



**Redland**  
CITY COUNCIL

# **MINUTES**

## **GENERAL MEETING**

**Wednesday 30 September 2009**

**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 4.03pm 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

Peter Holmes of the Redlands Ministers' Fellowship led Council in a brief devotional segment.

## 3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

### MEMBERS PRESENT:

Cr M Hobson PSM	Mayor
Cr T Bowler	Deputy Mayor and Councillor Division 6
Cr W Boglary	Councillor Division 1
Cr C Ogilvie	Councillor Division 2
Cr D Henry	Councillor Division 3
Cr J Burns	Councillor Division 4
Cr B Townsend	Councillor Division 5
Cr M Elliott	Councillor Division 7 – entered at 4.04pm
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
Mrs T Averay	General Manager Regulatory Services
Mr G Photinos	Acting General Manager Planning and Policy
Mr G Soutar	General Manager Redland Water
Mr M Drydale	General Manager Corporate Services
Mr M Hyde	General Manager Customer Services
Mr N Clarke	General Manager Governance

### MINUTES:

Mrs J Parfitt	Corporate Meetings & Registers Team
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Cr Elliott left the meeting at 4.09pm.

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

##### **4.1 GENERAL MEETING MINUTES 26 AUGUST 2009**

Moved by: Cr Bowler  
Seconded by: Cr Reimers

That the minutes of the General Meeting of Council held on 26 August 2009 be confirmed.

CARRIED

##### **4.2 SPECIAL MEETING MINUTES 11 SEPTEMBER 2009**

Moved by: Cr Bowler  
Seconded by: Cr Murray

That the minutes of the Special Meeting of Council held on 11 September 2009 be confirmed.

CARRIED

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

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

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

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

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

###### **5.1.2 POTENTIAL FORMATION OF A BUSINESS IMPROVEMENT DISTRICT**

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

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



### **5.1.3 REGIONAL SPORTING FACILITY**

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

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

### **5.1.4 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 December 2009.

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

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

A report addressing this matter will be presented to 7 October 2009 Planning & Policy Committee Meeting.

### **5.1.6 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 a future Planning & Policy Committee Meeting.

### **5.1.7 SOLAR LIGHTING – EDDIE SANTAGIULIANA WALKWAY**

At the General Meeting of 26 August 2009 Council resolved that officers prepare a report on the feasibility and financial implications of providing solar lighting on, and upgrading of the Eddie Santagiuliana Walkway between the Cleveland CBD and Wharf Street and that this report be brought to Council for review and consideration for inclusion in the capital works program.

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

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### **5.1.8 CLEVELAND POINT RESERVE MASTER PLAN**

At the General Meeting of 26 August 2009 Council resolved that officers seek community consultation on alternative Cleveland Point Reserve master plan layouts, subject to the Federal Government funding not being affected on any subsequent changes to the master plan and that the results of the consultation be submitted to a Planning & Policy Committee Meeting.

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

### **5.1.9 FUTURE RATING STRATEGY**

At the General Meeting of 26 August 2009 Council resolved that a report be prepared outlining options for a future rating strategy to be considered for inclusion in Council's Financial Strategy, with this report to take account of:

- a. The use of a step differential system and explore alternative step arrangements within the current system;
- b. The impacts of current approaches on high UCV properties;
- c. The increased use of separate and special charges; and
- d. That Council consult with representative groups in the preparation of this report.

A report addressing this matter will be presented to the Finance & Corporate Management Committee Meeting in October.

## **6 PUBLIC PARTICIPATION**

### **MOTION TO ADJOURN MEETING**

Moved by: Cr Murray  
Seconded by: Cr Henry

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

CARRIED

1. Ms G Nemeth from Macleay Island addressed Council in relation to parking at Weinam Creek and asbestos on Macleay Island.
2. Mr F Vella of Redland Bay addressed Council in relation to a petition to extend the walkway further down Waterfront Easement at Redland Bay.

Cr Elliott returned to the meeting at 4.13pm.

**MOTION TO RESUME MEETING**

Moved by: Cr Elliott  
Seconded by: Cr Townsend

That the proceedings of the meeting resume.

