



Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

**Wednesday 16 December 2009
commencing at 4:00pm**

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



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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.00pm 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

Pastor Glen Gray, from 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
Mr G Underwood	General Manager Planning and Policy
Mr B Taylor	Acting General Manager Redland Water
Mrs T Averay	General Manager Regulatory Services
Mr M Drydale	General Manager Corporate Services
Mr N Clarke	General Manager Governance
Mr M Hyde	General Manager Customer Services

MINUTES:

Mrs J Parfitt	Acting Team Leader - Corporate Meetings & Registers
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4 RECEIPT AND CONFIRMATION OF MINUTES

Moved by: Cr Townsend
Seconded by: Cr Reimers

That the minutes of the General Meeting held on 25 November 2009 be confirmed.

CARRIED

5 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES

5.1 REPORT FROM CHIEF EXECUTIVE OFFICER

The Chief Executive Officer to present the following items for noting:

5.1.1 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 is proposed to be presented to a future Planning & Policy Committee meeting in March 2010.

5.1.2 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 Planning & Policy Committee meeting in February 2010.

5.1.3 CARE OF INJURED WILDLIFE

At the General Meeting of 26 August 2009 Council resolved that officers prepare a report that looks at the responsibilities and action in the Redlands that improve the quality and timeliness of care of injured wildlife.

A report addressing this matter will be presented to the Planning & Policy Committee meeting scheduled early in 2010.

5.1.4 PETITION (DIVISION 5) – REQUEST TO EXTEND WALKWAY, WATERFRONT EASEMENT REDLAND BAY

At the General Meeting of 30 September 2009 Council resolved that the petition requesting that Council extend the walkway further down Waterfront Easement be received and referred to the appropriate area of Council for consideration and a report back to Council at the earliest convenience.

A report addressing this matter is proposed to be presented to a Planning & Policy Committee meeting in February 2010.

5.1.5 STORM TIDE HAZARD STUDY

At the General Meeting of 29 October 2009, Council resolved that a further report be presented to Council to adopt a finalised Redland City Storm Tide Hazard Study for planning purposes

A report addressing this matter will be presented to an ensuing Planning and Policy Committee meeting.

6 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING

Moved by: Cr Henry
Seconded by: Cr Reimers

That Council adjourns the meeting for a 30-minute public participation segment.

CARRIED

1. Mr R Lugton of Cleveland addressed Council in relation to a development application at 17 Portsmouth Place, Cleveland.
2. Mr T Roebig of Cleveland addressed Council in relation to a development application at 163 Shore Street North, Cleveland.
3. Mr F Bradley of Cleveland, and representing his wife of Russell Island, addressed Council in relation to rates and charges on SMI.

MOTION TO RESUME MEETING

Moved by: Cr Henry
Seconded by: Cr Reimers

That the meeting proceedings resume.

CARRIED

7 PETITIONS/PRESENTATIONS

Nil.

8 MOTION TO ALTER THE ORDER OF BUSINESS

Nil.

9 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEMS OF BUSINESS

Cr Hobson declared a possible conflict of interest in Item 10.1.1 – see item for details.

10 PLANNING & POLICY COMMITTEE 2/12/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Murray
Seconded by: Cr Boglary

That the Planning & Policy Committee Report of 2 December 2009 be received.

CARRIED

10.1 PLANNING AND POLICY

Cr Hobson declared a possible conflict of interest in the following item as she was previously part of the tourism industry. Cr Hobson remained in the chamber for discussion and decision on this item, voting in the negative for the Council resolution.

10.1.1 PROPOSED MODEL FOR DELIVERY OF TOURISM IN THE REDLANDS

Datworks Filename: ED Liaison Tourism Development
Responsible Officer Name: Alan Burgess
Manager Economic Development Group
Author Name: Alan Burgess
Manager Economic Development Group

EXECUTIVE SUMMARY

A confidential report from Manager Economic Development Group dated 24 November 2009 was presented to Committee for consideration.

COMMITTEE RECOMMENDATION

That this item be deferred to the General Meeting on 16 December 2009 to allow for a workshop to take place, prior to this date.

Addendum - 10 December 2009

Following the deferral of the Proposed Model for Delivery of Tourism in the Redlands Report at the Planning & Policy meeting of 2 December, a workshop has been undertaken (8 December 2009).

After the workshop, a review was conducted of the current tourism budget and savings of \$138,000 can be given up in the 2nd quarter (2009/10) review as a carry forward to the 2010/11 budget which accounts for just over half of the required set up costs.

These savings have been found by deferring and forgoing advertising, research and some trade shows in 2009/10, some of which are KPI's for Economic Development.

The original Officer's Recommendation contained in the confidential report from Manager Economic Development dated 24 November 2009, is therefore represented for consideration.

PROPOSED MOTION

Moved by: Cr Ogilvie
Seconded by: Cr Reimers

That Council resolve as follows:

1. To endorse the proposed tourism entity and approve commencement of the implementation plan;
2. To note that further reports will be provided to Council at various stages of the implementation project to seek endorsement for:
 - a. Implementation budget (at 2nd and 3rd quarter budget reviews);
 - b. Company constitution;
 - c. Service agreements;
 - d. Board of Directors;
 - e. Business plan;
 - f. Governance arrangements;
 - g. Three year funding agreement; and
3. That all 'Commercial in Confidence' information in this matter remains confidential.

On being put to the vote the motion was LOST.

COUNCIL RESOLUTION

Moved by: Cr Bowler
Seconded by: Cr Townsend

That Council resolve to not continue with the proposed tourism entity, retaining tourism development under the existing arrangements.

CARRIED

A division was called for.

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

Crs Reimers, Henry, Ogilvie, Boglary and Hobson voted in the negative.

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

10.1.2 CLEVELAND POINT RESERVE MASTER PLAN

Datworks Filename: P & R Cleveland Point Reserve
Attachments: [Online Survey](#)
[Sample Comments from Community Consultation](#)
Responsible Officer Name: Gary Photinos
Manager Environmental Management
Author Name: Andrew Hornery
Advisor Landscape Architect

EXECUTIVE SUMMARY

At the General Meeting of 26 August 2009, it was resolved as follows:

- *“That Council resolve to seek community consultation on alternate Cleveland Point Reserve master plan layouts, subject to the Federal Government funding not being affected on any subsequent changes to the masterplan; and*
- *That the results of the consultation be submitted to a future Planning and Policy Committee Meeting.”*

The Environmental Management Group sought public feedback via an online survey posted on Council’s website from 12 October until 2 November 2009 and 483 surveys/submissions were completed.

The online survey presented three possible outcomes, as well as a number of general questions seeking opinions on the acceptance of the recent filming at Cleveland Point Reserve. (Refer Attachment - blank survey form - Community Consultation)

The response was a significantly high number of survey responses preferred to retain the ring road, with small numbers either in favour of a ring road located away from the point or of a smaller circulation layout.

As such, it is recommended that Council endorse the existing masterplan that has informed recent detail designs for the upgrade of the point, retaining the outer ring road.

PURPOSE

The purpose of this report is to present the results of the community consultation on alternate Cleveland Point Reserve master plan layouts and to make recommendations.

BACKGROUND

At the General Meeting of 26 August 2009, it was resolved as follows:

- *“That Council resolve to seek community consultation on alternate Cleveland Point Reserve master plan layouts, subject to the Federal Government funding not being affected on any subsequent changes to the masterplan; and*
- *That the results of the consultation be submitted to a future Planning and Policy Committee Meeting.”*

An online survey was posted on Council’s website from 12 October until 2 November 2009 and 483 surveys/submissions were completed.

It should be noted that the Cleveland Point Reserve Masterplan 2006 was adopted following a public review period that found overwhelming public support for the retention of the existing ring road.

ISSUES

The issues in this report are the results of the recent community consultation regarding the public’s preference for the road layout at Cleveland Point Reserve.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

There are no financial implications resulting from the community consultation.

PLANNING SCHEME IMPLICATIONS

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

The Cleveland Point Reserve Masterplan, as approved by Council in 2006, details the retention of the outer ring road, and as such remains as the approved layout for the site.

The results of this recent survey do not necessitate a change in the previously approved masterplan.

CONSULTATION

Initial consultation:

During the Masterplanning process (2004-2006), extensive community consultation was undertaken which included working group meetings, on-site intercept surveys, community workshops, community reference group meetings, public displays,

engagement of a specialist consultant to evaluate the use patterns of the point and feedback forms, and the overwhelming preference was to retain the outer ring road as an integral part of the design.

This was incorporated in the Masterplan 2006 that was adopted by council.

The Council approved masterplan (2006) remains as the primary planning document that has informed the detail design process for the redevelopment of Cleveland Point Reserve as part of the Gateways to Moreton Bay Project, current in effect.

Recent Consultation:

Following council resolution at the General Meeting of 26 August 2009, in which it was determined that RCC should seek final community clarification of the road layout preferences, the Environmental Management Group had an online survey posted on Council's website from 12 October until 2 November 2009 and 483 surveys/submissions were completed.

Three options were provided, noting Option 1 as the Full Ring Road, Option 2 as the Half Ring Road and Option 3 as the No Ring Road. (Refer Attachment)

Each was represented graphically with a summary of the major design elements surrounding each option.

Respondents were asked to indicate a preference as well as answering some basic Yes or No questions relating to the recent filming.

Respondents were also given the opportunity to offer their comments.

The results of this survey are as follows:

Total Surveys Received:

- Option 1: 318
- Option 2 53
- Option 3: 89

Did you like the Narnia / Filming experience?

Yes: 297

No: 159

Do you think it was good for the area?

Yes: 308

No: 148

Do you think it was worth the inconvenience?

Yes: 281

No: 173

Would you support attracting more movies being filmed at Cleveland Point?

Yes: 271

No: 187

OPTIONS

PREFERRED

That Council resolve to adopt the results of the community consultation on alternate Cleveland Point Reserve master plan layouts and confirm Option 1 as the approved layout for future works.

ALTERNATIVE

No feasible alternative is identified if Council is to fulfil its agreement to the Gateways Projects contract with in the time frames set out.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Murray

Seconded by: Cr Elliott

That Council resolve to adopt the results of the community consultation on alternate Cleveland Point Reserve master plan layouts and confirm Option 1 as the approved layout for future works.

CARRIED

10.1.3 DRAFT SUSTAINABLE RESOURCES FUTURE (WASTE MANAGEMENT STRATEGIC PLAN)

Datworks Filename:	WM Waste Management Strategy
Attachments:	<u>Draft Sustainable Resources Future (Formerly Waste Management Strategic Plan)</u>
Responsible Officer Name:	David Elliott Manager Infrastructure Planning
Author Name:	Paula Kemplay Senior Advisor Waste Planning

EXECUTIVE SUMMARY

The draft Sustainable Resources Future (Waste Management Strategic Plan), as attached, sets the resource and waste direction for Council over the next 10 years using a range of sustainability initiatives. As part of the proposed implementation plan, a detailed education and engagement strategy is also being developed based on the consultative work to date. It is suggested that Council note the contents of this document and refer any detailed discussion on this and the pending education and engagement action plan to a workshop of Council in the New Year.

PURPOSE

To present the draft Sustainable Resources Future (Waste Management Strategic Plan) to Council for noting and recommendation of a future workshop.

BACKGROUND

At the General Meeting of 26 August 2009, Council resolved to *“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.”*

ISSUES

The draft strategy reflects the key principles of the Commonwealth National Waste Policy and the expected Queensland Waste Strategy, plus Council’s own sustainability policies. It sets the resource and waste direction for Council over the next 10 years and will be reviewed regularly given that external policy drivers are likely to influence the strategy in that timeframe.

Key features are as follows:

- Change in nomenclature from Waste Strategy to Sustainable Resources Future to reflect vision of improved resource management;
- Options to set targets for waste minimisation by 2020 and key performance indicators during the life of the plan;

- A vision to be a whole of community strategy interfacing resource and waste practices across corporate and community plans to contribute to long term sustainable living outcomes;
- Use of Redlands Planning Scheme to enable greater recovery of construction and demolition waste;
- A focus on options to increase the diversion of organics from landfill to prepare the Community for a future low carbon economy with options to utilise green fields (composting) or green energy solutions;
- Focus on development of new local markets to meet sustainability criteria, including a review of Council's procurement activities and investigation of partnerships with agriculture;
- Greater focus on assisting business and industry to minimise their waste to landfill;
- Creating opportunities for community organisations to reuse resources;
- Investigation of new opportunities for the islands to become more self sufficient in managing their waste and reduce transport emissions;
- Investment in new upgraded infrastructure to increase materials efficiency and assist in diverting more material away from landfill plus reducing costs of transporting and disposing of waste;
- maximise the life of the existing landfills;
- Participation in regional and sub-regional projects to enhance resource recovery and other infrastructure;
- A reliance on external landfills in the short-term (once Birkdale and Giles Road landfills close) with watching briefs on the viability of alternative waste technologies into the medium and longer term;
- Inclusion of the existing litter strategy to provide a more integrated planning approach.

Council is responsible for providing the most economically and environmentally responsible system to dispose of waste through provision of collection, processing and disposal services, however it is the behavioural choices made by purchasers, consumers, users and disposers that have the greatest impact on the success of these services.

Therefore there is a need to assist all residents, business owners, workers, students and visitors to become more aware of, and engaged with, the issues associated with waste minimisation, resource recovery and disposal through a comprehensive and strategic community engagement and education program.

The proposed education and engagement programs will combine a mix of education, social marketing, advertising and training techniques. They will aim to inform, involve, assist and remove the barriers that stop people from adopting sustainable

waste and resource behaviours and they will be evaluated against key indicators to ensure they are meeting the needs of the community.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

There are significant upward pressures on future waste operating costs and it is proposed to use innovative infrastructure in co-operation with other local governments in the region where possible to achieve economies of scale and mitigate potential future cost increases to ratepayers. This will offset cost rises in a predicted regulatory environment with economic penalties for unconstrained waste disposal to landfill.

Specific actions will be costed as part of the budget adoption process during the year they are programmed to occur. A strategic financial model is being prepared as part of the 2010/11 budget process to assist Council plan for these cost increases and how the funding should be derived.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the implementation of the strategy may require amendments to the Redlands Planning Scheme. If so, these will be referred to subsequent rounds of amendments.

CONSULTATION

The following consultation has occurred:

- Redlands 2030 community plan speak-outs;
- two Councillor workshops;
- internal Officer workshop;
- online survey responses (33) and forum (1);
- survey of approximately 300 transfer station users;
- A telephone survey of approximately 300 households;
- A business forum.

'Lack of education; cost; and identification of industries that could use/recycle wastes' were identified as the main issues that prevent local businesses from effectively participating in resource recovery. The attendees identified that they would like the opportunity for *'waste audits; education from Council and waste contractors for businesses, employees and the public; and weekly recycling bins'* to be provided to

assist them to participate in resource recovery and waste minimisation. Local businesses wish to be kept informed about resource recovery opportunities via *'more effective involvement of Council Officers in business and community events; making business aware of the costs of waste and the benefits of recycling; and utilisation of existing networks'*. *'Financial incentives/penalties; education; and identifying business opportunities for recycling'* were highlighted as the main forms of support and services required to assist business to participate effectively in resource recovery.

The results of all of the consultation processes are in the process of being analysed and will result in an education and engagement strategy being produced. It is suggested that Council workshop this education and engagement strategy together with this draft strategy document to ensure there is appropriate alignment of the Community feedback into Councils future direction.

It is then planned to distribute the draft strategy to the community in the months of February and March 2010 for further public consultation and comment.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To note the attached draft Sustainable Resources Future (Waste Management Strategic Plan); and
2. To refer the draft to a Councillor workshop for further discussion, prior to its issue for public consultation purposes in February and March 2010.

ALTERNATIVE

That the attached draft Sustainable Resources Future (Waste Management Strategic Plan) be adopted for public consultation purposes in February and March 2010.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Murray

Seconded by: Cr Bowler

That Council resolve as follows:

- 1. To note the attached draft Sustainable Resources Future (Waste Management Strategic Plan); and**
- 2. To refer the draft to a Councillor workshop for further discussion, prior to its issue for public consultation purposes in February and March 2010.**

CARRIED

10.1.4 PERMIT TO OCCUPY - WEINAM CREEK FERRY TERMINAL TICKET OFFICE

Dataworks Filename: RTT - Marine Landing Facilities - Weinam Creek
Attachments: [Attachment A - Ticket Office Lease Site Plan](#)
Responsible Officer Name: David Elliott
Manager Infrastructure Planning
Author Name: Rodney Powell
Senior Advisor Infrastructure Projects

EXECUTIVE SUMMARY

At the General Meeting of 1 November 2006 (Item No 10.1.4 of the General Meeting Minutes refers), it was resolved as follows:

“That Bay Island Transit Services (BITS) current permit to occupy at the ferry terminal be transferred to the new facility for the balance of that term only.”

The ‘Permit to Occupy’ arrangements now need to be reviewed.

This report recommends that Council approve the granting of a ‘Permit to Occupy’ to BITS Ferry Group for the ticket office at Weinam Creek up until 31 March 2011, to align with the Ferry Service contract BITS has with the State Government Passenger Transport Operations.

In addition, Council has received a request to approve the installation of vending machines within the occupied area.

PURPOSE

To consider entering into a ‘Permit to Occupy’ agreement with the BITS Ferry Group to occupy the ticket office area and consider an application by BITS Ferry Group to install, maintain and manage vending machines on the site.

Council has the authority to consider this matter under Section 60 of the *Lands Act 1994*, a trustee may issue a trustee permit for all or part of the land. The ticket office is located on trust land, under Redland City Council control as a trustee. A trustee of trust land may take all action necessary for the maintenance and management of the land. However, the action must be consistent with the purpose for which the reserve was dedicated

BACKGROUND

The new marine transport facility is currently occupied by BITS under the arrangements previously agreed to in the Council resolution of 1 November 2006. ‘Permit to Occupy’ arrangements now need to be reviewed.

At the General Meeting 1 November 2006, Council resolved as follows:

1. *"To accept financial contribution of \$93,000.00 from BITS Ferry Group towards the construction of a new ticket office at Weinam Creek;*
2. *To reimburse 50% of the contribution if they cease to exist within 5 (five) years of the ticket office construction, proportionally decreasing by 10% for each year thereafter."*

BITS has agreed to Council issuing a 'Permit to Occupy' over the ticket office site.

BITS Ferry Group has also requested permission to install, manage and maintain (at their cost) vending machines on this site for the benefit of commuters.

ISSUES

As indicated above, BITS does not have a current 'Permit to Occupy' for the ticket office, to which it contributed the sum of circa \$93,000 for its construction.

There is a need for BITS to secure its occupation of the site and to this extent it is considered appropriate that BITS be issued with a 'Permit to Occupy', up until 31 March 2011, which will coincide with the expiry of their contract with the State Government to operate ferry services from Weinam Creek. Council would then need to consider 'Permit to Occupy' arrangements after this time.

PROPOSED REVENUE TO COUNCIL BY WAY OF RENT

Council is required to take rent which must be the most appropriate rent having regard to the use and the community benefit.

