12 June 2009, the Bill received royal assent and became the *Local Government Act of Queensland 2009* and it is expected to be enacted in December 2009.

The new Act represents a significant change in that it reduces the overall size of the legislation from in excess of 1100 pages to less than 300 pages and generally provides more flexibility for local government in Queensland. To support the overarching legislation, a set of regulations has been developed and these will be released in three stages over the coming months with the first set of regulations already having been released in early August.

Council made a detailed submission to the State Government on the *Local Government Bill 2008* and the State has now invited Council's to make submissions on each set of regulations as well. The period provided to coordinate any submission is likely to be fairly short however given that the State wishes to proclaim the new Act in December 2009.

The first set of regulations, Beneficial Enterprises and Business Activities, must be responded to by 14 September 2009. It will not be possible to coordinate a proper response across Council and meet this deadline without delegating Council's decision making powers in this matter to the Planning and Policy Committee. This delegation should be extended to Planning and Policy Committee through to

December 31 2009 to provide Council with the flexibility it needs to formally respond to each release of the regulations in the months ahead.

ISSUES

The significant issues for consideration are as follows:

- The *Local Government Act 2009* is expected to be enacted by proclamation in State Parliament in December 2009;
- Council has already made a detailed submission on the *Local Government Bill 2008*;
- The *Local Government Bill* received royal assent in June this year and is now the *Local Government Act of Queensland 2009*;
- The regulations supporting the Act are being circulated in three stages over the next couple of months with the first set of regulations having just been published;
- Given the turnaround times being proposed for making submissions to the State on the regulations, it is likely that Council will not be able to make proper submissions without delegating its power in this matter to the Planning and Policy Committee;
- It is proposed that this delegation be provided through to 31 December 2009 to cater for all three regulation releases.

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

Not applicable.

PLANNING SCHEME IMPLICATIONS

Not applicable.

CONSULTATION

Consultation on this matter has been undertaken with the Chief Executive Officer.

OPTIONS

PREFERRED

1. That Council delegates its power with regard to the making of any submissions on the regulations supporting the *Local Government Act 2009* to the Planning and Policy Committee; and
2. That this delegation remains in force until 31 December 2009.

ALTERNATIVE

That Council does not delegate its powers to the Planning and Policy Committee in this matter.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Henry
Seconded by: Cr Elliott

That Council resolve as follows:

- 1. To delegate its power with regard to the making of any submissions on the regulations supporting the *Local Government Act 2009* to the Planning and Policy Committee; and**
- 2. That this delegation remains in force until 31 December 2009.**

CARRIED

16 URGENT BUSINESS WITHOUT NOTICE

Permission was granted for the following items of urgent business to be raised.

16.1 CAR PARKING BIRKDALE RAILWAY STATION

Moved by: Cr Murray
Seconded by: Cr Reimers

That Council renew its determination to request with urgency that the State Government provide commuter car parking for Birkdale Railway Station on State Government land at 26-36 Napier Street Birkdale, immediately adjacent to the station entry and currently proposed for public housing.

CARRIED

16.2 RENAMING OF ROAD RESERVE

Moved by: Cr Murray
Seconded by: Cr Reimers

That Council investigate the renaming of road reserve from 37 Alma Street to Queens Esplanade, Thorneside to “Wader Court” in accordance with Council’s criteria for renaming streets and bring this report to a Planning & Policy Committee in September, due to its urgency.

CARRIED

16.3 APPLICATIONS LODGED SPRINGACRE, WOODLANDS, TAYLOR & BOUNDARY ROADS, THORNLANDS

Moved by: Cr Elliott
Seconded by: Cr Bowler

That Council undertake a comprehensive media campaign to lobby the Minister of Infrastructure and Planning to call in or use other state powers to extinguish the applications lodged within the area of Springacre, Woodlands, Taylor and Boundary Roads, Thornlands, subject to legal advice.

CARRIED

A division was called for.

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

Crs Reimers, Murray and Williams voted in the negative.

Cr Burns was not present when this motion was put.

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

17 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 7.06pm.

Signature of Chairperson: _____

Confirmation date: _____