CARRIED

**7 PETITIONS/PRESENTATIONS****7.1 PETITION (DIVISION 10) – OBJECTING TO PARTS OF THE CURRENT PLANNED ROADWORKS ON QUARRY/RICKERTTS ROAD, BIRKDALE**

Moved by: Cr Murray  
Seconded by: Cr Reimers

That the petition, which reads as follows, be received and an acknowledgement letter sent to all petitioners noting that the project, which is currently under a construction contract, has had community engagement on the matters referred to in the petition:

*We the undersigned of the Sovereign Park Estate in Birkdale wish to object to parts of the currently planned roadworks on Quarry/Rickertts Road.*

CARRIED

**7.2 PETITION (DIVISION 5) – REQUESTING THE SEALING OF KALARA STREET, MACLEAY ISLAND**

Moved by: Cr Townsend  
Seconded by: Cr Williams

That the petition, which reads as follows, be received and acknowledged and the matter referred for future capital works and that a letter be sent to the principal petitioner advising same:

*Request the sealing of Kalara Street, Macleay Island. The residents of Kalara Street have been exposed to dust for many years. Sealing would eliminate the dust hazard. Also it's close proximity to the Bowls Club makes it a popular street for access and parking. Kalara Street is a popular pedestrian access way to the Bowls Club especially at night, sealing would make it safer.*

CARRIED

### **7.3 PETITION (DIVISION 5) – EXTENSION OF WALKWAY FURTHER DOWN WATERFRONT EASEMENT**

Moved by: Cr Townsend  
Seconded by: Cr Henry

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

*Residents Ratepayers & Electors of Division 5 request that Council extend the walkway further down Waterfront Easement.*

**CARRIED**

### **7.4 PRESENTATION (CR BOWLER) – LOCAL GOVERNMENT SUSTAINABLE DEVELOPMENT CONFERENCE 2009**

Cr Bowler gave a presentation to Council on her attendance at the 2009 Local Government Sustainable Development Conference held from 18-19 August 2009 in Melbourne.

Topics discussed included: Expert analysis of Local Government's emissions trading obligations, Climate change and energy efficiency, Integrating sustainability into economic imperatives, Future directions for asset management, Practical approaches to water management, Sustainable planning and urban design, Waste management and resource recovery, Community engagement and Green purchasing and procurement.

### **8 MOTION TO ALTER THE ORDER OF BUSINESS**

Nil.

### **9 DECLARATION OF INTEREST ON ANY ITEMS OF BUSINESS**

#### **9.1 MATERIAL PERSONAL INTEREST – ITEM 13.1.1**

At the time in the meeting when this item was raised, Cr Townsend declared a material personal interest in Item 13.1.1 *Community Concerns re Lease of the Straddie Holiday Parks* and left the meeting for discussion and decision on this item stating that her husband owns a company that previously contracted to Council to clean the North Stradbroke Island Caravan Parks and he was contacted by one of the Tenderers during the tender process.

## **9.2 CONFLICT OF INTEREST - ITEM 13.2.1**

Crs Townsend, Bowler, Boglary, Elliott and Henry declared a conflict of interest in the following item as they had been mentioned in the report and recommendations of the Conduct Review Panel and left the meeting.

Cr Hobson declared a conflict of interest as she had been mentioned in the report and recommendations of the Conduct Review Panel, remaining in the chamber, seeking advice from the Chief Executive Officer.

Cr Williams stated she may have a conflict of interest in this item as the complainant in this matter. Cr Williams remained in the chamber.

The Chief Executive Officer stated that with the departure of Cr Hobson the meeting would lose quorum. He advised that under the circumstances the matter could not be determined by Council at this time. The CEO informed the meeting that he intended to seek direction from the Minister for Local Government on the future handling of this matter.

Crs Townsend, Bowler, Boglary, Elliott and Henry returned.

## **9.3 MATERIAL PERSONAL INTEREST - ITEM 13.4.1**

At the time in the meeting when this item was raised, Cr Townsend declared a Material Personal Interest in item 13.4.1 *Waste Management Services Business Unit Report – August 2009* and left the meeting for discussion and decision on this item stating that the report contains information regarding a contract variation which relates to her husband's business.