It is proposed that with the 'Permit to Occupy' arrangements Council should seek to obtain revenue by way of rent, costed as follows:

- In consideration of the commercial nature of the ticket office a rental arrangement based on the capital value of the site is recommended;
- In recognition of the \$93,000 contributed by BITS the annual rental is discounted by reducing the initial capital cost;
- | | |
|-----------------------------|--------------------|
| Total cost of Ticket office | \$183,093.00 |
| BITS contribution | \$93,000.00 |
| Net capital cost to Council | \$90,093.00 |
- Council has been advised that the next contract entered into by the State Passenger Transport Operations group commencing on 1 April 2011 will be for period of five (5) years. It is therefore considered appropriate to align the future 'Permit to Occupy' of the ticket office to the State issued ferry contract term;
- Rental Calculation based on Capital Valuation:
 - Net Capital Cost \$90,093.00

- Return on Capital (7 %) \$ 6,300.00
- **Annual Rent** \$ **6,300.00**
- BITS occupied the site in late June 2009 and the 'Permit to Occupy' rental is therefore proposed to commence from 1 July 2009.

RELATIONSHIP TO CORPORATE PLAN

The recommendation supports Council's strategic priority to provide and maintain water, waste services, roads, drainage and support the provision of transport and waterways infrastructure. This recommendation also supports the development and implementation of a transport strategy, including an integrated transport system to the Bay Islands.

FINANCIAL IMPLICATIONS

There will be no financial cost to Council. BITS will be responsible for all 'Permit to Occupy' preparation costs and the installation and maintenance of vending machines.

PLANNING SCHEME IMPLICATIONS

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

The use of this site is consistent with the Redlands Planning Scheme.

CONSULTATION

Consultation has been held with the Manager Property Services, Manager Legal Services, Bay Island Transit Services and the Division 5 Councillor.

OPTIONS

PREFERRED

That Council resolve as follows:

1. That Bay Island Transit Services (BITS) be granted a 'Permit to Occupy', until 31 March 2011 for the ticket office at Weinam Creek on the following terms:
 - a) Rent payments calculated at \$6,300.00 per annum, to apply from the 1 July 2009, adjusted annually for CPI;
 - b) The ticket office, public toilet facilities and associated amenities remaining at all times the property of Council;
 - c) Cleaning and maintenance of the ticket office to be the responsibility of BITS;
 - d) BITS be granted approval to install, manage and maintain vending machines on the occupied site;

- e) The cost of preparation of 'Permit to Occupy' documents be met by BITS; and
 - f) The 'Permit to Occupy' be terminated with BITS in the event that its contract with the State Government is withdrawn for any reason.
2. To delegate authority to the Chief Executive Officer to sign all relevant documentation.

ALTERNATIVE

There are currently no alternative arrangements that can be implemented to accommodate the BITS ticketing office. Council can exercise discretion to vary the methodology for costing the rental or consideration on the vending machines.

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

Moved by: Cr Murray
Seconded by: Cr Elliott

That Council resolve as follows:

1. **That Bay Island Transit Services (BITS) be granted a 'Permit to Occupy', until 31 March 2011 for the ticket office at Weinam Creek on the following terms:**
- a) **Rent payments calculated at \$6,300.00 per annum, to apply from the 1 July 2009, adjusted annually for CPI;**
 - b) **The ticket office, public toilet facilities and associated amenities remaining at all times the property of Council;**
 - c) **Cleaning and maintenance of the ticket office to be the responsibility of BITS;**
 - d) **BITS be granted approval to install, manage and maintain vending machines on the occupied site;**
 - e) **The cost of preparation of 'Permit to Occupy' documents be met by BITS; and**
 - f) **The 'Permit to Occupy' be terminated with BITS in the event that its contract with the State Government is withdrawn for any reason.**
2. **To delegate authority to the Chief Executive Officer to sign all relevant documentation.**

CARRIED

10.1.5 REDLANDS SOCIAL INFRASTRUCTURE STRATEGY

Dataworks Filename: CS Social Infrastructure Strategy

Attachments: [Attach 1 - Submission Review Table](#)
[Attach 2 - Redlands Social Infrastructure Strategy](#)
[Attach 3 – POL-3088 - Social Infrastructure Policy](#)
[Attach 4 – POL-3087 - Strong Communities Policy](#)

Responsible Officer Name: Roberta Bonnin
Manager Community and Social Planning

Author Name: Lacey Brown
Strategic Adviser Social Planning

EXECUTIVE SUMMARY

Building Strong Communities: Draft Redlands Social Infrastructure Strategy 2009 (the Strategy) clearly articulates Council's social infrastructure policy position for the next twenty years and provides a structured evidence base to demonstrate priorities and initiate partnerships.

After incorporation of suggested changes from submissions received in the formal consultation period, Redlands 2030 consultation and SMBI Community Advisory Committee, it is recommended that Council adopt the Strategy and supporting policies.

PURPOSE

To present the Submission Review Report (Attachment 1) for noting and to resolve to adopt the following documents:

- Building Strong Communities: Redlands Social Infrastructure Strategy 2009 (Attachment 2);
- POL-3088 - Social Infrastructure Policy (Attachment 3); and
- POL-3087 - Strong Communities Policy (Attachment 4).

BACKGROUND

Council resolved in 2007 to undertake a social infrastructure plan. This project was intended to include a thorough analysis of the needs arising in the community now and in the future to ensure a well planned and coordinated range of facilities, services and support to enable people to participate and contribute to the City's broader economic and social development.

Without a strategy and comprehensive plans developed in negotiation with relevant social infrastructure providers and funders, community members, business stakeholders and developers, Council will come under increasing pressure to address facility, service and network gaps on an adhoc basis.

The draft Strategy was presented to Council for resolution at the General Meeting on 29 July 2009 to go to public consultation.

ISSUES

In the drafting of the plan, it was identified that a strategy, policies and an implementation plan were the most effective responses to the Redlands social infrastructure planning requirements.

The final Building Strong Communities: Redlands Social Infrastructure Strategy 2009:

- provides a coordinated, staged and whole-of-City approach to addressing social infrastructure provision over a 20 year timeframe; and
- identifies the role of Council and other key stakeholders in the planning and provision of social infrastructure and associated resource implications.

The draft strategy signals new ways to plan for social infrastructure and new ways to develop and deliver facilities, services and networks on the ground.

The strategy includes a range of projects:

- **Five catalyst projects** – these are projects that will have a big impact well beyond a single catchment or district. They reflect the aspirations of the community and will position Redland City as a social and cultural leader in South East Queensland.
- **Ten city-wide projects** – these are initiatives that will make a big difference in supporting strong communities across the Redlands.
- **Twenty-four local projects** – these are projects that meet critical gaps for services, networks or facilities in individual catchments (the plan breaks the Redlands into six planning area catchments, grouping together suburbs based on settlement patterns and relationships between communities).

The delivery of the Strategy will be supported by new policies and statutory instruments:

- POL-3087 - Strong Communities Policy;
- POL-3088 - Social Infrastructure Policy;
- Framework for Infrastructure Contributions (Redlands Planning Scheme Policy);
- Proposed Priority Infrastructure Plan; and
- Community infrastructure and social planning provisions and actions in new master plans and structure plans.

Results of the public consultation

Fourteen (14) submissions were received in addition to comments raised from the Key Stakeholders Workshop. Presentations and discussions were also held with the SMBI Community Advisory Committee and Forum. The key issues raised include:

- focus on outreach and integrated service delivery for the islands;
- need for targeted consultation through proposed local social infrastructure strategies, particularly the Islands Strategy;
- highlighting the role and support of volunteers;
- incorporating a disability advocacy and action plan;
- identifying projects for children and young people;
- monitoring population growth on the islands for planning purposes;
- altering some of the proposed delivery timeframes for projects in the implementation plan;
- inclusion of objectives from State government strategy such as *Toward Q2: Tomorrow's Queensland*;
- ensuring ongoing consultation with stakeholders;
- general editorial comments.

The Submission Review Report (Attachment 1) provides a detailed summary of issues raised during the public consultation period with responses and proposed amendments to the Strategy.

Next Steps

The next steps in implementing the Strategy:

1. Council's Community Development Team is restructuring and refocusing priorities and budget to deliver elements of the strategy. An immediate action is to recruit and appoint a community development officer for Southern Redlands (Thornlands, Victoria Point, Redland Bay, Mount Cotton, SMBI). A temporary position has been assigned for 12 months but will need longer term allocation;
3. Council's Community Halls Futures Project has commenced and will incorporate new directions for community hubs, precincts and social enterprise opportunities;
4. Council's 10 Year Capital Works program will be reviewed to provide a schedule of community facility infrastructure projects that have also been identified in the draft priority infrastructure plan;
5. The development of an Implementation Plan identifying internal and external stakeholders and areas of responsibility;

6. Incorporation of the Strategy into Council's new Corporate Plan and Operational Plan;
7. Negotiating partnership agreements and resources to deliver on projects which have already been initiated e.g. Community Well-being Hub;
8. The strategy will be used to advocate to other levels of government and the private sector to set up partnerships and alliances to attract new investment in social infrastructure and better use of existing facilities and services.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

In developing the Strategy, careful consideration has been given to Council's short term financial outlook, medium term priorities and long term financial strategies. The plan seeks to optimise Council's existing facilities/services and staffing resources. Where new initiatives are proposed, it is in a way to attract external support, partnerships and funding.

A number of projects are already underway and have attracted Federal and State government funding. Over the next 12 months, a detailed Implementation Plan will be developed for capital and operational budgets and to secure partnerships.

Budget for the Community Development Officer to focus on the Southern part of the Redlands and SMBI will be required – approximately \$64,000 per annum plus oncosts.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the outcomes in the Strategy will result in possible amendments to the Redlands Planning Scheme, such as the provision of community purpose zoned land that is negotiated during planning processes for structure plans and master plans.

CONSULTATION

The public consultation period involved a range of notification options including:

- notice in the local newspaper and Council's website calling for submissions over a four week period;
- distribution of Strategy to key community organisations and State government agencies;
- key stakeholder workshop;

- further validation as part of the Redlands 2030 community plan consultation process;
- a presentation to peers at the SEQ Community/Social planners network; and
- a presentation to the SMBI Community Advisory Committee and SMBI Forum.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To note the Submission Review Report (Attachment 1);
2. To adopt the following documents:
 - a) Building Strong Communities: Redlands Social Infrastructure Strategy 2009 (Attachment 2);
 - b) POL-3088 - Social Infrastructure Policy (Attachment 3);
 - c) POL-3087 - Strong Communities Policy (Attachment 4);
3. To support budget review for the establishment of a permanent full-time Community Development Officer to focus on the southern part of the Redlands and the Southern Moreton Bay Islands.

ALTERNATIVE

To request that officers provide further information on issues raised and report back to Council.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Murray
Seconded by: Cr Elliott

That Council resolve as follows:

1. **To note the Submission Review Report (Attachment 1);**
2. **To adopt the following documents:**
 - a) **Building Strong Communities: Redlands Social Infrastructure Strategy 2009 (Attachment 2);**
 - b) **POL-3088 - Social Infrastructure Policy (Attachment 3);**
 - c) **POL-3087 - Strong Communities Policy (Attachment 4);**

3. To support budget review for the establishment of a permanent full-time Community Development Officer to focus on the southern part of the Redlands and the Southern Moreton Bay Islands.

CARRIED

10.2 COMMITTEE GENERAL BUSINESS

Permission was granted for Cr Henry to raise the following item of general business.

10.2.1 GREEN ROOF DESIGNS**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Murray
Seconded by: Cr Elliott

That Council resolve that officers bring back a report on the opportunities for including green roof designs in Council's policy and planning instruments which would address the following:

- 1. The potential for Redland City Council (RCC) to host a forum with industry, government, tertiary institutions and Green Roofs Australia with a view to supporting the development of standards and guidelines applicable to Australian/regional conditions ;**
- 2. Opportunities for RCC to develop pilot/demonstration projects to raise awareness; and**
- 3. The benefits that membership of Green Roofs Australia would provide to RCC.**

CARRIED

11 REDLAND WATER COMMITTEE 9/12/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Henry
Seconded by: Cr Boglary

That the Redland Water Committee Report of 9 December 2009 be received.

CARRIED

11.1 REDLAND WATER

11.1.1 REDLAND WATER BUSINESS UNIT REPORT – NOVEMBER 2009

Dataworks Filename: WW Redland Water Committee
WS Redland Water Committee

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

Responsible Officer Name: Bradley Taylor
Acting 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 November 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 November 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 Boglary

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

CARRIED

11.1.2 LOCAL LAW NO 31 (WATER SUPPLY) APPOINTMENT OF AUTHORISED PERSONS

Dataworks Filename: L&E Local Law No 31 - Water Supply
Attachments: [Local Law 31 Authorised Persons Powers](#)
Responsible Officer Name: Kevin McGuire
Manager Customer Service & Business
Performance
Author Name: Thorbjorg Dunn
A/Senior Project Officer

EXECUTIVE SUMMARY

A review of delegations and appointments was recently conducted in accordance with an approved internal audit plan for 2009. The objective of the review was to identify acts, regulations, local laws and policies under which Council officers perform their duties and whether adequate delegations and authorisations are in place.

The review determined that some officers within Redland Water and Regulatory Services require appointment under Council's Local Law No 31 (Water Supply) to exercise powers and responsibilities of an authorised officer under this local law. Such appointments under Local Law No 31 may be made from time to time by Council resolution.

It is recommended that Council appoint selected officers of Redland Water and Regulatory Services as identified in the officer's recommendation as authorised officers for the purposes of Local Law No 31.

PURPOSE

The purpose of this report is to recommend that Council appoint suitably trained and qualified officers of Redland Water and Regulatory Services as authorised officers to exercise powers and responsibilities in accordance with Local Law No 31.

BACKGROUND

- *Local Law No 31 (Water Supply)* requires any appointment of authorised officers to be by Council resolution;
- changes in organisational structures and officers' roles have created the need to appoint additional officers to undertake, and in some cases, enforce the requirements of the local law, resulting in recommended revocation of identified appointments in the officer's recommendation.

ISSUES

Redland Water is required to continue to perform all the functions of a service provider for water and wastewater until the new water business officially becomes

operational in July 2010. Therefore, all relevant officers will need appropriate powers and delegations until such time as arrangements are finalised with the transfer to the new water business.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

It is considered that there are no financial implications as a result of appointing officers to implement the provisions of *Local Law No 31*.

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

Officers in Redland Water and Regulatory Services were consulted regarding appropriate officers to be appointed. The Chief Executive Officer was consulted regarding the appropriateness of the recommendation.

OPTIONS

PREFERRED

If the following preferred option is adopted, instruments of appointment will be prepared for each authorised officer, relevant to roles, responsibilities, qualifications and training.

That Council resolve as follows:

1. To appoint the following officers within Redland Water and Regulatory Services, respectively, as authorised officers for the purposes of *Local Law No 31 (Water Supply)*:
 - a. Redland Water:
 - i. Gary Soutar
 - ii. Kevin McGuire
 - iii. Bradley Taylor
 - iv. Peter Milner
 - v. Simon Bernis
 - vi. Darren Smith
 - vii. Simon Anderson
 - viii. Mark Broad
 - ix. James Beutel

- x. Margaret Haynes
- b. Regulatory Services:
- i. Gary Kirby
 - ii. John Stevens
 - iii. Lance Howard
 - iv. Blandina Huber
2. That these appointments be in accordance with the roles and responsibilities and relevant qualifications and training of the officers identified in No 1 above;
3. That all previous appointments of authorised officers under *Local Law No 31 (Water Supply)* be revoked; and
4. That the Chief Executive Officer be authorised to execute instruments of appointment.

ALTERNATIVE

There is no alternative option recommended as this is considered best practice for efficiency in ongoing implementation of Council's *Local Law No 31 (Water Supply)* until the finalisation of arrangements with the new water business.

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

Moved by: Cr Henry
Seconded by: Cr Boglary

That Council resolve as follows:

1. **To appoint the following officers within Redland Water and Regulatory Services, respectively, as authorised officers for the purposes of *Local Law No 31 (Water Supply)*:**
- a. **Redland Water:**
- i. **Gary Soutar**
 - ii. **Kevin McGuire**
 - iii. **Bradley Taylor**
 - iv. **Peter Milner**
 - v. **Simon Bernis**
 - vi. **Darren Smith**
 - vii. **Simon Anderson**
 - viii. **Mark Broad**
 - ix. **James Beutel**
 - x. **Margaret Haynes**
- b. **Regulatory Services:**
- i. **Gary Kirby**
 - ii. **John Stevens**

- iii. Lance Howard
- iv. Blandina Huber

2. That these appointments be in accordance with the roles and responsibilities and relevant qualifications and training of the officers identified in No 1 above;
3. That all previous appointments of authorised officers under Local Law No 31 (Water Supply) be revoked; and
4. That the Chief Executive Officer be authorised to execute instruments of appointment.

CARRIED

11.1.3 AMENDMENT TO REDLAND WATER PERFORMANCE PLAN 2009/2010

Dataworks Filename: Gov Service Level Agreement
Responsible Officer Name: Bradley Taylor
Acting General Manager Redland Water
Author Name: Michelle Vanyai
Senior Project Officer

EXECUTIVE SUMMARY

In July 2009 Council adopted the Redland Water Performance Plan for Water and Wastewater Services for 2009/10. Section 14.12 of the performance plan sets the yearly dividend to Council at “50% on after tax operating surplus – calculated for each individual product, i.e. water and wastewater”.

Setting the return at 50% allows Redland Water (RW) to use the remaining 50% for specific capital projects.

From 1 July 2010, Redlands’ water and wastewater assets and operations transfer to the new water business created by Redland, Logan and Gold Coast city councils as part of south-east Queensland (SEQ) water reforms. Therefore RW has no capacity to use its 50% share of the dividend in the future.

It is recommended the dividend to Council be increased from 50% to 100% for the financial year 2009/10 and the Redland Water Performance Plan amended to reflect the change.

PURPOSE

To seek Council approval to increase the 2009/10 dividend from Redland Water to Council from 50% to 100% and amend the Redland Water Performance Plan for 2009/10 to reflect the change.

BACKGROUND

In July 2009 Council adopted the Redland Water Performance Plan for Water and Wastewater Services for 2009/10. Section 14.12 of the Performance Plan sets the yearly dividend to Council at “50% on after tax operating surplus – calculated for each individual product, i.e. water and wastewater”.

This allows RW to use the remaining 50% for specific capital projects.

From 1 July 2010, Redlands’ water and wastewater assets and operations transfer to the new water business created by Redland, Logan and Gold Coast city councils as part of SEQ water reforms. Because of this change, RW ceases operating as a commercialised business unit of Council and no longer has the capacity to use its dividend share of 50%.

ISSUES

With RW losing capacity to use its 50% share because of the transfer of assets and operations to the new water business, use of this portion should be returned to Redland City where it can best support Council's initiatives.

So this can happen, a change to reflect Council's increase in dividend from 50% to 100% needs to be made in Redland Water's Performance Plan for 2009/10.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

If the change is approved, Council's dividend from RW for 2009/10 increases from 50% (estimated at \$3,371,159) to 100% (estimated at \$6,742,318). A Q2 budget review is needed to amend the budget.

CONSULTATION

Consultation occurred with:

- General Manager Redland Water; and
- Senior Advisor Financial Management Redland Water.

OPTIONS

PREFERRED

That Council resolve to amend section 14.12 of the Redland Water Performance Plan for Water and Wastewater Services for 2009/10 to increase council's dividend from 50% to 100% for the financial year 2009/10.

ALTERNATIVE

The dividend from Redland Water to Council for 2009/10 remains unchanged.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Boglary

That Council resolve to amend section 14.12 of the Redland Water Performance Plan for Water and Wastewater Services for 2009/10 to increase Council's dividend from 50% to 100% for the financial year 2009/10.

CARRIED

11.2 COMMITTEE CLOSED SESSION

The committee meeting was closed to the public under Section 463(1)(h) of the *Local Government Act 1993* to discuss **Water Reform Update**.

Following deliberation on this matter, the meeting was again opened to the public.

11.2.1 WATER REFORM UPDATE

Datworks Filename: GOV WRAD WB3 Administration/Resources
Responsible Officer Name: Eleanor Bray
Manager Water Reform
Author Name: Eleanor Bray
Manager Water Reform

EXECUTIVE SUMMARY

A confidential report from Manager Water Reform dated 2 December 2009 was discussed in closed session.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Boglary

1. That Council resolve to note the update on the regional water reform within south-east Queensland;
2. That this report remain confidential until the new water entity is established and all issues associated with it have been resolved.

CARRIED

11.3 COMMITTEE GENERAL BUSINESS

11.3.1 UPDATE ON WATER RESTRICTIONS

Manager Customer Service & Business Performance gave an update on the permanent water conservation measures which commence on 1 December 2009 for residents of Redland City.

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

11.3.2 COOCHIE ISLAND GOLF CLUB – SEWER CONNECTION

Cr Burns requested information on options for the Coochie Island Golf Club to be connected to the sewer.

Acting General Manager Redland Water took this question on notice and will respond to Cr Burns. The Acting General Manager Redland Water also stated that a report would be presented to Council on the outstanding sewer connections on Coochie.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Boglary

That the general business items be noted.

CARRIED

12 FINANCE AND CORPORATE MANAGEMENT COMMITTEE 9/12/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Townsend
Seconded by: Cr Henry

That the Finance & Corporate Management Committee Report of 9 December 2009 be received.

CARRIED

12.1 CORPORATE SERVICES

12.1.1 NOVEMBER 2009 - MONTHLY FINANCIAL REPORTS

Dataworks Filename: FM Monthly Financial Reports to Committee
Attachment: [November 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 November 2009 financial statement of accounts to Council and provide detailed analytical commentary.

The financials demonstrate that all of the seven Key Financial Performance Indicators once again exceeded targets set at the beginning of the financial year. These are:

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

Council's end of month operating financial result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of budget by \$5.7 million, with operating revenue favourable by \$2.7 million and operating expenditure favourable by \$3.1 million.

The cash flow position for the year is ahead of revised budget levels by \$19.2 million. The cash held is ahead of targeted levels at \$99.9 million, equal to 9.2 months cash capacity against an original target of three to four months. As the water business is continuing to move through the reform process, Redland City Council remains committed to retaining additional cash until the outcome of the process is clear.

PURPOSE

The purpose is to present the November 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 November 2009:

Dashboard and Key Performance Indicators (A)

- Operating Revenue compared with Budget;
- Operating Expenditure compared with Budget;
- Employee Costs compared with Budget;
- Capital Expenditure compared with Budget;
- Key Performance Indicators – actuals compared with Budget and Targets.

Operational Statement with headline commentary (B)

Shows the percentage variance of year to date actual results compared with year to date budget by colour indicators. Tolerance levels for the variances differ between operational and capital amounts.

Additionally, an **Operational Statement by Strategic Priority (C)**; **Balance Sheet and commentary (D)**; **Cash Flow Statement and commentary (E)**; and an **Investment Summary and Graphs (F)** have been included to provide the complete picture of Council's finances. Finally, an **Operational Statement with detailed commentary (G)** 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 and variances are classified as timing or permanent. 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.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The overall financial position as at the end of November 2009 remains strong with EBITD of \$22.7 million (\$5.7 million ahead of budget). This result is due to total operating revenue of \$80.1 million (\$2.7 million ahead of budget) and total operating costs of \$57.4 million (favourable variance of \$3.1 million).

Operating Revenue

Rates Charges is under budget by \$78,000 due to credits held under budget \$174,000 and general rate revenue over budget \$96,000. Utility Charges has a favourable variance of \$834,000 as a result of favourable water consumption \$805,000. Pensioner Remissions is favourable against budget by a timing variance of \$24,000. Fees and Charges is under budget by \$701,000 in the main due to EPA licence fees \$171,000, commercial hydraulic design fees \$150,000 and Waste Operations commercial fees \$133,000. Operating Grants and Subsidies is over budget by \$2.4 million due to changes in the accounting treatments to be addressed in December. There is also a favourable timing variation of \$848,000 which is as a result of a grant being received two months early.

Operating Expenditure

Employee Costs is under budget by \$205,000 predominantly due to a timing variance of \$332,000 under mainly in the Leisure and Recreation unit. Operational Goods and Services are under year to date budget by \$3.2 million and the majority of variances are expected to be timing at this stage. Of particular note, \$228,000 underspends on contractors for caravan parks, \$270,000 Councillor Community Benefit Fund, \$224,000 on roads; \$451,000 in contractors and consultants for Redland Water, \$113,000 training programs. Some permanent variances are \$45,000 chemical supplies and \$138,000 contractor and consultant underspends in Regulatory Services.

Capital Revenue

Contributions and Donations are \$173,000 over budget due to budget phasing for developer contributions. Grants and Subsidies are over budget by \$59,000 due to a \$55,000 subsidy received ahead of budget. A permanent variance is \$19,000 unbudgeted SIP funding for Donald Simpson Centre Lights.

Capital Expenditure

The Capital Expenditure program is 15% behind schedule as at the end of November 2009.

Capitalised Goods and Services is \$2.6 million under year to date budget as a result of significant underspends in Redland Water \$521,000, Planning and Policy \$964,000, Corporate Services \$1.9 million and overspends in Customer Services \$817,000. The main underspends in Redland Water are Wastewater Reticulation \$337,000, and Wastewater ICS \$56,000. Roadworks are behind schedule as mentioned above and the capital underspends include 'Queen St and Government Rd' \$125,000 and 'German Church Rd' \$365,000. The capital underspends are expected to be timing variances at this stage.

Capitalised Employee Costs is \$81,000 below cumulative budget with the main underspend in Customer Services Department (RDQ Road Construction) and expected to be timing at this stage.

Cash and Investments

The information on the investment of surplus funds for the month was not published in time for this report. This is due to the fact that period five was closed prior to the end of the calendar month to accommodate the requirements of the December Finance and Corporate Management Committee Meeting. There is no expectation that council will have lost its favourable position against the UBS Australian Bank Bill Index. Once the investment information is received it will be cascaded to all recipients. It is also relevant to note that the RBA policy interest rate has increased by 0.25% to 3.50% on 4 November 2009 and a further 0.25% on 1 December 2009.

The cash balance is \$99.9 million at the end of November 2009 which is equivalent to 9.2 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 resolve to note the End of Month Financial Reports for November 2009 and explanations as presented in the following attachments:

1. Dashboard and Key Performance Indicators (A);
2. Operational Statement with headline commentary (B);

3. Operational Statement by Strategic Priority (C);
4. Balance Sheet and commentary (D);
5. Cash Flow Statement and commentary (E);
6. Investment Summary and Graphs (F); and a
7. Operational Statement with detailed commentary (G).

ALTERNATIVE

That Council requests additional information.

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

Moved by: Cr Townsend
Seconded by: Cr Bowler

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

- 1. Dashboard and Key Performance Indicators (A);**
- 2. Operational Statement with headline commentary (B);**
- 3. Operational Statement by Strategic Priority (C);**
- 4. Balance Sheet and commentary (D);**
- 5. Cash Flow Statement and commentary (E);**
- 6. Investment Summary and Graphs (F); and a**
- 7. Operational Statement with detailed commentary (G).**

CARRIED

12.2 GOVERNANCE

12.2.1 CORPORATE BALANCED SCORECARD REPORT – NOVEMBER 2009

Datworks Filename:	GOV Corporate BSC Monthly Reporting to Committee
Attachment:	<u>Balanced Scorecard Report – November 2009</u>
Responsible Officer Name:	Luke Wallace Manager Corporate Planning Performance & Risk
Author Name:	Benjamin Steel Project Coordinator Corporate Planning & Performance

EXECUTIVE SUMMARY

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

This report is an important component of 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 November 2009 is Satisfactory, with a weighted score of 2.39.

PURPOSE

To provide Council with the Corporate Balanced Scorecard Report for November 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. Comments for each measure are provided by managers and are outlined in the attached report. Those measures performing outside the target range are:

Customer Perspective (page 2)

Progress against the Development Assessment performance index is below target this month. Applications have been delayed for various reasons. Further commentary surrounding this measure has been provided by the relevant manager in the attached report.

People and Learning Perspective (page 5)

Progress against completing items identified in the Workplace Health and Safety Management Plan are well underway. Due to the current workload of the Workplace Health and Safety Unit, some planned items that did not reach completion this month are in the process of being addressed and it is envisaged that completion against the plan will steer back on track within the coming months.

A higher number of workers' compensation hours lost this month is indicative of a larger than normal number of incidences within the organisation. All injured employees are actively assisted by Redland Workcover rehabilitation staff to return to work.

A higher number of workplace injuries over the last 12-18 months continues 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.

Detailed commentary surrounding these measures has been provided by the relevant managers in the attached report.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

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

OPTIONS**PREFERRED**

That Council resolve to note the Corporate Balanced Scorecard for November, 2009 as attached.

ALTERNATIVE

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

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

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve to note the Corporate Balanced Scorecard for the month of November 2009, as attached.

CARRIED

12.2.2 COUNCIL MEETING DATES - JANUARY TO MARCH 2010 AND DEVELOPMENT ASSESSMENT DELEGATED AUTHORITY – DECEMBER 2009 TO JANUARY 2010

Datworks Filename: GOV Council Meetings Dates & Information
Attachments: [Schedule of Meeting Dates](#)
Responsible Officer Name: Nick Clarke
General Manager Governance
Author Name: Nick Clarke
General Manager Governance

EXECUTIVE SUMMARY

Council each year sets the dates and times of its Council and Committee meetings, with the last Council meeting for 2009 being scheduled for 16 December.

At the General Meeting on 25 November 2009, Council resolved as follows:

1. *That the Schedule of Meeting Dates and Times, for the period February to March 2010, inclusive, be adopted;*
2. *That for the period 17 December 2009 to 01 February 2010 (inclusive), the Mayor and Chief Executive Officer (conjointly) be delegated the existing powers of the Development Assessment Committee to:*
 - (a) *decide development applications under the Integrated Planning Act 1997; and*
 - (b) *provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the Integrated Planning Act 1997;*
3. *That the powers conferred in No 2 above be subject to the condition that this delegation can only be exercised where the Chair of the Development Assessment Committee and the relevant divisional Councillor have been:*
 - (a) *personally provided with a copy of each development report subject to approval by the delegates, which would normally have been determined by the Committee; and*
 - (b) *where the Chair and divisional Councillor have been granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined by the delegates.*

Council's adoption of the Schedule of Meeting Dates and Times above resulted in there being no Council meetings scheduled for the month of January 2010.

Further investigation subsequently revealed that under Section 444 of the *Local Government Act 1993*, Local Government meetings are to be held "at least once in each month" for a city.

With regard to the delegation to the Mayor and the Chief Executive Officer, a review of section 472 of the Act found that a delegation may be given to the Mayor or the Chief Executive Officer, not both conjointly.

In order to comply with the Act, there is now a requirement to amend the Schedule of Meeting Dates and Times to reflect an additional General Meeting of Council to be held on Wednesday 27 January 2010.

In addition, it is necessary to amend the delegation at paragraphs 2 and 3 above to:

- (a) Provide a delegation to the Mayor only;
- (b) Include the Chief Executive Officer as a person who must be consulted prior to the exercise of this delegation; and
- (c) Amend the date for the conclusion of the period of delegation.

PURPOSE

The purpose of this report is to recommend that Council adopts the attached updated meeting schedule for January to March 2010 and appropriately delegates the existing powers of the Development Assessment Committee from 17 December 2009 to 26 January 2010, inclusive.

BACKGROUND

1. Council is required under the *Local Government Act 1993* to set its committee and council meeting dates;
2. The last General Meeting of Council for 2009 is scheduled for 16 December;
3. A meeting schedule for January to March 2010 has been prepared and is presented, as attached, to Council for consideration;
4. The last meeting in 2009 of the Development Assessment Committee is scheduled for 15 December 2009 – to comply with IDAS timeframes and ensure continuity within this decision-making process, Council is requested to delegate the existing powers of the Development Assessment Committee to the Mayor from 17 December 2009 to 26 January 2010, inclusive.

ISSUES

Each year, Council adopts a schedule of meeting dates for its subsequent year, specifying the dates and times the statutory committee and council meetings are to be held. The attached meeting schedule, for the months of January to March 2010 only, is in line with the existing committee structure and schedule.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

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

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has occurred with the Executive Leadership Group and Manager Legal Services.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend

Seconded by: Cr Bowler

That Council resolve as follows:

- 1. That the Schedule of Meeting Dates and Times, for the period January to March 2010 inclusive, as attached, be adopted;**
- 2. To rescind its previous resolutions of 25 November 2009 (nos. 2 and 3 under agenda item 13.1.2) regarding delegations under the *Integrated Planning Act 1997*, and replace those resolutions with 3 and 4 as detailed below;**
- 3. That for the period 17 December 2009 to 26 January 2010 (inclusive), the Mayor be delegated the existing powers of the Development Assessment Committee to:**
 - (a) decide development applications under the *Integrated Planning Act 1997*; and**
 - (b) provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*;**
- 4. That the powers conferred in No 3 above be subject to the condition that this delegation can only be exercised where the Chair of the Development**

Assessment Committee, the relevant divisional Councillor and the Chief Executive Officer have been:

- (a) personally provided with a copy of each development report subject to approval by the delegates, which would normally have been determined by the Committee; and**
- (b) where the Chair, divisional Councillor and Chief Executive Officer have been granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined by the delegates.**

CARRIED

12.2.3 LOCAL GOVERNMENT REGULATION 2009 - FINANCE, PLANS AND REPORTING

Dataworks Filename: GOV – Local Government Act 2009
Attachment: [Local Government \(Finance, Plans & Reporting\) Regulation 2009](#)
Responsible Officer Name: Nick Clarke
General Manager, Governance
Author Name: Luke Wallace
Manager, Corporate Planning, Performance and Risk

EXECUTIVE SUMMARY

The second *Local Government Act 2009 Regulation (Finance, Plans and Reporting)* has been released and the State Government is inviting submissions on the Regulation up to 22 January 2010. This regulation contains many important financial, strategic planning and reporting chapters that are critical to the way Council plans and operates.

PURPOSE

The purpose of this report is to briefly outline the contents of the *Local Government Act 2009 Regulation (Finance, Plans and Reporting)* and to seek Council's endorsement of a review process that will provide Council sufficient opportunity over the Christmas and New Year period to make a submission if it so desires.

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*. The State Government recently advised that the Act is expected to become effective from 1 July 2010, as opposed to the originally anticipated date of 10 December 2009.

To support the overarching legislation, a set of Regulations has been developed and these are being released in three stages over 2009/10. The first Regulation (Beneficial Enterprises and Business Activities) was released in August this year and the second Regulation (Finance, Plans and Reporting) has now been released with an expiry date of 22 January 2010 for submissions. The third Regulation (Operations) will deal with all matters not covered in the first two Regulations and is expected to be released in the first part of 2010.

Council made a detailed submission to the State Government on the *Local Government Bill 2008* and may wish to make a submission on the second Regulation given the important financial, planning and reporting matters dealt with in the document. A process for formalising any such submission has been developed

ensuring appropriate time is provided for consideration of the Regulation and coordination of any submission over the Christmas and New Year period.

ISSUES

The second *Local Government Act 2009 Regulation (Finance, Plans and Reporting)* contains many important chapters that are critical to Council's planning and operations. Those chapters include, but are not limited to;

- **Rates and Charges** (value of land used for rates, minimum general rates, special rates and charges, rates concessions, selling or acquiring land for overdue rates etc)
- **Financial Sustainability and Accountability** (annual budgets, financial reports, community plans, financial plans, corporate and operational plans, asset management plans, annual report, policies, auditing etc)
- **Contracting** (entering into contracts, large and medium sized contracts, strategic contracting etc)

Submissions on this Regulation have to be received by the State Government by 22 January 2010, and the first formal meeting of Council (including standing committees) is not scheduled until 27 January 2010. As such, to ensure Councillors have sufficient time to consider the Regulation and provide comments, it is recommended that the CEO be empowered to authorise Council's response by the due date, with ratification of the submission taking place at the General Meeting of 27 January 2010.

To support this process, Councillors will be provided with details on how they can lodge any comments and/or seek clarification of any particular Section of the Regulation. Once the CEO has authorised Council's response it will be circulated to all Councillors.

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

There are no financial implications attaching to this submission process.

CONSULTATION

Consultation on this matter has been undertaken with the Executive Leadership Group.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To empower the Chief Executive Officer to authorise a submission on its behalf on *Local Government Act 2009 Regulation (Finance, Plans and Reporting)*; and
2. That the submission be referred to Council's General Meeting of 27 January 2010 for formal ratification.

ALTERNATIVE

That Council does not authorise the Chief Executive Officer to make a submission on its behalf on *Local Government Act 2009 Regulation (Finance, Plans and Reporting)* and would discuss other options for coordinating a response to the State Government.

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

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve as follows:

1. To empower the Chief Executive Officer to authorise a submission on its behalf on *Local Government Act 2009 Regulation (Finance, Plans and Reporting)*; and
2. That the submission be referred to Council's General Meeting of 27 January 2010 for formal ratification.

CARRIED

12.2.4 MEETINGS REVIEW

Dataworks Filename: L&E Local Law No.5 Meetings
Attachments: [Meeting Options Flowchart](#)
[Meeting Options Tables](#)
[Review of Meeting Options](#)
Responsible Officer Name: Nick Clarke
General Manager Governance
Author Name: Trevor Green
Senior Advisor Environmental Health

EXECUTIVE SUMMARY

This report makes recommendations to change Council's standing committee structure; apply a change to the frequency with which committees and Council meet; and confirm current practice regarding the membership of standing committees as well as the duration of the appointment of committee chairs.

PURPOSE

1. To obtain a resolution on Council's committee structure and Council and committee operation (from April 2010) regarding:
 - (a) The structure of standing committees;
 - (b) The frequency of standing committee meetings.
2. To confirm current practice regarding:
 - (a) Committee membership & length of appointment;
 - (b) Length of appointment of committee chairs.

BACKGROUND

As part of the Organisational Development Plan's objective to provide clear direction for the development of Redland City Council over the next three years, the plan lists four key objectives and forty-seven initiatives designed to address issues arising from identified internal and external influences.

Under the key objective - Effective Organisation, Issue 23 (Council Committee Structure) and Issue 24 (Council and Committee Operation) provide for a review of the effectiveness of the existing Council Committee structure and associated standing orders, support systems and undocumented 'customs'. At the Post Election Meeting 1 April 2008 (Item 6), Council resolved to review the structure of the Planning and Policy Committee.