## **9.4 MATERIAL PERSONAL INTEREST - ITEMS 5.1 AND 5.2**

At the time in the meeting when these items were raised, Cr Townsend declared a material personal interest in Item 5.1 *Proposed Management Model for North Stradbroke Island Holiday Parks* and Item 5.2 *Provision of Lease for the North Stradbroke Island Holiday Parks* and left the meeting for discussion and decision on these items stating that her husband owns a company that previously contracted to Council to clean the North Stradbroke Island Caravan Parks and he was contacted by one of the Tenderers during the tender process.

## 10 PLANNING & POLICY COMMITTEE 9/09/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Murray  
Seconded by: Cr Reimers

That the Planning & Policy Committee Report of 9 September 2009 be received.

CARRIED

### 10.1 GOVERNANCE

#### 10.1.1 INCORPORATION OF THE COUNCIL OF MAYORS (SEQ)

**Dataworks Filename:** GOV - Council of Mayors (SEQ)  
**Attachment:** [Constitution of Council of Mayors \(SEQ\) Pty Ltd](#)  
**Responsible Officer Name:** Nick Clarke  
General Manager Governance  
**Author Name:** Luke Wallace  
Manager Corporate Planning, Performance and Risk

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#### EXECUTIVE SUMMARY

At Council's Meeting of 29 July 2009, it was resolved that Redland City Council would remain a committed member of the Council of Mayors (SEQ). A Constitution for the Council of Mayors has now been drafted which deals with matters such as fees, meeting processes and procedures, the rights of members, appointment of executive positions etc. Council of Mayors has requested that Council review the constitution and demonstrate our support or otherwise.

#### PURPOSE

The purpose of this report is to present the draft constitution of the Council of Mayors (SEQ) Pty Ltd for Council's consideration and approval. In addition, this report recommends that Council appoint the Mayor, in accordance with Section 10(2)(h) of the constitution, to act on its behalf at all or any meetings of the Company or of any class of members.

#### BACKGROUND

In accordance with Section 497 (1)(a)(i) of the *Local Government Act 1993*, Council may take part in forming a company limited by shares if the enterprise is expected to benefit its area.

The Council of Mayors (SEQ) provides a united voice for local government in the south east region of Queensland and a platform for regional collaboration on key

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issues. Council has been a member of the organisation since September 2005 and was previously a member of the SEQ Regional Organisation of Councils (SEQROC).

At its meeting of 31 July 2009, the Council of Mayors (SEQ) resolved to proceed with incorporation of the entity at the Annual General Meeting on 2 October 2009. Accordingly it has been requested that member Councils review the draft constitution (attached) and endorse a series of resolutions to enable Council of Mayors (SEQ) to move forward with this proposal.

There are several advantages in the incorporation of the Council of Mayors (SEQ) including greater independence from any one particular Council, additional flexibility in conducting business, clearer legal protection for the directors (i.e. the Mayors) and a limitation on the liability of member Councils. In terms of general operations, there are no obvious disadvantages in seeking incorporation.

In addition to dealing with the matter of incorporation, Council is permitted under Section 10(2)(h) of the constitution to appoint a representative to act on its behalf at all or any meetings of the Company or of any class of members. In practical terms this role has always been performed by the Mayor of the day. Council of Mayors has obtained independent legal advice which suggests there are no conflicts of interest in appointing the Mayor to this role.

## **ISSUES**

The achievement of incorporation for the Council of Mayors (SEQ) will provide a number of positive outcomes for members. These include;

- The capacity for Council of Mayors (SEQ) to enter into legally binding agreements which will enable Council of Mayors (SEQ) to operate independently of any one particular member. This will remove the need for any particular Council to be the legal recipient of government funding on projects
- Related to the above matter, incorporation will overcome recent problems on funded projects with respect to bank accounts and formal project management
- Grant applications will be simplified as will the progress reports to government that are required for most funded projects
- By being independent from any "supervising Council", Council of Mayors (SEQ) will be able to perform in a more neutral capacity as opposed to being dependent on one of the nine Councils and financial management will not have to be undertaken by Brisbane City Council
- Legal protection for the directors (i.e. the Mayors) will be clearer and will fall back on the organisation and its insurance policies
- The liability of member Councils will be limited to the value of their shares

It should be noted that the current staffing arrangements and operation of project committees and management committees will not change, so operationally it will be 'business as usual' subsequent to incorporation.