The process to date:

1. Information was obtained from Councillors, the Executive Leadership Group and other officers through questionnaires and interviews.
2. The results of the questionnaires and recommended directions were documented and forwarded to Councillors and the Executive Leadership Group.
3. A Councillor Workshop was held on 26 November 2009 to discuss the structure of Council's committees and the operation of those committees. Support was obtained: for the structure of standing committees; committee membership and length of appointment to committees; and length of appointment of committee chairs. Discussion about the frequency of general and standing committee meetings did not conclude and as such, options are presented and discussed as part of this report. These matters require Council resolution.

Support was also provided for implementing several operational improvements, including:

- Earlier publication of agendas;
- Creation of a Councillor portal on Council's intranet;
- The format and content of reports to be reviewed;
- Authorised officers to be appointed under the meetings local law;
- Procedures for reporting committees' decisions and deliberations to the General Meeting;
- Training of the chairperson and members;
- Training of officers re meeting protocols;
- Use of I.T. equipment at meetings; and
- Continuation of the presentation section at General Meetings.

These matters do not require Council resolution and will be progressed by officers, with staged implementation as part of this review.

ISSUES

(a) The structure of standing committees

A local government's committee structure should support the efficient and effective running of the Council's business and decision making process; and is often designed around the structural organisation of the individual Council. While this Council's committee structure has supported Council well for a number of years, some change to the established committee structure would be beneficial in light of the recent organisational changes and feedback received during this review. The Redland Water Committee will close in June 2010. After this time, Allconnex Water will report through to a committee that deals with finance.

From the feedback obtained, the following structure for standing committees is proposed. This aligns with Council's new organisational structure. A number of proposed operational improvements will follow, to enhance the effectiveness and efficiency of meetings. The proposed standing committees are:

- **Corporate Services & Governance;**
- **Regulatory Services** (this includes Development Assessment);
- **Planning and Policy; and**
- **Customer Services.**

The terms of reference for the committees will be developed post-resolution.

(b) Committee membership & length of appointment

From the feedback obtained, there is a very strong preference for all Councillors to remain on all committees. Keeping full Councillor membership on all committees, allows greater awareness of all issues and expression of views by all Councillors at committee. This results in generally easier passage of items through the General Meeting. It also supports the potential for further delegation of items to standing committees, as these matters are decided by all Councillors.

It is proposed to maintain:

Full Councillor membership on all committees

(c) The frequency of general and standing committee meetings

The Local Government Act 1993 (the Act) requires that Councils have at least one general meeting per month. In light of the recent organisational changes, the results of this review and the recommended changes to the structure of committees, there is opportunity to change the frequency of meetings.

It is important to note that the meeting frequency is not proposed to sit alone as the only potential change to Council's meetings. When comparing the current meeting frequency to the options listed, meeting frequency is part of a suite of proposed changes to improve the efficiency and effectiveness of Council's General Meeting, standing committees and decision making processes (including committee structure, improved delegation to committees and officers, operation of meetings, earlier receipt of agendas, etc.).

Three Week Meeting Cycle

Some local governments arrange their meeting schedule based on having more than one general meeting per month. For larger Councils, this can be as often as weekly general meetings, or for mid-size councils a general meeting every two or three weeks. A three-week meeting schedule does not necessarily mean Councillors will spend more time at meetings. Improvements in delegations and operation of meetings will result in less items requiring resolution by Council and better organisation and management of meetings. Increased frequency of meetings should

result in shorter agendas. A shorter meeting cycle can also improve the timeliness of decision making.

Four Week Meeting Cycle

Council currently has a monthly week meeting cycle, with usually one week free of meetings. Occasionally the monthly cycle creates a fifth week which is also free of meetings. A four week meeting cycle, meets the minimum requirements of the Act.

Allocation of Days for Meetings

Currently Council conducts the statutory meetings on Tuesdays and Wednesdays. Based on Councillor's feedback, this would be expected to continue. The four options presented are based on meetings being held on these days, with Option 1 including the temporary allocation of the Redland Water Committee on a Thursday. It is preferred to have the Regulatory Services (Development Assessment) and Planning and Policy committees meeting on different days, due to current workloads. There is however potential to reduce the workload of the former and the items taken to the later will reduce as a direct result of the proposed committee structure.

This report's attachments list four options for consideration for meeting frequency. It is proposed:

That the frequency of Council's General Meeting and Standing Committees be adopted in line with Option 1 in attachment 2 to this report.

To assist with planning, particularly for workshops and budget meetings, a corporate meetings calendar has been implemented, which will be accessible to councillors and staff, from 7 December 2009.

(d) Length of appointment of committee chairs

From the feedback obtained, there was unanimous agreement for the current arrangements of 2-year appointments to remain. It is proposed to maintain:

The length of appointment of the committee chairpersons remain at 2 years.

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

There are no financial implications associated with this report.

PLANNING SCHEME IMPLICATIONS

There are no planning scheme implications associated with this report.

CONSULTATION

Consultation has occurred with all councillors, the Executive Leadership Group and several staff.

OPTIONS

PREFERRED

1. That from April 2010, to appoint the following Standing Committee structure:
 - a) Corporate Services & Governance Committee;
 - b) Regulatory Services Committee;
 - c) Planning and Policy Committee;
 - d) Customer Services Committee; and
 - e) Redland Water Committee (April to June 2010 only).
2. That the frequency of Council's General Meeting and Standing Committees be adopted in line with Option 1 in attachment 2 to this report.
3. That a further report be presented to Council in February 2010;
 - a) To appoint Councillors as Chairpersons, from 1 April 2010 until the local government elections in 2012.
 - b) To appoint all Councillors as members on each of the standing committees, from 1 April 2010 until the local government elections in 2012.
 - c) To adopt the schedule of meeting dates and times for General Meetings and Standing Committees, from April 2010 to December 2010.
 - d) To provide delegation to the Regulatory Services Committee (as per the current delegation to the Development Assessment Committee).

ALTERNATIVE

1. To retain the existing committee structure.
2. That the frequency of Council's General Meeting and Standing Committees be adopted in line with Option 2, 3 or 4 in attachment 2 to this report.

OFFICER'S RECOMMENDATION

1. That from April 2010, to appoint the following Standing Committee structure:
 - a) Corporate Services & Governance Committee;
 - b) Regulatory Services Committee;
 - c) Planning and Policy Committee;
 - d) Customer Services Committee; and
 - e) Redland Water Committee (April to June 2010 only).
2. That the frequency of Council's General Meeting and Standing Committees be adopted in line with Option 1 in attachment 2 to this report.
3. That a further report be presented to Council in February 2010;
 - a) To appoint Councillors as Chairpersons, from 1 April 2010 until the local government elections in 2012.
 - b) To appoint all Councillors as members on each of the standing committees, from 1 April 2010 until the local government elections in 2012.
 - c) To adopt the schedule of meeting dates and times for General Meetings and Standing Committees, from April 2010 to December 2010.
 - d) To provide delegation to the Regulatory Services Committee (as per the current delegation to the Development Assessment Committee).

COMMITTEE RECOMMENDATION

That the Officer's Recommendation be adopted with an amendment to recommendation 2 as follows:

"2. That the frequency of Council's General Meeting and Standing Committees be adopted in line with Option 3 in attachment 2 to this report."

COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Boglary

That the Committee Recommendation be adopted with the following amendments:

1. That recommendation 1 b) be amended by changing the name of the 'Regulatory Services Committee' to the 'Development & Community Standards Committee'. Recommendation 1 b) now reads as follows:

- 1 b) Development & Community Standards Committee;
2. That recommendation 3 d) be amended by changing the name of the 'Regulatory Services Committee' to the 'Development & Community Standards Committee'. Recommendation 3 d) now reads as follows:
 - 3 d) To provide delegation to the Development & Community Standards Committee (as per the current delegation to the Development Assessment Committee).

CARRIED

12.3 COMMITTEE GENERAL BUSINESS

Permission was granted for Cr Boglary to present a short DVD on Cocoa Slavery to committee and raise the following item of general business.

12.3.1 FAIR TRADE COUNCIL

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council officers investigate the financial implications of Redland City Council becoming a Fair Trade council.

CARRIED

13 DIRECT TO COUNCIL REPORTS

13.1 PLANNING AND POLICY

13.1.1 REQUEST FOR EASEMENT ELECTRICITY SUPPLY FROM BIRKDALE LANDFILL

Dataworks Filename: WM Contract – RWW-0029 Birkdale Landfill Gas Plant

Attachments: [Layout of Easement](#)

Responsible Officer Name: David Elliott
Manager Infrastructure Planning

Author Name: Paula Kemplay
Senior Advisor Waste Planning

EXECUTIVE SUMMARY

Council has entered into a contract with Landfill Management Services Pty Ltd (LMS) to build, operate and maintain a landfill gas power plant at Birkdale landfill. The Development Approval has been lodged and is planned for consideration by Council in December 2009. As part of the implementation of the works, an easement needs to be granted to Energex to construct an underground and overhead electricity supply to LMS for both the supply of electricity to LMS and the transmission of electricity back into the grid from the power plant. There is no delegated authority for this function and this request for an easement is referred to Council for a resolution. Council will then have to lodge the easement application with the Department of Environment and Resource Management for their approval as it is Trustee land.

PURPOSE

To obtain Council approval to delegate to the Chief Executive Officer the ability to enter into an easement agreement with Energex under section 472 of the *Local Government Act 1993*.

BACKGROUND

At the General Meeting dated 30 May 2007, Council resolved to enter into a contract with Landfill Management Services Pty Ltd for the construction, operation and maintenance of a landfill gas energy plant at Birkdale.

Legal advice states that “*The earlier resolution of 30 May 2007 allowing Council to accept the tender and enter into a contract with Landfill Management Services does not cover the creation of an easement in favour of Energex.*”

ISSUES

The proposed layout of the electricity line is attached. The purpose of the easement is to allow electricity to be imported for LMS use and then electricity created from the landfill gas power plant to be exported into the grid.

The land upon which an easement is proposed is Lot 140 on SP123388 and is classified as a reserve. Council has undertaken preliminary consultation with the Department of Environment and Resource Management (DERM), but no response was available at the time the report was written. The process that would occur, assuming Council supported the granting of an easement, is to request in-principle approval from DERM and then lodge the relevant paperwork.

The proposed design solution incorporates the need for safety, reliability of supply and the requirement of minimising tree felling on site. A total of 2 poles are proposed to be installed near the road. These will host an outdoor recloser and communications equipment so that in the event of a fault ENERGEX will be notified electronically in order to attend immediately if so required. A recloser is a device that is used to isolate the line when a fault occurs. Rather than the whole area of Birkdale losing supply for whatever reason, the recloser acts to isolate the section of line where the fault has occurred - in this instance the LMS source.

The underground cable will commence at the poles near the road and be trenched to the LMS site. As with all underground electricity cabling, an easement is required so that the location is noted on the title.

Legal advice is that "*the creation of the easement will not have to be subject to tender or auction, as the exemption in s492 of the Local Government Act 1993 applies to Energex (because Energex is a government owned corporation).*"

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

Council is due to receive a royalty payment (revenue) of approximately \$5,000 per month and granting the approval of the easement will minimise any delays to the commissioning of the project.

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

Legal advice was sought regarding whether there were any existing delegations in place for this activity and legal advice has been referenced in the body of this report.

The Property Services Unit was consulted about the process of applying for easements.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To grant approval for an easement to Energex over Trustee land Lot 140 on SP123388 as per the attached diagram subject to DERM approval; and
2. To delegate authority to the Chief Executive Officer to sign all documentation to make, vary and discharge the easement.

ALTERNATIVE

That Council resolve to request further information regarding this easement application.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Boglary

That Council resolve as follows:

1. To grant approval for an easement to Energex over Trustee land Lot 140 on SP123388 as per the attached diagram subject to DERM approval; and
2. To delegate authority to the Chief Executive Officer to sign all documentation to make, vary and discharge the easement.

CARRIED

13.2 REGULATORY SERVICES

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

Datworks Filename: GOV Fees and Charges Documentation
Responsible Officer Name: Toni Averay
General Manager, Regulatory Services
Author Name: Toni Averay
General Manager, Regulatory Services

EXECUTIVE SUMMARY

At the General Meeting of 25 November 2009, Council resolved to amend the 2009/10 Fees and Charges Schedules for Regulatory Services fees relating to discounts and rebates. (Refer to Item no. 13.6.1)

Subsequently, an inconsistency between the report and the recommendation has been identified.

PURPOSE

The purpose of this report is to seek Council approval to rectify the inconsistency in the resolution of 25 November.

BACKGROUND

The report supporting the recommendation to change the Schedule of Fees and Charges recommended a number of discounts and rebates including the following:

- Well made application rebate of 25% (up to a maximum of \$5000);
- Accelerated DA applications rebate of 25% (up to a maximum of \$5000);
- SmarteDA discount of 10% (up to a maximum of \$5000).

It was identified that applicants would be able to claim a discount for a Well Made Application OR an Accelerated DA Application, but not both for the same application. However, the recommendations failed to apply this exclusion, and incorrectly excluded Accelerated DA applications from the SmarteDA discount. It was intended that the SmarteDA discount could be combined with any other rebate. Accordingly, this report proposes amendments to the resolution to reflect this intention.

CONCLUSION

It is intended that the SmarteDA discount may be combined with any other rebate, therefore it is recommended that Council approve the following amendments.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Bowler
Seconded by: Cr Elliott

That Council resolve to delete recommendations 3, 5 and 6 from General Meeting of 25 November 2009, item no. 13.6.1 and replace with the following:

1. *Delete Recommendation 3 - That a discount of 25% be introduced for 'well made applications' in accordance with the criteria detailed in the Well Made Application Fact Sheet;*

Replace with - That a discount of 25% be introduced for 'Well Made Applications' in accordance with the criteria detailed in the Well Made Application Fact Sheet EXCLUDING Accelerated DA applications;

2. *Delete Recommendation 5 - That a rebate of 25% be applied for Accelerated DA applications for SMBI dwelling house applications complying with the criteria detailed in the Accelerated DA fact sheet;*

Replace with - That a rebate of 25% be applied for Accelerated DA Applications complying with the criteria detailed in Accelerated DA fact sheets. These applications will not be eligible for the well made rebate;

3. *Delete Recommendation 6 - That a discount of 10% be for applications lodged using Council's Smart eDA system, EXCLUDING Accelerated DA applications;*

Replace with - That a discount of 10% be applied for applications lodged using Council's Smart eDA system.

CARRIED

14 ITEMS REFERRED FROM DEVELOPMENT ASSESSMENT COMMITTEE**14.1 REGULATORY SERVICES****14.1.1 MATERIAL CHANGE OF USE - 17 PORTSMOUTH PLACE , CLEVELAND –**

Datworks Filename: MC011754
Attachment: [Locality Map](#)
Responsible Officer Name: Toni Averay
 General Manager Regulatory Services
Author Name: Toni Averay
 General Manager Regulatory Services

EXECUTIVE SUMMARY

Application Type	Impact Assessment
Proposed Use	Dwelling House
Property Description	Lot 467 SL 12651 Vol 17347055
Location	17 Portsmouth Place Cleveland QLD 4163
Land Area	872m ²
Redlands Planning Scheme Zoning	UR - Urban Residential
Designated Community	None
Infrastructure	
Overlays	Acid Sulfate Soils Overlay Urban Footprint
SEQ Regional Plan 2005-2026 and Draft SEQ Regional Plan 2009-2031 - Land Use Category	
No. of Public Submissions	1 Proforma submission with 3 signatures.
Applicant	Mr T Dang
Land Owner	Mr K Young, Mrs K C Young
Properly Made Date	30/06/2009
Start Decision Stage	08/09/2009
Statutory Decision Date	15/12/2009
Recommendation	Development Permit
Application Coordinator	Brett Dibden
Manager	Janice Worland

Council has received an impact assessable application seeking a Development Permit for a Dwelling House on an allotment zoned Urban Residential, on land at 17 Portsmouth Place, Cleveland. The proposal is for a three storey dwelling on a 872m² allotment with a maximum height of 10.6m. The application has been assessed against the relevant sections of the Redlands Planning Scheme, including the overlays triggered by the application, and is considered to be in compliance with the Scheme.

Issues pertaining to this development application are summarised below:

- Building height
- East side setback

These issues have been addressed through the application process.

The application was made in accordance with the Integrated Planning Act 1997 and required referral to the Department of Environment and Natural Resources as the subject site is within 100 metres of a conservation estate. The application was publicly notified with one proforma submission received during the notification period. The proposal complies with the intent of the SEQ Regional Plan 2005-2026 and the proposed development is considered to be of a similar nature to that expected of the surrounding area. It is therefore recommended that the application be granted a **Development Permit**, subject to conditions. The applicant will be required to obtain a number of additional permits prior to construction of the proposed dwelling house.

PURPOSE

This Category 4 application is referred to the Development Assessment Committee for determination.

BACKGROUND

A previous application for an impact assessable dwelling was lodged with Council in 2003 (MC007480). An information request for shadow diagrams and demonstration that the dwelling did not exceed 50% site cover was sent to the applicant (Bartley Burns Building Surveyors) 30/05/2009 with no response received within a 12 month period. The design was for a three storey dwelling with a height of 9.5 metres.

Building approval for a pontoon and deck (BD130496) was given in 2004. The currency period has been subsequently extended (twice) with construction to be completed by 20/12/2009. There was also a change of ownership to the current owners in 2009.

A meeting was held at Council on 28/10/2009 with the applicant, the owners, architect, application coordinator and Council's Architect/Urban Designer to discuss the design. The applicant was advised to submit colour 3D and street scale perspectives to support their application, in addition to amended floor plans to reflect subsequent design changes. The applicant was advised that Council would not likely support the proposal without perspectives and rendered plans.

The current application was presented to Council Development Assessment Workshop on 17/11/2009 with consensus amongst Councillors that the current design would unlikely to be supported and that the application should proceed to be determined at Development Assessment Committee.

The subject site and adjacent lots were zoned Urban Residential under the superseded version of the Redland Planning Scheme; Residential A under the 1988

Planning Scheme; and, Marine Orientated Activity under Development Control Plan 3.

CONSULTATION

The Development Assessment Team has consulted with other assessment teams where appropriate. A copy of the original proposal was provided to Councillor Craig Ogilvie of Division 2 on 06/07/2009. Cr Ogilvie elevated the delegation to Category 4 on 03/09/2009.

The application was publicly notified in accordance with the provisions of the Integrated Planning Act 1997. One (1) proforma submission with three (3) signatures has been received.

1.0 DEVELOPMENT PROPOSAL AND SITE DESCRIPTION

1.1 Proposal

The proposal is for the construction of a three (3) storey dwelling house on a 872m² allotment. The proposed dwelling house will have a maximum height of approximately 10.6 metres above existing ground level. Internally, the dwelling house will have a triple garage; three (3) bedrooms each with an ensuite bathroom; two (2) offices; a lobby; entry lounge; laundry; powder room; cellar; and, a lift and stairs to the upper levels. The line of roof will provide covered outdoor areas at the front and rear, and a drying terrace will be located adjacent to the laundry on the north-west side. The garage is located on the east side along with driveway access. The first floor will contain a fourth (master) bedroom with ensuite, walk-in robe and powder room; two (2) lounges; kitchen/bar; and, dining room. A 14 metre lap pool, plunge pool, spa and pool shower will be located partly undercover in an outdoor area on the north-west side of this level. The outdoor area extends to decks front and rear from the pool area, with alternate access to the ground level rear lawn. The second floor will contain approximately 40m² of enclosed roof terrace covering the lift and stairs, and provide access to an open roof terrace of approximately 90m². The parapet of the open roof terrace will be below 8.5m AHD and will also provide maintenance access to air-conditioning equipment.

External building materials for the proposal include masonry block walls, with the roof to be covered in a light coloured sheet metal.

The development will result in site coverage of approximately 367m² (42%). The proposed dwelling house is sited approximately 6.485 metres from the front boundary; 2 metres from the east side boundary; 2.113 metres from the west side boundary; and, 6.6 metres from the rear boundary.

Roof water is intended to be directed to 2x10,000 litre underground rainwater tanks to be located under the driveway adjacent to the garage. A condition is recommended to direct overflow to the street channel to avoid direct flow to the canal at the rear.

1.2 Site

The site is located on the south side of Portsmouth Place, Cleveland in the Raby bay estate and has an area of 872m². The site is trapezoid in shape with frontages addressing public open space and Moreton Bay on the north side and Drake Canal on the south side. The site is currently vacant and cleared of all vegetation. The topography of the site is relatively flat however the rear falls to the canal and is retained by a revetment wall.

1.3 Surrounding Area

Development in the surrounding area consists of mostly low-rise detached dwelling houses and is included within the Urban Residential Zone. The area is close to Bayside parks, boat ramps and Cleveland Point.

1.4 Amenity and Character

The surrounding area is dominated by large one and two storey detached dwelling houses on lot sizes generally over 800m². The proposed dwelling house is considered to reflect the existing residential character of the area by maintaining the appearance of low rise development when viewed from the street. The amenity and privacy of the occupants and those of adjoining uses is considered not to be impacted on due to setbacks and use of louvers over habitable room windows.

2.0 APPLICATION ASSESSMENT

2.1 *Integrated Planning Act 1997 (IPA)*

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

2.2 SEQ Regional Plan 2005-2026 and Draft SEQ Regional Plan 2009-2031

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

2.3 State Planning Policies

There is one applicable State Planning policy for this application:

State Planning Policy	Applicability to current Application
SPP 2/02 Planning and Managing Development Involving Acid Sulfate Soils	The requirements of the SPP have been addressed through the assessment of the Acid Sulfate Soils Overlay (refer below).

2.4 Redlands Planning Scheme

2.4.1 Zone Code (see Appendix B)

The subject lot is zoned Urban Residential. Dwelling Houses are a consistent form of development in this zone as identified in Table 4.24.4 of the zone code, requiring a Material Change of Use – Impact Assessment application as the proposed dwelling house exceeds 2 storeys and 8.5 metres maximum height.

Overall Outcomes

The proposed Dwelling House **is considered to comply** with the following Overall Outcomes of the Urban Residential Zone Code:

Uses and Other Development

2(a)(i)(a) 'Provide for a range of residential uses that are predominantly low-rise detached houses on individual lots of various sizes'.

Officer's Comments

Half the available lots have been developed in Portsmouth Place to date. 1 dwelling is not considered low-rise as it exceeds 8.5 metres in height, ("low rise" is defined as 1 to 2 storey and has no reference to actual height) and 4 other dwellings are considered low-rise at a maximum of 8.5 metres in height and 2 storeys. Therefore, the scale of development in the street to date is predominantly low-rise including or excluding the proposed development. The assessment of future applications for the remaining undeveloped lots will be assessed on merit.

Built Form and Density

2(b)(i)(a) 'The scale of uses and other development contribute to a predominantly detached residential form by limiting building height to maintain a low-rise appearance'.

Officer's Comments

'Low-rise' is defined in the Redland Planning Scheme as 'a building that is 1 to 2 storeys in height.' The applicant has amended plans through the assessment process

so that the design gives the appearance of a low-rise height when perceived from the street. The roof design and the 3rd storey setbacks (particularly the front setback of 12.5m from the roof edge & 18m from the front boundary) combine to reduce the visual impact of the 3rd storey so that it can only be seen from approximately 40 metres away as demonstrated by the applicant through the provision of street and canal perspective plans. These plans indicate that the 3rd storey can be seen from across Drake Canal to the south, however the difference is marginal due again to roof design and 3rd storey setback (8m from roof edge & 13.5m from rear boundary), and a person standing at ground level will perceive less than 1 degree of difference (line-of-sight) in building height for an 8.5m dwelling to the proposed 10.6m dwelling.

Specific Outcomes

The following areas of non-compliance with the Specific Outcomes of the Zone code include:

Specific Outcomes	Probable Solutions	✓ x	Officer's Comment
Built Form and Density			
<p>S2.1</p> <p>(1) The height of buildings and structures maintain a low-rise built form by -</p> <p>(a) being compatible with the existing streetscape;</p> <p>(b) adopting the predominant height of surrounding buildings;</p> <p>(2) Where a use proposes a building height greater than an adjoining building, site layout and building design minimises any potential impacts of overshadowing and loss of privacy.</p>	<p>P2.1</p> <p>(1) Overall building height is less than 8.5 metres, above ground level;</p> <p>(2) No probable solution identified.</p> <p>Note - Refer to the relevant use code for specific building height assessment criteria.</p>	☒	<p>(1) Building height - <i>Maximum height approx 10.6m above ground level; 3 Storey Dwelling – building is not considered low rise however, the applicant argues that the 3rd storey is less than 8.5% of the total roof area and therefore not considered to affect the amenity of adjoining uses due to significant setbacks from the roof below. The applicant also argues that the 'height intrusion is not considered incongruent to the streetscape due to the fact that many of the surrounding residential dwellings appear to be of an increased height' with respect to building bulk and ceiling heights. The roof terrace is proposed to add amenity to the occupants by providing views without impacting on the views of adjoining uses.</i></p>

Specific Outcomes	Probable Solutions	✓ x	Officer's Comment
			<p><i>Officer's Comments</i> <i>There is one 2 storey dwelling at 9/10 Portsmouth Place that exceeds 8.5m (10.8m). While there are only 5 constructed dwellings in Portsmouth Place, the predominant building height is approx 8.5m, 2 storey. The applicant has amended the original plans to further reduce the height intrusion. The section above 8.5m is an approximate 40m² area covering the lift and stairs which provide access to an open roof terrace (approx 90m² area) which has a parapet less than 8.5m. The applicant has provided both street and canal perspectives demonstrating the 3rd storey cannot be perceived from the street & can only be marginally seen from greater than 40m away. Additionally, as this section is in the middle of the building is not considered to overshadow or affect privacy. Therefore, the building height is considered compatible with the surrounding streetscape and on merit, is considered to adopt the building height of the surrounding buildings.</i></p> <p><i>(2) Setbacks generally comply with use code</i></p>

Specific Outcomes	Probable Solutions	✓ x	Officer's Comment
			<p><i>however one section on the eastern side (louvered skylight) is setback 2.3m where a 2.5m setback is specified for buildings over 7.5m in height. Applicant provided a shadow diagram (10am – 2pm) indicating an acceptable level of solar access .Therefore, it is considered that the <u>additional</u> height of the building is not likely to impact on solar access. Privacy will not be affected as habitable room windows are louvered and the roof terrace is 9.5m from edge of roof below.</i></p>

Use Code

An assessment of the development proposal against the prescriptive measures of the Dwelling House Code is set out in Appendix C. The application generally complies with the acceptable solutions outlined in the Code. The following areas of non-compliance with the prescriptive measures of the Code exist:

Overall Outcomes

The proposed Dwelling House is considered to comply with the Overall Outcomes of the Dwelling House Code:

2(a) 'to ensure the use:

- (ii) is designed and sited to provide for a high quality living environment;
- (ii) maintains a high standard of residential amenity;
- (iii) compliments the character of the surrounding area.'

Officer's Comments

The established character of the area is that of large dwelling houses predominantly low rise in height. The proposed design complies with the prescriptive measures relating to site cover and private open space and generally complies with the prescriptive measures for setbacks, without impacting on the amenity of the occupants of adjoining uses. The 3rd storey is set well back from the roof edge and provides access to a mostly uncovered roof terrace. While the proposal is not consistent with the height of surrounding buildings, it is considered to maintain the appearance of development of surrounding properties, while being consistent with

the scale of surrounding buildings. Therefore, the proposal is considered to compliment the character of the surrounding area.

Specific Outcomes

Specific Outcomes	Probable Solutions	Officer's Comment
<p>S1. (1) Design and layout of the use enhances built form of the surrounding streetscape by –</p> <p>(a) contributing to the establishment of an attractive streetscape in new areas; (b) ensuring the use is compatible with surrounding development; (c) ensuring the building size and bulk of the use does not create overbearing development for neighbouring dwellings and their open space; (d) ensuring the use addresses the street frontage; (e) reducing building bulk through a combination of verandahs recesses and variations in building form and materials; (f) ensuring the use is sited to prevent nuisance or threat to public safety.</p> <p><i>(Building Act, 1975 Alternative Provision to QDC MP1.2, P1 and P2)</i></p>	<p>P1. (1) The use complies with the following requirements –</p> <p>(a) boundary setbacks are in accordance with Table 1 – Building Siting and Design Requirements.</p> <p>(Building Act, 1975 Alternative Provision to QDC MP1.2, A1 and A2)</p>	<p>East Side Setback - <i>Setbacks comply except for a section on the eastern side (louvered skylight) which is setback 2.3m where a 2.5m setback is specified for buildings over 7.5m in height. The applicant provided a shadow diagram (10am – 2pm) indicating an acceptable level of solar access; Privacy will not be affected as habitable room windows are louvered; The use is considered to be compatible with the existing streetscape in terms of building bulk & style of design; addresses the street frontage; uses varied articulation to break up the building form including a curved roof with significant overhang, balustrades, decks, louvered screens on windows & stepped design; The building is considered to be setback sufficiently to prevent nuisance or threat of public safety.</i></p>
<p>S4. (1) The height of a building –</p> <p>(a) is consistent with the predominant building height and scale of surrounding properties;</p>	<p>P4. (1) The maximum building height does not exceed 8.5 metres above ground level.</p>	<p>Building height - <i>Building height - A max building height of approx 10.6m is proposed. The applicant argues that the majority of the roof is under 8.5m with approx 8.5% of the total roof area (roof terrace and lift) over 8.5m. The applicant also argues that there are some</i></p>

Specific Outcomes	Probable Solutions	Officer's Comment
(b) does not obstruct the outlook or views from adjoining dwellings.		<p><i>dwellings in the surrounding area that appear to exceed 8.5m in height & amenity of the adjoining uses will not be affected as the roof terrace is sufficiently setback.</i></p> <p><u><i>Officer's Comments</i></u> <i>The outlook & views of adjoining uses will not be impacted due to the orientation of the lots with respect to views; the location of the subject lot with respect to a bend in the canal; and, the perspectives provided by the applicant in combination with the curved roof design & setbacks to the covered roof terrace present the building to the street as a low-rise design consistent with the predominant height & scale of surrounding properties.</i></p>

2.4.2 Overlay Codes

- Acid Sulfate Soils Overlay

The applicant has completed and submitted the self-assessment checklist for the overlay. The lot is relatively flat except for the rear which slopes to the canal. Minor excavation is required for the slab which is considered to comply with the self-assessable requirements of the overlay.

2.4.3 Other Development Codes

The application has been assessed against the following other development codes:

- Domestic Driveway Crossover Code; and,
- Excavation and Fill Code.

The requirements of the above codes are recommended to be conditioned.

2.4.4 General Code(s)

The application has been assessed against the following general codes:

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

- Infrastructure Works Code; and
- Stormwater Management Code.

The proposal was deemed to be self-assessable against the Development Near Underground Infrastructure Code while the requirements of the other above codes are recommended to be conditioned.

2.4.5 Planning Scheme Policies

The proposal triggers Corporate Policy POL-3063 – Waterfront Structures due to the proposed development being within 9 metres of a revetment wall. Engineering certification was provided demonstrating compliance with the above policy and Guideline Document GL-3063-001 – Waterfront Structures. Council's Development Assessment Engineer assessed this information and has recommended relevant conditions.

2.5 Architectural

Council's Architect/Urban Designer has assessed the application and considers the proposal to be of a high standard design, compatible with existing development in the street and that amenity, overshadowing and privacy requirements do not impact on adjoining owners or on the streetscape.

2.6 Engineering

Council's Senior Development Assessment Engineer has assessed the application and has determined that the engineering information supplied by the applicant's engineering consultant (East Coast Geotechnical Pty Ltd) in response to Council's information request dated 20/07/2009. Conditions were recommended regarding flood free finished floor levels and a minimum 1.5 metre side setback to enable revetment wall maintenance access.

2.7 Health and Environment

Council's health and Environment Team have assessed the application and recommended conditions for noise and light nuisance.

2.8 Infrastructure Planning Group

Council's Infrastructure Planning Group have assessed the application and have not recommended any conditions of approval.

2.9 Land Use Planning

Council's Land Use Planning Group have advised that there are potential conflicts with specific solutions of relevant codes due to the predominant building height in the street being 2 storeys in height. An argument would have to be provided on planning grounds to consider the proposal against the overall outcomes to support the

development despite the conflict. Land Use Planning also had concerns that as there are six undeveloped lots in the street, it may be difficult to control the height of subsequent applications that propose a building form greater than 8.5m.

3.0 REFERRAL AGENCIES

The application was referred to the Department of Environment and Resource Management DERM on 21/07/2009 as an advice agency as the land is within 100m of a conservation estate (Moreton Bay Marine Park). A DERM response was received by Council on 05/08/2009 with the following recommendations:

1. Include rainwater tanks to maintain runoff from the site at pre-development levels;
2. Erosion prevention measures to be included during construction; and,
3. All water leaving the site during construction and operation comply with the water quality objectives of *Environmental Protection (Water) Policy 1997* for Moreton Bay.

Officers Comments

1. 2 x 10,000 litre underground rainwater tanks are proposed to be located under the driveway adjacent to the garage. A condition could be applied to direct overflow to the street channel to avoid direct flow to the canal at the rear.
2. Erosion prevention is assessed under Council's Erosion Prevention and Sediment Control Code, with relevant conditions of approval recommended;
3. This has been recommended to be included as advice.

4.0 GROUNDS OF SUBMISSIONS

The application was publicly notified from 11/08/2009 to 7/09/2009. During this time, one proforma submission with three signatures was received in relation to the application.

Submission 1 – Received by Council on 02/09/2009

Issues Raised	Applicant's Response	Officer's Response
<i>The height of the building will not maintain a low-rise built form as the height is not compatible with the existing streetscape (third floor higher than any existing structure in the area) and will not adopt the predominant height of</i>	<i>No response.</i>	<i>Refer to Officer's comments in the Specific Outcomes tables for S2.1 of the Urban Residential Zone Code and S4 of the Dwelling House Code above. The applicant has amended plans in response to Council's information request dated 20/08/2009 to reduce the</i>

Issues Raised	Applicant's Response	Officer's Response
<p><i>surrounding buildings (may lead to setting a height precedent).</i></p>		<p><i>height & covered floor area of the section above 8.5m in height. An argument that approval may set a precedent is not considered to be accurate as each application must be decided on merit by being considered to be in overall compliance with the relevant provisions of the Redland Planning Scheme. The size and location of the third storey with respect to street and canal perspectives is not considered to result in any additional significant impact on amenity.</i></p>
<p><i>The side setbacks do not comply with the (Dwelling House) code, which may create a precedent for the remaining vacant blocks in the area.</i></p>	<p><i>No response.</i></p>	<p><i>Compliance with a code is not established through compliance with probable solutions but against specific outcomes. The dwelling setbacks are considered to comply with Specific Outcome S1(1) of the Dwelling House Code: The applicant provided a shadow diagram (10am – 2pm) indicating an acceptable level of solar access; Privacy will not be affected as habitable room windows are louvered; The use is compatible with the existing streetscape in terms of building bulk & style of design; addresses the street frontage; uses varied articulation to break up the building form including a curved roof with significant overhang, balustrades, decks, louvered screens on windows & stepped design; The building is setback sufficiently to prevent</i></p>

Issues Raised	Applicant's Response	Officer's Response
		<i>nuisance or threat of public safety. The issue of approval setting a precedent is outlined in the Officer's comment for the previous submission issue above.</i>
<i>Buildings to the south of the proposed development will have their views obstructed by a 3rd floor. Additional dwellings of similar height or higher will exacerbate this issue.</i>	<i>No response.</i>	<i>The dwellings to the south are approximately 80m away and located at the same height above ground level (approximately 3m AHD). Consequently, a code complying dwelling would obstruct views to the ocean to a similar degree to the proposed 3 storey dwelling. Additionally, the Redland Planning Scheme considers the impacts of a proposal on the views from adjoining dwellings only, for which the proposal complies due to the orientation of the lot – refer S4(1)(b) of the Dwelling House Code.</i>

5.0 CONCLUSION

The proposal is considered to be generally in accordance with the Redlands Planning Scheme, and applicable codes and planning scheme policies. Accordingly, it is recommended that the application be approved and a development permit be granted, subject to conditions.

OFFICER'S RECOMMENDATION

A That the application for a Development Permit for a Material Change of Use for a Dwelling House on the land known as 17 Portsmouth Place, Cleveland and described as Lot 467 on SL12651 Vol17347055 be approved and a development permit be granted subject to the following conditions.

B CONDITIONS FOR DEVELOPMENT PERMIT

1.0 Approved Plans and Documents

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

Plan/Document Number	Plan/Document Title	Prepared by	Date received by the Council
WD01F	Site Plan	Williamson Architects	17/11/2009
WD02La	Ground Floor Plan	Williamson Architects	16/11/2009
WD03Ha	First Floor Plan	Williamson Architects	16/11/2009
WD04Ga	Roof Plan	Williamson Architects	16/11/2009
WD05Ga	North & South elevations	Williamson Architects	16/11/2009
329-DD05-A	South & west Elevations	Williamson Architects	16/11/2009
WD06Ga	East & West Elevations	Williamson Architects	16/11/2009

2.0 Design

- 2.1 The development must be carried out generally in accordance with the details set out in the application and the approved drawing(s) and/or document(s) listed under Condition 1.1 unless otherwise required by a condition of this approval.
- 2.2 The approved design does not include the pontoon and associated deck as endorsed on the Site Plan WD01F received by Council 17/11/2009.

3.0 General

- 3.1 All relevant Council Local Laws, Planning Scheme Provisions and Policies together with all conditions of approval shall be complied with and to the full and complete satisfaction of the Council.
- 3.2 All reasonable precautions shall be taken to ensure that the proposed use does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, dust and wastewater.
- 3.3 The Council and/or other appropriate authority(ies) must be paid the cost of necessary alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development and/or material change of use, or any works required by condition(s) of this approval. Such costs will be determined by the Council and/or the relevant authority(ies) and must be paid prior to commencement of the use unless otherwise specified.