A draft constitution for Council of Mayors (SEQ) is attached. The constitution has been reviewed by several senior officers, including the CEO and the Manager Legal Services, and there are no aspects of the constitution that are considered disadvantageous or harmful to the interests of Redland City Council.

In accordance with the constitution and Section 250D of the *Corporations Act 2001*, Council is permitted under Section 10(2)(h) to appoint a representative to act on its behalf at all or any meetings of the Company or of any class of members. This role has been performed by the Mayor of the day in the past and for practical reasons, and given that Council of Mayors has obtained independent legal advice which suggests there are no conflicts of interest, it is felt that the Mayor should be appointed to this role.

**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 additional financial implications from the incorporation of the Council of Mayors (SEQ) beyond Council's current financial commitment.

**PLANNING SCHEME IMPLICATIONS**

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

**CONSULTATION**

Consultation on this report was undertaken with several senior officers including the CEO, the General Manager Governance, the Manager Legal Services and the Manager Finance.

**OPTIONS**

**PREFERRED**

- 1. That a Company Limited by Shares be formed and registered to be called "The Council of Mayors (SEQ) Pty Ltd";
- 2. That the Constitution of that company be as set out in Attachment A;
- 3. That the original members and shareholders of the company be as follows:-
  - Brisbane City Council                      One Share
  - Gold Coast City Council                    One Share
  - Lockyer Valley Regional Council          One Share



- Logan City Council One Share
  - Redland City Council One Share
  - Scenic Rim Regional Council One Share
  - Somerset Regional Council One Share
  - Sunshine Coast Regional Council One Share
  - Toowoomba Regional Council One Share
4. That the first board of the company be as follows:-
- Cr Campbell Newman Brisbane City Council
  - Cr Ron Clarke Gold Coast City Council
  - Cr Steve Jones Lockyer Valley Regional Council
  - Cr Pam Parker Logan City Council
  - Cr Melva Hobson Redland City Council
  - Cr John Brent Scenic Rim Regional Council
  - Cr Graeme Lehmann Somerset Regional Council
  - Cr Bob Abbot Sunshine Coast Regional Council
  - Cr Peter Taylor Toowoomba Regional Council
5. That the registered office of the company be as follows:-  
Level 5  
239 George Street  
Brisbane Q 4001
6. That all of the assets and liabilities, bank accounts and staff (including the Executive Director) be transferred by the Council of Mayors and/or Brisbane City Council (under their existing contractual arrangements) to the company;
7. That the Executive Director be authorised to finalise any agreement necessary to give effect to (6) for board approval;
8. That the auditor of the company be the Queensland Audit Office; and
9. That in accordance with Section 10(2)(h) of the constitution of the Council of Mayors (SEQ) Pty Ltd, and Section 250D of the Corporations Act 2001, the Mayor be appointed as Council's representative to act on its behalf at all or any meetings of the Company or of any class of members.

**ALTERNATIVE**

That Council does not endorse the incorporation of the Council of Mayors (SEQ) Pty Ltd and advises the Executive Director accordingly.

**OFFICER'S RECOMMENDATION**

1. That a Company Limited by Shares be formed and registered to be called "The Council of Mayors (SEQ) Pty Ltd";
2. That the Constitution of that company be as set out in Attachment A;
3. That the original members and shareholders of the company be as follows:-
  - Brisbane City Council One Share
  - Gold Coast City Council One Share

- Lockyer Valley Regional Council One Share
- Logan City Council One Share
- Redland City Council One Share
- Scenic Rim Regional Council One Share
- Somerset Regional Council One Share
- Sunshine Coast Regional Council One Share
- Toowoomba Regional Council One Share