4.0 Domestic Driveway Crossover

- 4.1 The domestic driveway crossover –
 (a) is limited to one crossover per street frontage;

- (b) splays and tapers do not protrude over adjoining property boundaries at
 - (c) any point within the verge;
- (d) does not result in the removal or damage to existing street trees;
- (e) is not located where it will conflict with proposed street trees;
is of a slope that results in a continuous even surface along the verge or constructed footpath;
- (f) is finished in a non-slip surface that is of a colour and design that compliments the streetscape;
- (g) has no impact on above or below ground utility infrastructure, including electrical service pillars;
- (h) where the lot or premises is fronted by a road with -
 - (i) kerb and channel, the crossover is designed, sited and constructed in accordance with Standard Drawing R-RSC-2 - Domestic Driveway Crossover for Kerb and Channel; or
 - (ii) a drainage pipe, the crossover is designed, sited and constructed in accordance with Standard Drawing R-RSC-16 - Domestic Driveway Crossover for Pipe Crossing; or
 - (iii) a drainage swale, the crossover is designed, sited and constructed in accordance with Standard Drawing R-RSC-17 - Domestic Driveway Crossover for Drainage Swale.

5.0 Engineering

- 5.1 The minimum floor level of any building shall not be less than 300mm above the 100 year ARI flood level (2.7 metres AHD), and the ground below not less than 2.4 metres AHD.
- 5.2 Access shall be available for future remedial, repair or maintenance works on the canal and revetment walls. The minimum distance to the side boundary is 1.5m. (This will enable a passage for the delivery of materials to the rear of the property).

6.0 Fences and Walls

6.1 Fencing -

- (a) forward of the building frontage are not more than -
 - a. 1.2 metres in height above ground level where of solid construction; or
 - b. 1.8 metres in height above ground level where the fence is at least 30 percent transparent;
- (b) on side and rear boundaries that adjoin open space / parkland are a maximum of 1.2 metres in height;
- (c) do not block or interrupt overland flow paths.

7.0 Development Near Underground Infrastructure

7.1 Development is –

- (a) not to be within 1.5 metres horizontal distance of underground utility infrastructure that is less than 300mm in diameter, including connection points; and,
- (b) clear of any maintenance holes, pits or connection point by -
 - (i) a minimum distance of 2.4 metres vertically;
 - (ii) a minimum horizontal distance of 1 metre from the outer edge of any maintenance holes or pits;
 - (iii) maintaining a 2 metre x 2 metre clear area.

8.0 Excavation and Fill

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

8.2 The minimum floor level of any building shall not be less than 300mm above the 100 year ARI flood level (2.7 metres AHD), and the ground below not less than 2.4 metres AHD.

8.3 Access shall be available for future remedial, repair or maintenance works on the canal and revetment walls. The minimum distance to the side boundary is 1.5m. (This will enable a passage for the delivery of materials to the rear of the property).

8.4 Excavation and fill works minimise environmental nuisance by -

- (a) limiting hours of construction are Monday to Friday from 7.00am to 6.00pm and Saturday from 7.00am to 1.00pm;
- (b) ensuring areas of disturbance on site, including accessways, are watered to limit dust associated with construction and vehicle movements;
- (c) ensuring public roads are kept free of dust and any spoil from trucks.

9.0 Lighting

9.1 Where outdoor lighting is required the applicant must locate, design and install lighting which minimises the potential for light spillage to cause nuisance to neighbours.

10.0 Mechanical Plant

10.1 Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed and installed to achieve a maximum noise

level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8 dB(A) above background levels as measured from commercial locations.

11.0 Reticulated Water Supply Connection

- 11.1 The applicant shall connect the proposed development to the existing reticulated water supply system.

Where the existing reticulated water supply does not currently service the site or is not an adequate capacity, the applicant shall pay Council its estimated cost to construct the required connection/s to the site.

Requests for connections and estimates shall be made to Council in writing, with details of work required specified. The payment for such works shall be made prior to a development permit for building works being issued for the site.

12.0 Sediment and Erosion Management

- 12.1 Prior to and during the construction and maintenance phases of this development, the applicant shall be responsible for the installation and maintenance of erosion and sediment management facilities.

- 12.2 Erosion Prevention and Sediment Control for the proposed development must comply with the Self Assessable Criteria specified in section 8.6.4 of Part 8, Division 6 (Erosion Prevention and Sediment Control) of the Redlands Planning Scheme.

13.0 Sewerage Connection

- 13.1 The applicant shall connect the proposed development to the existing sewerage system.

Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer shall pay Council its estimated cost to construct the required connections.

Requests for connections and estimates shall be made to Council in writing, with details of work required specified. The payment for such works shall be made prior to a development permit for building works being issued for the site.

14.0 Stormwater from Roofed and Paved Areas

- 14.1 Stormwater drainage from roofed and paved areas shall be discharged to an approved drainage system within adjoining road reserve(s) or as otherwise required or agreed in writing by the Manager Assessment Services.

Construction of drainage shall be to Council standards.

Temporary drainage shall be provided during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to an approved street drainage system and not onto the construction site. This temporary system shall be maintained for the duration of building works.

- 14.2 The pad for the dwelling shall be formed such that there is minimum site cut and adequate fall to allow stormwater drainage and overland flow to Portsmouth Place.

15.0 Stormwater Nuisance and Legal Right of Stormwater Discharge

- 15.1 Overland flow paths and underground drainage shall be designed so as not to directly or indirectly cause nuisance to a downstream or adjoining property. Stormwater from external catchments shall be accepted at ground level and discharged through the subject site to a legal point of discharge.

16.0 Urban Residential Zone Code

- 16.1 Glare and reflection from the sun are minimised through material and glazing choice.
- 16.2 Air quality impacts are eliminated or mitigated to a level that is compatible with a residential environment by not emitting vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, radio or electrical interference beyond the premises.
- 16.3 Species used for landscaping are selected from the native plant species listed in –
- (a) Schedule 9 - Street Trees where within the road reserve of the Redlands Planning Scheme;
 - (b) Schedule 10 – Vegetation Species List of the Redlands Planning Scheme.
- 16.4 Waste and recycling is managed to minimise impacts on the environment and nearby premises by -
- (a) ensuring secure storage of containers;
 - (b) locating containers on impermeable surfaces;
 - (c) screening waste storage area(s) from view;
 - (d) providing unobstructed and safe access for collection vehicles;
 - (e) ensuring that traffic flow is not obstructed when collection vehicles service containers;
 - (f) minimising odour impacts from containers.

C ADDITIONAL PERMITS / APPROVALS REQUIRED

- 1 This approval does not allow development to be carried out. Further development permits are required for building works and plumbing and drainage works.

D ADVICE

1 Relevant Period

This development permit for a material change of use will remain current for a period of four (4) years starting the day the approval takes effect, as per sections 3.5.21(1) and 3.5.19 of the *Integrated Planning Act 1997*.

2 Fire Ants

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

3 Connection to the Council Services

Should the existing allotment be further reconfigured, the applicant must ensure that each individual allotment is directly connected to the Council's services (such as water supply, sewer mains, etc.). This may require the extension of the Council's existing infrastructure to service the individual allotments.

4 Rainwater Harvesting Systems

In accordance with MP4.2 of the Queensland Development Code (QDC) all new Class 1 buildings must include a rainwater tank or alternative water substitution measures.

5 Water Quality

All water leaving the site during construction and operation must comply with the water quality objectives of *Environmental Protection (Water) Policy 1997* for Moreton Bay.

PROPOSED MOTION

Moved by: Cr Elliott
Seconded by: Cr Williams

That the Officer's Recommendation be adopted.

On being put to the vote the motion was LOST.

A division was called for.

Crs Burns, Elliott, Williams and Townsend voted in the affirmative.

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

The motion was declared by the Mayor as LOST.

COUNCIL DISCUSSION

Cr Ogilvie stated the application failed to demonstrate improved community outcomes despite the areas of non compliance with the planning scheme.

COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Boglary

That Council not accept the Officer's Recommendation and refuse the application on the following grounds:

1. **The application does not comply with :**
 - a. **3.1.3 Desired Environmental Outcome No. 2 – Character and Identity –**
 - **(b) (iv) – incorporating a building height, scale and range of residential uses that reflect the local context and locational characteristics;**
 - **(e) – ensuring the prevailing character of the City comprising of its bayside location, low to medium density development and the scenic coastal landscapes are enhanced and protected;**
 - b. **4.24.7 Overall Outcomes for Urban Residential Zone Code –**
 - **(2) (a) (i) a. are predominantly low rise detached houses on individual lots of various sizes**
 - **(2) (b) (i) a. limiting building height to maintain a low-rise appearance**
 - **(2) (c) (i) e. eliminating or mitigating impacts associated with light, noise, air and traffic.**
2. **The application does not comply with Specific Outcomes S2.1, and Probable Solutions P.2.1.**

CARRIED

A division was called for.

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

Crs Burns, Elliott, Williams and Townsend voted in the negative.

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

14.1.2 DUAL OCCUPANCY AT 163 SHORE STREET NORTH, CLEVELAND

Dataworks Filename: MC011706

Attachments: [Locality Map](#)
[Advice Agency Response](#)

Responsible Officer Name: Janice Worland
Acting Team Leader, Integrated Commercial

Author Name: Nicholas Feros
Planning Officer, Integrated Commercial

EXECUTIVE SUMMARY

Application Type	Impact Assessment
Proposed Use	Dual Occupancy
Property Description	Lot 507 C 14568
Location	163 Shore Street North Cleveland QLD 4163
Land Area	822 square metres
Redlands Planning Scheme Zoning Designated Community	UR - Urban Residential - SubArea UR1 Not Applicable
Infrastructure Overlays	Acid Sulfate Soils Overlay Flood Prone, Storm and Drainage Constrained Land Overlay Urban Footprint
SEQ Regional Plan 2005-2026 and Draft SEQ Regional Plan 2009-2031 - Land Use Category	
No. of Public Submissions	12
Applicant	The Certifier Pty Ltd
Land Owner	Mr P D Cooper
Properly Made Date	02/06/2009
Start Decision Stage	04/09/2009
Statutory Decision Date	29/10/2009
Recommendation	Development Permit
Application Coordinator Manager	Nicholas Feros Janice Worland

Council has received an application seeking a Development Permit for a Material Change of Use (Impact Assessment) for a Dual Occupancy on land at 163 Shore Street, Cleveland, described as Lot 507 C14568. The proposed use is triggered to Impact Assessment by the Urban Residential Zone Code Table of Assessment as the proposed Dual Occupancy includes built to boundary walls greater than seven (7) metres in length. The proposal is for the construction of two (2) dwelling units both of a two (2) storey design, on an allotment with an area of 822m². Input from internal assessment teams was required to assess the application. The application was made in accordance with the *Integrated Planning Act 1997* and required referral to the Department of Environment and Resource Management as an Advice Agency. The

application required public consultation and 12 submissions were received. This application has been assessed against the *Redlands Planning Scheme – Version 2* and is considered to be in compliance. It is therefore recommended that the application be granted a **Development Permit**, subject to conditions.

CONSULTATION

The Application was referred to the following Council Teams for comments:

- Environmental Assessment Team
- Health and Environment
- Development Assessment Engineering
- Landscaping Technical Officer

The Development Assessment Team forwarded a copy of the original development application on 9 June 2009 to Division 2 (Cleveland/ [North Stradbroke Island](#)) Councillor Craig Ogilvie. The Application was raised to a Category4 by Cr Ogilvie on 3 September 2009.

The Application was Impact Assessable and required Public Consultation. Refer to Section 4.0 Grounds of Submissions of this Report for details.

PURPOSE

This Category4 application is referred to the Development Assessment Committee for determination.

BACKGROUND

1.0 DEVELOPMENT PROPOSAL AND SITE DESCRIPTION

1.1 Proposal

The proposal is for a Dual Occupancy (Dwelling One and Dwelling Two) on land at 163 Shore Street, Cleveland, described as Lot 507 C14568. The Lot has a frontage of 20.117 metres and a lot area of 822m², which exceeds the minimum 20m lot frontage and 800m minimum lot area required for a Dual Occupancy under the *Redlands Planning Scheme – Version 2*. Dwelling One and Two have a site coverage of 176.1m² and 182.84m² respectively and a combined site coverage of 358.94m² being 43.6% of the 822m² Lot. Car accommodation is provided through the provision of two double garages. Car access is provided via Shore Street through the use of a single driveway that accommodates access to the garages of both dwellings.

Dwelling One

Dwelling One is located towards the northern side of the lot and is two (2) storeys and has a maximum height of 8.5 metres. Internally the ground level of Dwelling One will have two (2) of the four (4) bedrooms, an entrance, laundry, bathroom and combined rumpus and wet bar area. Internally the first floor of Dwelling One will have two (2) of the four (4) bedrooms (one of which with an internal ensuite and walk in wardrobe), a shower and combined kitchen, living and dining areas.

Setbacks

The minimum outermost projections of Dwelling One to the Lot boundaries are:

- **Eastern Frontage - 6 metres from outermost projection**
- Southern Side - built to Dwelling Two
- Western Rear - 6.2 metres from outer most projection
- Northern Side - Built to boundary wall for 9 metres with a 2 metre setback to remainder of the dwelling unit.

Built to Boundary Walls

Dwelling One has a built to boundary wall on its northern side with the following specifications:

- has a maximum length of 9 metres
- has no windows or doors
- average height is 2.74 metres
- has maximum height of 2.74 metres
- is a garage

Dwelling Two

Dwelling Two is located towards the southern side of the lot and is two (2) storeys and has a maximum height of 8.5 metres.

Internally the ground level of Dwelling Two will have two (2) bedrooms, an entrance, laundry, shower and unseparated rumpus and wet bar areas. Internally the first floor of Dwelling Two will have two (2) bedrooms (both with internal walk-in wardrobes and one of which with an internal ensuite), a shower and unseparated kitchen, living and dining areas.

Setbacks

The minimum outermost projections of the proposed dwelling to the Lot boundaries are:

- Eastern Frontage - 12.5 metres from out most projection
- Northern Side - built to Dwelling 1
- Southern Side - built to boundary for 9m with the remainder of the dwelling unit setback 2 metres from out most projection (height is 6.4 metres)
- Western Rear - 2.8 metres from out most projection

Built to Boundary Walls

Dwelling Two has a built to boundary wall on its southern side with the following specifications:

- has a maximum length of 9 metres
- has no windows or doors
- average height is 2.74 metres
- has maximum height of 2.74 metres
- is a garage
- is setback 200mm

1.2 Site

The Lot is located on the eastern side of Shore Street North, Cleveland. A dwelling house is existing on the Lot which will be demolished when the construction of the proposed dwellings commence. The Lot has a slope that falls from 2.5 metres along the western frontage, to 1 metre along the eastern rear. There is some existing vegetation on the eastern rear, southern side and northern front of the lot.

1.3 Surrounding Area

The surrounding Zoning of the *Redlands Planning Scheme* for the Lot is as follows:

North – Urban Residential Zone with a small section of Open Space Zone

East – Moreton Bay – No Zone

South – Urban Residential Zone

West – Urban Residential Zone, Medium Density Residential Zone and areas of Open Space Zone

The surrounding land uses of the Lot are as follows:

North – dwelling house small area of open space

West – dwelling house

East – Moreton Bay

South – dwelling house area of open space

1.4 Amenity and Character

The proposed dwelling is considered to be of a generally similar scale and design to that of the existing residences in the surrounding blocks.

2.0 APPLICATION ASSESSMENT

2.1 *Integrated Planning Act 1997 (IPA)*

This application has been made in accordance with Chapter 3 (Integrated Development Assessment System, IDAS) of the *Integrated Planning Act 1997* and constitutes an application for Impact Assessment for a Material Change of Use under the *Redlands Planning Scheme*.

2.2 SEQ Regional Plan 2009-2031

The land at 163 Shore Street North, Cleveland, described as Lot 507 C14568 is mapped as being in the Land Use category: Urban Footprint in the SEQ Regional Plan 2009-2031. The Urban Footprint identifies land to provide for the region's urban development needs to 2031. The Urban Footprint includes existing urban areas and greenfield areas potentially suitable for future urban development. The proposed dual occupancy is an acceptable urban use in the Urban Footprint.

2.3 State Planning Policies

There are no applicable State Planning Policies for this application.

2.4 Redlands Planning Scheme

Zone Code

The land at 163 Shore Street North, Cleveland, described as Lot 507 C14568 is in the Urban Residential Zone, Sub-area UR1 as per the *Redlands Planning Scheme*. The proposed development is considered to comply with the Urban Residential Zone Code - section 4.24.8 Specific Outcomes and Probable Solutions applicable to Assessable Development. Refer to attached Appendix A for a full assessment of the Code.

Use Code

The proposal is for the Use of a “Dual Occupancy” meaning “the use of premises for residential accommodation that comprises two dwelling units on one lot whether attached or detached.” as per Schedule 3 – Dictionary Division 1 – Uses in the *Redlands Planning Scheme*. The proposed development is considered to generally comply with section 6.10.4 Specific Outcomes and Probable Solutions applicable to Assessable Development. Refer to attached Appendix B for a full assessment of the Code.

The non compliance with the applicable Probable Solutions and justification the proposal to be considered to comply with the applicable Specific Outcome is as follows:

Specific Outcomes	Probable Solutions	✓ x	Officer's Comment
Access and Parking			
S8. (1) Vehicle parking and access - (a) is safe and convenient for residents and visitors; (b) has an appropriate number of car parking spaces to cater for residents and visitors; (c) does not dominate the streetscape or building form when viewed from the street;	P8. (1) The use complies with – (c) in the case of a two storey building, the garage is recessed beneath the upper storey by at least 1.2 metres;	X	(c) the double garages for dwelling unit 1 and dwelling unit 2 are not recessed. However the proposal is considered to meet relevant Specific Outcome S8.(1)(c) as it does not dominate the streetscape or front view of the building given the large setback and extensive articulation of the building façade.

Specific Outcomes	Probable Solutions	✓ x	Officer's Comment
(d) is compatible with the overall building design in terms of height, roof form, detail, materials and colour; (e) incorporates landscaping to minimise the expanse of hard surfaces; (f) are clearly distinguished from pedestrian entries and paths through design, finish or location; (g) are surfaced with materials that provide stormwater infiltration or designed to drain to adjacent landscaped areas, other than turning areas; (h) have clearly defined manoeuvring areas.			

Overlay Code

The land at 163 Shore Street North, Cleveland, described as Lot 507 C14568 is affected by two (2) Overlays of the *Redlands Planning Scheme*.

- Part 5 – Overlays – Division 1 – Acid Sulfate Soils Overlay

The entire Lot is mapped as being below 5 metres AHD. The proposal complies with section 5.1.8 Acceptable Solutions applicable to Self-Assessable Development. Conditions of approval based on the Self –Assessable Criteria will be included in the Decision.

- Part 5 – Overlays – Division 6 - Flood Prone, Storm Tide and Drainage Constrained Land Overlay

The eastern rear of the property is mapped as storm tide area of the Flood Prone, Storm Tide and Drainage Constrained Land Overlay. The proposal is considered to

comply with section 5.6.8 Specific Outcomes and Probable Solutions applicable to Assessable Development. Development Assessment Engineering has provided a Condition to ensure that habitable levels are constructed with a 2.7 metre Finished Floor Level. As a result of the proposed filling the maximum height of the dwelling is proposed to not exceed a maximum height of 8.5 metres. Condition 3.10 which requires the provision of a height certificate, will ensure the building height will not exceed 8.5 metres.

General Codes

The proposal for a Dual Occupancy has triggered the following General Codes as per the *Redlands Planning Scheme*.