4. That the first board of the company be as follows:-

- Cr Campbell Newman Brisbane City Council
- Cr Ron Clarke Gold Coast City Council
- Cr Steve Jones Lockyer Valley Regional Council
- Cr Pam Parker Logan City Council
- Cr Melva Hobson Redland City Council
- Cr John Brent Scenic Rim Regional Council
- Cr Graeme Lehmann Somerset Regional Council
- Cr Bob Abbot Sunshine Coast Regional Council
- Cr Peter Taylor Toowoomba Regional Council

5. That the registered office of the company be as follows:-

Level 5  
239 George Street  
Brisbane Q 4001

6. That all of the assets and liabilities, bank accounts and staff (including the Executive Director) be transferred by the Council of Mayors and/or Brisbane City Council (under their existing contractual arrangements) to the company;
7. That the Executive Director be authorised to finalise any agreement necessary to give effect to (6) for board approval;
8. That the auditor of the company be the Queensland Audit Office; and
9. That in accordance with Section 10(2)(h) of the constitution of the Council of Mayors (SEQ) Pty Ltd, and Section 250D of the Corporations Act 2001, the Mayor be appointed as Council's representative to act on its behalf at all or any meetings of the Company or of any class of members.

## COMMITTEE DISCUSSION

Committee noted that an amended attachment – *Constitution of the Council of Mayors (SEQ) Pty Ltd* – had been distributed before the meeting with the following amendments:

- Page 9 clause 2.6 the word "powers" be inserted after the word 'statutory'. This then reflects the current constitution.
- Page 29 clause 11.4 (d) - the restriction on the powers of directors requiring unanimous resolutions of all members at a general meeting was supposed to

apply only to all provisions relating to shares. The constitution contains other express provisions limiting the Directors' powers (e.g. clause 11.5 requires a two thirds majority). The provision in the draft appears to be one from a very early draft that included references to clause with no content or no powers, or, even more significantly, would have rendered inoperable the general powers of the Board to run the company (11.4.a) and the two-thirds majority expressed inserted in the restrictions clause (11.5). The revised clause refers only to all provisions relating to share capital and transfer of shares as intended.

#### **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Townsend

**That Council resolve as follows:**

- 1. That a Company Limited by Shares be formed and registered to be called "The Council of Mayors (SEQ) Pty Ltd";**
- 2. That the amended Constitution of that company be as set out in Attachment A;**
- 3. That the original members and shareholders of the company be as follows:-**

- Brisbane City Council One Share**
- Gold Coast City Council One Share**
- Lockyer Valley Regional Council One Share**
- Logan City Council One Share**
- Redland City Council One Share**
- Scenic Rim Regional Council One Share**
- Somerset Regional Council One Share**
- Sunshine Coast Regional Council One Share**
- Toowoomba Regional Council One Share**

- 4. That the first board of the company be as follows:-**

- Cr Campbell Newman Brisbane City Council**
- Cr Ron Clarke Gold Coast City Council**
- Cr Steve Jones Lockyer Valley Regional Council**
- Cr Pam Parker Logan City Council**
- Cr Melva Hobson Redland City Council**
- Cr John Brent Scenic Rim Regional Council**
- Cr Graeme Lehmann Somerset Regional Council**

- Cr Bob Abbot                      Sunshine Coast Regional Council
- Cr Peter Taylor                    Toowoomba Regional Council

5. That the registered office of the company be as follows:-

Level 5  
239 George Street  
Brisbane Q 4001

6. That all of the assets and liabilities, bank accounts and staff (including the Executive Director) be transferred by the Council of Mayors and/or Brisbane City Council (under their existing contractual arrangements) to the company;
7. That the Executive Director be authorised to finalise any agreement necessary to give effect to (6) for board approval;
8. That the auditor of the company be the Queensland Audit Office; and
9. That in accordance with Section 10(2)(h) of the constitution of the Council of Mayors (SEQ) Pty Ltd, and Section 250D of the *Corporations Act 2001*, the Mayor be appointed as Council's representative to act on its behalf at all or any meetings of the Company or of any class of members.