- Part 8 – General Codes – Division 5 - Development Near Underground Infrastructure Code

The proposed development is considered to comply with section 8.5.4 Acceptable Solutions applicable to Self-Assessable Development of the Development Near Underground Infrastructure Code and requirements will form conditions of approval.

- Part 8 – General Codes – Division 6 - Erosion Prevention and Sediment Control Code

The proposed development is considered to comply with section 8.6.4 Acceptable Solutions applicable to Self-Assessable Development of the Erosion Prevention and Sediment Control Code and requirements will form conditions of approval.

- Part 8 – General Codes – Division 7 - Infrastructure Works Code

The proposed development is considered to comply with section 8.7.4 Specific Outcomes and Probable Solutions applicable to Assessable Development of the Infrastructure Works Code and requirements will form conditions of approval.

- Part 8 – General Codes – Division 9 - Stormwater Management Code

The proposed development is considered to comply with section 8.9.4 Specific Outcomes and Probable Solutions applicable to Assessable Development of the Stormwater Management Code and requirements will form conditions of approval.

Other Development Codes

The proposal for a Dual Occupancy has triggered the following Other Development Codes as per section the *Redlands Planning Scheme*.

- Part 7 – Other Development Codes – Division 4 - Domestic Driveway Crossover Code

The proposed development is considered to comply with section 7.4.8 Acceptable Solutions applicable to Self-Assessable Development of the Domestic Driveway Crossover Code and these requirements will form conditions of approval.

- Part 7 – Other Development Codes – Division 6 - Excavation and Fill Code

The proposed development is considered to comply with section 7.6.4 Acceptable Solutions applicable to Self-Assessable Development and these requirements will form conditions of approval.

Planning Scheme Policies

There is not conflict with any Planning Scheme Policies.

2.5 Engineering

Road Access and Required Road Frontage Works

The site has street frontage to Shore Street North:

Shore Street North:

- Kerb and channel is present along the entire frontage of the site. Other than direct access works no additional road works are required as a result of this development.
- There is not an existing footpath along the frontage of the site.

Internal Traffic Movement and Car Parking

Car parking numbers are as per the Council's requirements in that two double garages are proposed for the Dual Occupancy.

Stormwater

Stormwater from roofed and paved areas shall be discharged to an absorption system at the back of the property as per plan 9261 P1 submitted by Hendrick House. The system will be technically assessed in Operational Works stage; and shall include all the considerations from WSUD Technical Design Guidelines for South East Queensland – Version 1 June 2006. (Chapter 7).

Construction of driveways must be to the Council and/or Department of Main Roads standards, including the provision for an ARI 100 year's overland flow through driveways, open space areas or easements over adjoining properties.

Temporary drainage is to be provided during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to an approved street drainage system and not onto the construction site. This temporary system must be maintained for the duration of building works.

Prior to the commencement of any works within the site, the developer must apply for and receive an Operational Works – Compliance Assessment (Engineering) approval for engineering plans and specifications for the construction of proposed infiltration system.

Sewerage

A sewerage connection is currently available to the site.

Water Supply

A water supply is currently available to the site.

Electricity Services

The subject land can be provided with appropriate electricity services.

Telecommunication Services

The subject land can be provided with appropriate telecommunication services.

2.6 Health and Environment Team

Assessed the proposal and provided a standard lighting and mechanical plant condition.

2.7 Environmental Assessment Team

The Environmental Assessment Team provided items for an Information Request. A Condition was provided for stormwater quality in consideration of the Advice Agency Response – Conservation Estate from the Queensland Government – Department of Environment and Resource Management, dated 20 July 2009.

2.8 Landscaping Technical Officer

The Landscape Technical Officer assessed the application and provided Conditions of approval.

2.9 Development Assessment – Engineering

Assessed the Flood Storm and Drainage Constrained Land Overlay Code and stormwater management issues and excavation and fill proposed and provided comments and a condition.

3.0 REFERRAL AGENCIES

The application triggered a referral to the Department of Environment and Resource Management as per *Integrated Planning Regulation 1998*, Schedule 2, Table 3, Item 21. On 20 July 2009 the Department of Environment and Resource Management provided Advice Agency advice which will be attached to the approval. A Condition was provided by Council's Environmental Assessment Team for stormwater quality to assist in achieving the Advice Agency Response (DERM Advice).

4.0 GROUNDS OF SUBMISSIONS

The Impact Assessable development application required Notification as per Chapter 3 of the *Integrated Planning Act 1997*.

- The required notices were posted by mail to all adjoining owners of land adjoining the subject site on 8th August 2009.
- The required public notice was placed on the frontage of the subject site on 8 August 2009 and maintained until 1st September 2009.
- The public notice was published in the Bayside Bulletin on 11th August 2009.

During this time 12 submissions were received and five (5) were properly made submissions. The applicant was provided with the opportunity to reply to the grounds of submissions, however at the time of preparation of this report, no reply had been submitted to Council.

Issues Raised	Officer's Response
<p>1. Stormwater runoff</p> <p>(a) As a result of the constructed dual occupancy during heavy downpours the adjoining properties would be flooded.</p> <p>(b) The Dual Occupancy would increase the surface runoff area and increase stormwater.</p> <p>(c) There will be stormwater runoff into Moreton Bay.</p> <p>(d) The stormwater drain is beyond capacity and will not cope with the extra storm water from the Dual Occupancy. A Stormwater management plan is recommended.</p> <p>(e) The on-site infiltration trench proposed will not be adequate to drain stormwater during a heavy downpour creating overland flow onto the street.</p>	<p>The proposal demonstrates the following:</p> <ul style="list-style-type: none"> - The Applicant has consulted Hendricks/House Consulting Engineers (qualified Registered Professional Engineer of Queensland (RPEQ), and provided DWG. No. P1, dated 14 May 2009. - Roof water to be discharged into infiltration trench and allowed to infiltrate into surrounding subgrade. The trenches are to be located at the rear of the Lot. - A small amount of runoff from the front yard and verge to be directed into the swale on Shore Street North, and is consistent with the likely runoff from the current development configuration. - The extent of fill proposed has been minimised and the proposed batters slope from the pad towards the existing levels on the property. - Minor flows from the adjacent lots will run along the boundary as per the existing situation. - No stormwater runoff will be blocked. - The proposed finished floor level RL is 2.8 metres AHD. - The proposed minimum finished ground level RL is 2.5 metres AHD.

Issues Raised	Officer's Response
	<p>The proposal has been assessed (and stormwater runoff and concerns raised by the submitters) and a condition for the MCU will be set as follows:</p> <p>3.8 In order to guarantee immunity against 100 ARI as adopted flood event all habitable areas shall be constructed with 2.7 metre AHD as Finish Floor Level.</p> <p>Additional Stormwater comments:</p> <ul style="list-style-type: none"> - Stormwater from roofed and paved areas shall be discharged to an absorption system at the back of the property as per plan 9261 P1 submitted by Hendrick House. The system will be technically assessed in Operational Works stage; and shall include all the considerations from WSUD Technical Design Guidelines for South East Queensland – Version 1 June 2006. (Chapter 7). - Construction of driveways must be to the Council and/or Department of Main Roads standards. - Temporary drainage is to be provided during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to an approved street drainage system and not onto the construction site. This temporary system must be maintained for the duration of building works. - Prior to the commencement of any works within the site, the developer must apply for and receive an Operational Works – Compliance Assessment (Engineering) approval for engineering plans and specifications for the construction of proposed infiltration system. <p>On 20 July 2009 the Department of Environment and Resource Management provided Advice Agency advice which will</p>

Issues Raised	Officer's Response
	<p>be attached to the approval. A Condition was provided by Council's Environmental Assessment Team for stormwater quality to assist in achieving the Advice Agency Response (DERM Advice) as follows (2.0 Operational Works – Compliance Assessment (Engineering) – 2.6 Stormwater from Roofed and Paved Areas):</p> <p>The discharge from the rainwater first flush diverter must be discharged into a rain garden. The overflow from the water tank can be discharged direct to the stormwater system.</p>
<p>2. Proposed cut and fill</p> <p>(a) Concern over the level of cut and fill proposed as per the plan, DWG No P1, Hendriks/House Consulting Engineers.</p> <p>(b) Similar issued raised in Item 1 above (Stormwater runoff).</p>	<ul style="list-style-type: none"> - The Applicant has consulted Hendricks/House Consulting Engineers (qualified Registered Professional Engineer of Queensland (RPEQ), and provided DWG. No. P1, dated 14 May 2009. - The proposed first floor level RL is 2.8 metres AHD. - The proposed minimum finished ground level RL is 2.5 metres AHD. - The extent of fill proposed has been minimised and the proposed batters slope from the pad towards the existing levels on the property. - Minor flows from the adjacent lots will run along the boundary as per the existing situation. - No stormwater runoff will be blocked. <p>The proposal has been assessed (and stormwater runoff and concerns raised by the submitters) and a condition for the MCU will be set as follows:</p> <p>3.8 In order to guarantee immunity against 100 ARI as adopted flood event all habitable areas shall be constructed with 2.7 metre AHD as Finish Floor Level.</p> <p>Refer to above Issues Raised 1. for additional Stormwater comments.</p>

Issues Raised	Officer's Response
	<p>On 20 July 2009 the Department of Environment and Resource Management provided Advice Agency advice which will be attached to the approval. A Condition was provided by Council's Environmental Assessment Team for stormwater quality to assist in achieving the Advice Agency Response (DERM Advice) as follows (2.0 Operational Works – Compliance Assessment (Engineering) – 2.6 Stormwater from Roofed and Paved Areas):</p> <p>The discharge from the rainwater first flush diverter must be discharged into a rain garden. The overflow from the water tank can be discharged direct to the stormwater system.</p>
<p>3. Built to boundary walls</p> <p>(a) The built to boundary walls proposed on the northern and southern boundaries will cause shadowing impacts on the adjoining dwellings. Additionally they will cause loss of views.</p>	<ul style="list-style-type: none"> • The first floor of the dual occupancy is sufficiently setback from the side boundaries. • The Built to Boundary walls comply with Table 1, Built to Boundary (requirements) of the Dual Occupancy Code.
<p>4. Height of dwelling and impacts on privacy from adjoining dwellings</p> <p>(a) Concern raised over the height of the dwelling and impacts on loss of privacy for adjoining dwelling.</p> <p>(b) Concern raised over sun glare that may be caused by development.</p> <p>(c) Concern raised over amount of glass windows facing the adjoining dwellings.</p>	<ul style="list-style-type: none"> • The dwelling has a maximum height of 8.5 metres (at peak of roof pitch only). Condition 3.10 of the Decision Notice will require a height certificate to demonstrate this. • Conditions will be provided for screening as per the Dual Occupancy Code. • In relation to sun glare Conditions 4.1 and 4.2 have been included in the Decision Notice.

5.0 CONCLUSION

The proposal is considered to generally comply with the Redlands Planning Scheme, and applicable codes and planning scheme policies. Accordingly, it is recommended that the application be approved and a development permit be granted, subject to conditions.

OFFICER'S RECOMMENDATION

A. MATERIAL CHANGE OF USE – DEVELOPMENT PERMIT

It is recommend that the application for material change of use for the purpose of a Dual Occupancy on land at 163 Shore Street North, Cleveland, described as Lot 507 on C14568 be approved and a development permit be granted subject to conditions.

B. CONDITIONS FOR DEVELOPMENT PERMIT

1.0 Approved Plans and Documents

1.1 Development Approval is granted generally in accordance with the following Approved Plans and Documents:

Plan / Document No	Plan / Document Name	Prepared by:	Date Received by Council
DWG No: 1 of 13 Issue 'A'	Site Plan	Davies Drafting and Design	7 August 2009
DWG No: 2 of 13	Ground Floor Plan, Dwelling 1	Davies Drafting and Design	2 June 2009
DWG No: 3 of 13	First Floor Plan, Dwelling 1	Davies Drafting and Design	2 June 2009
DWG No: 4 of 13	Ground Floor Plan, Dwelling 2	Davies Drafting and Design	2 June 2009
DWG No: 5 of 13	First Floor Plan, Dwelling 2	Davies Drafting and Design	2 June 2009
DWG No: 6 of 13	Set-out plan	Davies Drafting and Design	2 June 2009
DWG No: 10 of 13	North Elevation West Elevation	Davies Drafting and Design	2 June 2009
DWG No: 11 of 13	South Elevation East Elevation	Davies Drafting and Design	2 June 2009
DWG No: 9	Site Plan (open space and landscaping)	Davies Drafting and Design	7 August 2009
9261-P1 Rev A	Earthworks and Stormwater Plan	Hendricks House	2 June 2009

2.0 Design

- 2.1 **The development must be carried out generally in accordance with the details set out in the application and the approved drawing(s) and/or document(s) listed under Condition 1.1 unless otherwise required by a condition of this approval.**
- 2.2 Safety and security is to be maximized by -
- (a) including lighting to dwelling unit entries, car parking areas and pedestrian accessways that complies with the provisions of *Australian Standard 4282: 1997 - Control of the obtrusive effects of outdoor lighting*;
 - (b) allowing visitors who approach the front door to be seen without the need to open the door.

3.0 General

- 3.1 All relevant Council Local Laws, Planning Scheme Provisions and Policies together with all conditions of approval shall be complied with and to the full and complete satisfaction of the Council.
- 3.2 All reasonable precautions shall be taken to ensure that the proposed use does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, dust and wastewater.
- 3.3 The Developer must pay the cost of necessary alterations to existing public utility mains, services or installations due to building and works in relation to the proposed development and/or material change of use, or any works required by condition(s) of this approval. Such cost will be determined by the Council and/or the relevant authority(ies) and must be paid:
- Prior to an application for approval of building works on the site being lodged; or
 - Prior to Council being required to issue any approval for Operational Works – Compliance assessment; or
 - Prior to any construction works or the use commencing; (whichever is the sooner).
- 3.4 All payments to be made to the Council and/or money to be deposited and/or bond to be lodged pursuant to any condition of this approval must be made:
- Prior to an application for approval of building works on the site being lodged; or
 - Prior to Council being required to issue any approval for Operational Works – Compliance assessment; or
 - Prior to any construction works or the use commencing; (whichever is the sooner).

Other conditions must, where applicable, be complied with before the use is commenced, unless otherwise required or agreed in writing by the Council or a delegated officer.

- 3.5 The use is to be serviced by energy, telecommunications and waste and recycling collection facilities.
- 3.6 The development shall be designed so as to facilitate a community titles scheme being applied to the development in accordance with the provisions of this approval, the *Integrated Planning Act*, the *Body Corporate & Community Management Act* and its regulations, and the *Redlands Planning Scheme*.
- 3.7 The premise is only to be used in accordance with the definition of a Dual Occupancy as defined by the Redlands Planning Scheme. (i.e. not Tourist Accommodation or Multiple Dwelling).
- 3.8 In order to guarantee immunity against 100 ARI as adopted flood event all habitable areas shall be constructed with 2.7 metre AHD as finished floor level.
- 3.9 The Development is to comply with the Acceptable Solutions listed in the *Redlands Planning Scheme*, Part 5 - Overlays, Division 1 – Acid Sulfate Soils Overlay, Section 5.1.8.
- 3.10 The maximum building height is not to exceed the 8.5 metres as per the Approved Plans. A signed certificate from a licensed surveyor is to be submitted to Council prior to roof sheeting detailing that the building height complies with the approved drawings.
- 3.11 Filling of the site is to be assessed as part of the Operational Works approval and is to accept sheet flow from adjoining properties and is not to dam upstream properties.
- 3.12 Stormwater is to be discharged to a legal point.

4.0 Urban Residential Zone Code

- 4.1 The vertical illumination resulting from direct, reflected or other incidental light emanating from the site does not exceed 8 lux when measured at any point 1.5 metres outside the boundary at or above ground level.
- 4.2 Glare and reflection from the sun are minimised through material and glazing choice.

5.0 Driveway Crossover

- 5.1 The domestic driveway crossover –
 - (a) splays and tapers do not protrude over adjoining property boundaries at any point within the verge;
 - (b) does not result in the removal or damage to existing street trees;
 - (c) is not located where it will conflict with proposed street trees;

- (d) is of a slope that results in a continuous even surface along the verge or constructed footpath;
- (e) is finished in a non-slip surface that is of a colour and design that compliments the streetscape;
- (f) has no impact on above or below ground utility infrastructure, including electrical service pillars; and
- (g) where the lot or premises is fronted by a road with -
 - i. kerb and channel, the crossover is designed, sited and constructed in accordance with Standard Drawing R-RSC-2 - Domestic Driveway Crossover for Kerb and Channel; or
 - ii. a drainage pipe, the crossover is designed, sited and constructed in accordance with Standard Drawing R-RSC-16 - Domestic Driveway Crossover for Pipe Crossing; or
 - iii. a drainage swale, the crossover is designed, sited and constructed in accordance with Standard Drawing R-RSC-17 - Domestic Driveway Crossover for Drainage Swale.

5.2 An Associated Works – compliance assessment approval is required to establish the driveway crossovers.

6.0 Driveways

6.1 Driveway materials are to be non-slip and include brick, clay or concrete pavers, exposed aggregate, stamped pigmented concrete, bitumen or permeable materials; and

6.2 The maximum slope of a driveway must not exceed 1 in 6.

7.0 Fences and Walls

7.1 Fencing -

- (a) Front fences that exceed ten (10) metres in length are to be articulated or detailed to provide visual interest.
- (b) Where the front fence is lower than the side boundary fence, it must be tapered to the maximum height of the side boundary fence at or behind the front building line.
- (c) do not block or interrupt overland flow paths.
- (d) fences forward of the building frontage are not more than -
 - (i) 1.2 metres in height above ground level where of solid construction; or
 - (ii) 1.8 metres in height above ground level where the fence is at least 30 percent transparent

8.0 Landscape Design

8.1 A two metre planted area is to be provided along the length of any public road frontage.

- 8.2 Species used for landscaping are to be selected from the native plant species listed in the *Redlands Planning Scheme*, Schedule 10 - Vegetation Species List, or Schedule 9 - Street Trees where within the road reserve.
- 8.3 Existing street trees on council's road reserve are to be retained, or where required to be removed for locating a driveway crossover, replaced by similar species selected from Schedule 9 - Street Trees where within the road reserve of the *Redlands Planning Scheme*.
- 8.4 Landscaping of the allotment is to be done in accordance with the requirements of an associated development works approval for the proposal.

9.0 Dual Occupancy Code

- 9.1 Where habitable room windows are within a distance of 6 metres and within an angle of 45 degrees, and directly adjacent to habitable rooms of the neighbouring dwellings, privacy between dwelling units is protected by-
- sill heights being a minimum of 1.5 metres above floor level; or
 - providing fixed translucent, such as frosted or textured glazing, for any part of the window below 1.5 metres above floor level; or
 - providing fixed external screens that are -
 - (i) solid translucent screens; or
 - (ii) perforated panels or trellises that have a maximum of 25 percent openings, with a maximum opening dimension of 50mm and that are permanently fixed and durable;
 - (iii) are offset a minimum of 300mm from the wall of the building.

10.0 Waste Management

- 10.1 Each residential dwelling unit has their own dedicated waste storage area, for one 140L or 240L waste wheelie bin and one 240L recycle wheelie bin, that –
- (a) is located within the curtilage of each dwelling unit and to be screened from view.
 - (b) allows for containers to be moved from storage area to service point without travelling over steps or through dwelling areas, including garage;
 - (c) has a hardstand surface and screens bins from view; and
 - (d) is no less than 800mm wide x 1500mm long x 1100mm high.
- 10.2 For bin servicing, all bins shall be provided with 1 metre of unobstructed kerbside length per wheelie bin, excluding driveways, carparks and landscaping. Kerbside space dedicated to the use only shall be used, not that of neighbouring premises.
- 10.3 Cleansing of all waste and recycling containers is conducted to minimise impacts on the environment, occupiers and neighbours of the premises. Where no on site waste/recycling bin cleansing facilities are provided, a written agreement is made with a private cleansing contractor for the purpose of cleansing the containers, to the satisfaction of the local government.

11.0 Service Facilities

- 11.1 Service facilities are to be provided to meet the needs of residents and are to be sited and designed in an unobtrusive and convenient manner.
- 11.2 Air conditioning equipment is to be located behind the front building line and to be screened from view from street or public area.
- 11.3 Open air clothes drying facilities with a minimum area of 10m² are provided in sunny, ventilated and convenient locations which are adequately screened from view from the street and internal driveways.
- 11.4 A storage area is to be provided for each unit that:
- Has a minimum, lockable, external accessible area of 3m²;
 - Has a minimum internal height of 2.1 metres; and
 - Is screened from public view.

12.0 Mechanical Plant

- 12.1 Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed and installed to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8 dB(A) above background levels as measured from commercial locations.

13.0 Lighting

- 13.1 Where outdoor lighting is required the applicant must locate, design and install lighting which minimises the potential for light spillage to cause nuisance to neighbours. Lighting is to be provided to dwelling unit entries, car parking areas and pedestrian accessways. Lighting provided is to comply with the provisions of Australian Standard 4282: 1997 – Control of the obtrusive effects of outdoor lighting.

14.0 Development Near Underground Infrastructure

- 14.1 Building foundations shall be designed such that no building loads are imposed on the sewer trench. Uses and other development are not to interfere with or adversely affect the function of existing or proposed underground utility infrastructure. Uses and other development are not permitted within a dedicated underground utility infrastructure easement.
- 14.2 Development is to comply with the Acceptable Solutions listed in the Redlands Planning Scheme, Part 8 - General Codes, Division 5 - Development Near Underground Infrastructure, Section 8.5.4.

CONDITIONS REQUIRING COMPLIANCE ASSESSMENT**1.0 Operational Works – Compliance Assessment (Landscaping)**

- 1.1 The site, including adjacent footpath(s) must be landscaped in accordance with the details indicated on an approved Landscape Plan and any other relevant construction documentation.
- 1.2 Prior to site works commencing, the applicant(s) and/or developer must apply for an approval from the Council for landscaping plan(s) and specifications for the construction of the proposed works. In this regard, the applicant(s) and/or developer shall apply for and receive an approval for Operational Works – Compliance Assessment (Landscaping) from the Council.
- 1.3 Documentation (no less than 5 copies) to be lodged with the application form, shall include performance securities, landscape plans and specifications for the construction of the proposed works.
- 1.4 Documentation must take the form of scaled plan(s) and/or drawing(s) and/or supporting information in accordance with following Redlands Planning Scheme (RPS) documents;
- Part 8 General Codes, Division 8-Landscape;
 - Part 11-Planning Scheme Policy 9 Infrastructure Works-Chapter 11;
 - Schedules, Schedule 9 –Street Trees;
 - Part 9 Schedules, Schedule 10 –Vegetation Species List; and
 - Part 9 Schedules, Schedule 12 – Weed Species List which are available on the Council's web site www.redland.qld.gov.au.
- 1.5 The documentation is to contain the following information:

Existing Vegetation

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

Planting Design

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

-
- c) A hierarchy of planting, which includes shade trees, shrubs and groundcovers.
 - d) Provide a shady tree focus.
 - e) Proposed screening any back-of-house service areas and refuse bins from public view.
 - f) Provision of street trees to Shore Street, in accordance with Schedule 9. Stock sizes must be not less than 100 litres with a minimum height of 2 metres, unless otherwise negotiated with Council. NOTE: Street trees must not conflict with services (underground and overhead). If there are Energex overhead power lines, the tree species selection must not conflict with the height of powerlines and the provision of continuous power.

Irrigation

- g) Watering of all plant material in accordance with Redland City's Watering Restrictions to promote health, viability and growth.
- h) To maximise the viability and successful maturity of all plant material provide details of soil improvements and irrigation systems. This may include
 - the use of water absorption products that allow water and air nutrients to be readily absorbed by the root system;
 - imported compost and topsoil (preferably a premium organic garden blend or Hydrocell soil mix);
 - organic mulch; and
 - In-ground irrigation system that has a timing mechanism to allow watering in accordance with Council's restricted watering hours.

NOTE: Small rainwater tanks connected to roof rainwater for each unit may be provided for watering of planted areas. The Nylex website may be of assistance <http://www.enviro-friendly.com/nylex-water-tanks.shtml>.

Hard Landscape Works

- i) Screening to all bin storage and clothes drying areas.
- j) Provision of an aggregate threshold to any planted area that abuts a building. The aggregate must form a barrier to the potential entrance to the building by termites. The aggregate threshold must be approx 150mm wide and separate organic mulch from any part of the building.
- k) Clothes drying areas are to have direct connectivity from the laundry and access to natural sunlight and ventilation.
- l) Details of paving design and type.

- m) Details of all proposed fencing, and height of proposed retaining walls
- n) Location/s of rainwater tanks
- o) Location of existing services such as overhead powerlines and powerpoles, underground cabling etc

Lighting Design

- p) Design details and integration of external lighting to driveways and other areas of pedestrian and car conflict. Bollards may be used to demarcate pedestrian uses with overhead lighting to provide a high level of illumination.
 - q) Design details and integration of external lighting to the pedestrian walkway, car parks and other areas of pedestrian and car conflict, integrating the principles of Crime Prevention through Environmental Design (CPTED) theory. Lighting design is to illuminate potential areas of concealment and is to project illumination so that a human face is easily discernible from 15 metres.
 - r) Provision of sufficient night lighting, which renders people, colours, vegetation and objects correctly. i.e. 'white' light. Particular attention should be given to pathways, driveways and common external spaces.
 - s) Lighting design is not to impact on neighbouring residential amenity.
- 1.6 The cost of any new fencing must be borne by the developer.
- 1.7 Approved landscaping works must be completed prior to the use commencing.

2.0 Operational Works – Compliance Assessment (Engineering)

2.1 Signage Prior to Construction

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

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

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

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

a) **Engineering Works – Supervision**

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

b) **Engineering Works – Council Inspections**

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

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

c) **Engineering Works – Acceptance of Works by the Council**

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

2.3 **As Constructed Requirements**

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

- a) be supplied and presented in accordance with the standard requirements of Redland Planning Scheme Policy 9 – Infrastructure Works; and
- b) be surveyed and presented on Redland Shire Council's Co-ordinate System and on AHD vertical datum.

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

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

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

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

2.4 **Frontage Works**

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

- a) Reinstatement of concrete kerb and channel, where required;
- b) Entry treatment / access to the site as per the Council's standards; and
- c) Adjustments and relocations necessary to public utility services resulting from these works.

These works must be completed prior to the use commencing. In this regard, the developer is required to apply for and receive an Operational Works – Compliance Assessment approval from the Council.

2.5 **Electrical Poles and Construction Considerations**

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

2.6 **Stormwater from Roofed and Paved Areas**

Stormwater drainage from roofed and paved areas shall be discharged to an approved drainage system within adjoining road reserve(s).

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

Temporary drainage is to be provided during the building construction phase such that discharge from all constructed roofs and paved areas is disposed of to

an approved street drainage system and not onto the construction site. This temporary system must be maintained for the duration of building works.

Prior to the commencement of any works within the site, the developer must apply for and receive an Operational Works – Compliance Assessment (Engineering) approval for engineering plans and specifications for the construction of proposed drainage.

The discharge from the rainwater first flush diverter must be discharged into a rain garden. The overflow from the water tank can be discharged direct to the stormwater system.

2.7 **Stormwater Nuisance and Legal Right of Stormwater Discharge**

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

2.8 **Reticulated Water Supply Connection**

The developer must connect the proposed development to the existing reticulated water supply system.

Where the existing reticulated water supply does not currently service the site or is not an adequate capacity, the developer is to pay the Council its estimated cost to construct the required connection/s to the site.

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

2.9 **Sewerage Connection**

The developer must connect the proposed development to the existing sewerage system.

Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer must pay the Council its estimated cost to construct the required connections.

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

2.10 **Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments that would be used for borrowing or filling and must advise the Council of such works. Any significant borrowing or filling may require the approval of the Council. If clarification is

required on the significance of the works to be undertaken, contact should be made with the Council to determine relevant approvals required.

2.11 Car Parking and Internal Driveways

Prior to works commencing, the developer must apply for and receive an approval from the Council for Operational Works – Compliance Assessment (Engineering) for engineering plans and specifications for the construction of proposed car parking facilities and internal driveways. The following issues are to be addressed:

- a) Compliance with Australian Standard AS 2890.1: Off Street Parking – Car Parking Facilities.

2.12 Public Open Space Contribution

Prior to Operational Works Approval, a public open space contribution must be made to the Council in accordance with Redlands Planning Scheme - Part 11, Planning Scheme Policy 3 – Contributions and Security Bonding – Chapter 5 - Open Space.

2.13 Transport Infrastructure Charges Contributions

A contribution for local transport infrastructure must be made to Council, at the rate applicable at the time of payment, and paid prior to approval of any subsequent 'operational works' application. The amount payable for this development must comply with Chapter 4 of Planning Scheme Policy 3 in the Redlands Planning Scheme. This contribution does not cover the cost of local road works necessary for the development that are not part of the roadworks identified in the above mentioned Council policy and that all such costs are the responsibility of the applicant. In this regard the following comments are made:

- The current rate for 2008/2009 per equivalent tenement is \$12,685.54;
- The conversion factors (where relevant) for various residential uses are contained in the policy;
- The amount of contribution for a particular development is to be determined in accordance with Clause 1.7 of the policy. This is based on multiplying the maximum number of equivalent tenements permitted on the site by the rate per equivalent tenement by the conversion factor for the particular development proposed;
- The rate of contribution is reviewed annually on 01 July.

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

2.14 Water Supply Headworks

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

The amount payable for this development must comply with Chapter 7 of Planning Scheme Policy 3 in the Redlands Planning Scheme. In this regard the following comments are made:

- The current rate for 2008/2009 per equivalent tenement is \$6,944.00
- The conversion factor for water supply headworks payable vary amongst the different uses. Refer to the policy in this regard.
- the amount of contribution for a particular development is determined by multiplying the calculated number of equivalent tenements by the rate per equivalent tenement based on the conversion factor for the particular development included in the table of conversion factors;
- The rate of contribution is reviewed annually on 01 July.

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

2.15 Sewerage Headworks

A contribution for sewerage augmentation and treatment is to be made to the Council, at the rate applicable at the time of payment, prior to approval of any subsequent 'operational works' application.

The amount payable for this development must comply with Chapter 7 of Planning Scheme Policy 3 in the Redlands Planning Scheme. In this regard the following comments are made:

- The current rate for 2008/2009 per equivalent tenement is \$10,787.00.
- The conversion factor for sewerage headworks payable vary amongst the different uses. Refer to the policy in this regard.
- the amount of contribution for a particular development is determined by multiplying the calculated number of equivalent tenements by the rate per equivalent tenement based on the conversion factor for the particular development included in the table of conversion factors;
- The rate of contribution is reviewed annually on 01 July.

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

NB: If sewerage is not immediately available, no unit is to be occupied until a sewerage service is available.

2.16 **Cycleway Infrastructure Contribution**

A contribution for Cycleway Infrastructure must be made to Council, at the rate applicable at the time of payment, and paid prior to any approval of any subsequent 'operational works' application. The amount payable for this development must comply with Chapter 4A of Planning Scheme Policy 3 in the Redlands Planning Scheme. This contribution is required to fund new and/or improved infrastructure needed to manage the future growth on the Council's mainland. In this regard the following comments are made:

- The current rate for 2008/2009 per equivalent tenement is \$1,397.46.00;
- The conversion factors (where relevant) for various residential uses are contained in Chapter 4A of Planning Scheme Policy 3 in the Redlands Planning Scheme;
- The amount of contribution for a particular development is to be determined in accordance with Clause 1.7 of the policy. This is based on multiplying the maximum number of equivalent tenements permitted on the site by the rate per equivalent tenement by the conversion factor for the particular development proposed;
- The rate of contribution is reviewed annually on 01 July.

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

2.17 **Sediment and Erosion**

- a) Prior to and during the construction and maintenance phases of this development, the developer is to be responsible for the installation and maintenance of erosion and sediment management facilities. These facilities must accord with the specific outcomes of the Erosion Prevention and Sediment Control Code until the site works are completed.
- b) At all times the development is to adhere to the "Erosion Prevention and Sediment Control Code" and chapter 4 "Erosion Prevention and Sediment Control" of Policy 9 "Infrastructure Works".
- c) At all times the development of the site is to adhere to the practices described in "Controlling Stormwater Pollution on your Building Site" published by Healthy Waterways, 2006. For further information please visit the following web site www.healthywaterways.org.

2.18 **Stormwater Infrastructure Contribution**

A contribution for stormwater Infrastructure must be made to Council, at the rate applicable at the time of payment, and paid prior to any approval of any subsequent 'operational works' application. The amount payable for this development must comply with Chapter 8 of Planning Scheme Policy 3 in the Redlands Planning Scheme. The purpose of this contribution is to ensure that

all areas within the Redlands have effective stormwater infrastructure with sufficient capacity. In this regard the following comments are made:

- The conversion factors (where relevant) for various uses are contained in the policy;
- The amount of contribution for a particular development is to be determined in accordance with Clause 1.4 of the policy;
- The rate of contribution is reviewed annually on 01 July.

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

3.0 Performance Bonding Agreement

3.1 In accordance with Planning Scheme Policy 3 – Contributions and Security Bonding, the lodgement of security with the Council in accordance with the table in Condition 3.2 must be undertaken to guarantee the execution of works to be done in association with this approval.

3.2 All payments to be made to the Council and/or money to be deposited and/or bond to be lodged pursuant to any condition of this approval must be made:

- Prior to an application for approval of building works on the site being lodged; or
- Prior to Council being required to issue any approval for Operational Works – Compliance assessment; or
- Prior to any construction works or the use commencing; (whichever is the sooner).

Other conditions must, where applicable, be complied with before the use is commenced, unless otherwise required or agreed in writing by the Council or a delegated officer.

Item	Amount	Drawn down	Returned
Engineering Infrastructure external to the site	\$2,500	to the greater of \$1,000 and 5% of the value of works, when accepted On Maintenance by the Council	When works are accepted Off Maintenance by the Council (Note – There is a minimum maintenance period of 6 months).
Landscaping	\$2,000		When works are accepted Off Maintenance by the Council (Note – There is a minimum maintenance period of 6 months).

Item	Amount	Drawn down	Returned
General performance	\$2,500	not applicable	When all conditions associated with this approval have been complied with, as accepted by the Council.
TOTAL	\$7,000		

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

Note: The approval of this development remains with the land. Accordingly, the responsibility for compliance with the conditions of approval remains with the owner(s) of the land, unless this obligation has been passed to a third party if agreed to in writing by the Council or a delegated officer.

C. REFERRAL AGENCY'S RESPONSE

The Advice Agency Response – Conservation Estate from the Queensland Government – Department of Environment and Resource Management, dated 20 July 2009, is attached. This advice does not form a condition of this approval.

D. ADDITIONAL PERMITS/APPROVALS REQUIRED

This approval does not authorise construction to commence. Further development permits for Building Works and Plumbing and Drainage Works are required.

Capping of sewer -

The applicant must lodge a "Capping of Sewer" application with Redland Shire Council's Plumbing Department prior to the demolition of any existing buildings on the development property/ies.

Building Works -

Compliance Assessment approvals (from the Council) are required for:

- Building Works (Demolition)
 - Referral Agency Assessment through Redland City Council to undertake the demolition works or potential asbestos removal is required prior to seeking and obtaining a formal building approval;

Operational Works – Compliance Assessment approvals (from the Council) are required for:

- Engineering
 - External roadworks and drainage works;
 - Internal car parking and stormwater drainage works
 - Earthworks;

- Water and sewer infrastructure
- Landscaping

E. ADVICE

1. Relevant Period

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

2. Fire Ants

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

3. Connection to Council Services

Should the existing allotment be further reconfigured, the applicant must ensure that each individual allotment is directly connected to Council services (such as water supply, sewer mains, etc.). This may require the extension of Council's existing infrastructure to service the individual allotments.

4. Construction Work

In order to minimise undue noise disturbance and associated nuisance to surrounding premises, construction hours are to be confined to times permitted by the Environmental Protection Regulations. Enforcement of these matters is undertaken by the Environmental Protection Agency.

If the development of the subject property requires soil, plants, mulch, potting mix or construction materials to be imported or exported, the applicant shall examine such material for fire ant infestations. If fire ants are suspected ring the Department of Primary Industries on 13 25 23.

5. Crime Prevention

Development of the site is to be designed in accordance with the principles of Crime Prevention through Environmental Design (CPTED) to assist in crime prevention by being designed and well lit to ensure casual surveillance opportunities, particularly for open space, car parking and pedestrian and cycle paths.

6. Amenity

Noise generated by the use is to be compatible with that experienced in a residential environment. Air quality impacts are to be eliminated or mitigated to a level that is compatible with a residential environment by not emitting vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, radio or electrical. Traffic movements are to be compatible with that experienced in a residential environment. Glare and reflection from the sun is to be minimised through choice of building materials and glazing. Artificial lighting is not to result in unreasonable disturbance to any person or activity.

Environment

Development of the site is to protect the environment from impacts associated with the use and its construction, including stormwater run-off, water quality, erosion and sediment run-off and weed infestation.

COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Henry

- 1. That the report be deferred to allow officers to review issues raised by residents; and**
- 2. That unless the Divisional Councillor exercises his right to call the matter to the Development Assessment Committee, the application will be determined by officers under delegated authority.**

CARRIED

15 CLOSED SESSION**15.1 REGULATORY SERVICES****15.1.1 REGULATORY SERVICES DEPARTMENT REVIEW**

Dataworks Filename: GOV Regulatory Services - Restructure
Responsible Officer Name: Toni Averay
General Manager Regulatory Services
Author Name: Toni Averay
General Manager Regulatory Services

EXECUTIVE SUMMARY

A confidential report on this matter was presented by General Manager Regulatory Services.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Bowler
Seconded by: Cr Elliott

That Council resolve as follows:

- 1. To approve the proposed new name of 'Development and Community Standards' for the Department;**
- 2. To adopt the proposed corporate structure for the Development and Community Standards Department;**
- 3. To approve the proposed Implementation Action Plan;**
- 4. To approve the proposed allocation of resources; and**
- 5. That the report and attachments remain confidential until implementation of the new Department structure and finalisation of any related staff matters.**

CARRIED

16 MEETING CLOSURE

There being no further business, the Mayor declared the meeting closed at 6.07pm.

Signature of Chairperson: _____

Confirmation date: _____