**CARRIED**

## 10.2 PLANNING AND POLICY

### 10.2.1 PROPOSED ROAD OPENING - SUSAN STREET TO SONIA STREET, RUSSELL ISLAND

**Datworks Filename:** RTT Road Reserves  
**Attachments:** [Proposed access Zoning Map](#)  
**Responsible Officer Name:** David Elliott  
Manager Infrastructure Planning  
**Author Name:** Tom McErlain  
Draftsman

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#### EXECUTIVE SUMMARY

As part of the Southern Moreton Bay Island Planning and Land Use Strategy [SMBIPLUS], Council resolved to provide all weather road access to two dwelling houses and unconstrained vacant private lots on Sonia Street. Currently, Council provides access to Sonia Street via a gravel road that follows the established road reserve network which is subject to drainage constraints and land that is of very high conservation value. Formalising an alternative access route to Sonia Street will allow the current access to be closed and the area to be rehabilitated.

The SMBIPLUS identified an alternative all weather access route via Kay Street through a privately owned rural property. Council officers have inspected this alternative route and found that it would require the removal of mature trees and require the acquisition of part of the rural property. To avoid removal of the mature trees and partial acquisition of the private property an alternative all weather access route over two lots in Council ownership is recommended. The recommended route would provide an all weather access link to Sonia Street from Susan Street to the south.

#### PURPOSE

To seek Council endorsement for the establishment of a road reserve over lot 128 RP132856, 11 Susan Street and lot 139 RP132856, 12 Sonia Street in accordance with the *Land Act 1994* and the *Land Title Act 1994*. These two lots are currently owned by Council.

To seek Council' endorsement to construct a gravel access road from Susan Street to Sonia Street in the event that the subject land be opened as road.

#### BACKGROUND

In response to the long-standing regional land use and conservation issues created by the unregulated and inappropriate subdivision of the Southern Moreton Bay Islands [SMBI] during the 1960s/1970s, Council in partnership with the State Government commissioned the SMBIPLUS in 1996. Following significant technical

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investigation and community consultation, Council endorsed the SMBIPLUS as the preferred framework for the development and conservation of the Islands in 1999.

As part of the SMBIPLUS, drainage investigations found that part of the road reserve network intended to provide access into Sonia Street is subject to flooding during a 1% AEP [Annual Exceedance Probability] event. Ecological investigations also found the subject area of the road reserve to be of very high conservation value.

To provide all weather access to two existing dwelling houses on Sonia Street and a number of vacant private lots included in the Residential A at the time an alternative access route was identified. The identified alternative access would link Sonia Street to Kay Street to the west through a private rural property. The alternative access route would require Council acquisition of part of the rural property.

Currently, access to Sonia Street is provided by Council via a temporary gravel road 200m in length that follows the established road reserve network which is drainage constrained and of very high conservation value. Providing alternative all weather access will allow the current temporary access to be closed and the area to be rehabilitated.

## **ISSUES**

A detailed investigation by Council officers of the alternative access route to Sonia Street identified by the SMBIPLUS has found that as well as Council acquisition of part of the rural property it would also require the removal of mature trees. To avoid partial acquisition and the removal of the mature trees a second alternative access route to Sonia Street that links to Susan Street to the south through two Council owned lots is recommended.

The two Council owned lots recommended for the alternative route to link to Susan Street are currently included in the Conservation Sub-Area CN1 zone. The inclusion of the two lots within the CN1 zone is based on the access constraint to Sonia Street and the identification of medium conservation values over the area. It is important to note that medium conservation areas include areas of the Islands that have primarily landscape and aesthetic value and were not recommended for absolute protection. In fact, the medium conservation area covers large areas of southern Russell Island that are included within the SMBI Residential zone. ..

The provision of all weather access to Sonia Street through the two Council lots will not remove the medium conservation values identified as the extent of disturbance required will be minimised to the extent necessary for a single lane access route to potentially service six dwelling houses on Sonia Street. The majority of vegetation on the two Council lots will be retained and the land will continue to provide landscape and aesthetic value.

Providing all weather access through the two Council lots will also provide environmental benefits. These include:

- Providing opportunity to remove the 200m gravel road that currently provides access and rehabilitate this area identified as having very high conservation value; and
- avoiding the need to remove mature trees on the rural property identified by the SMBIPLUS to provide alternative access to Sonia Street; and

Providing formal all weather access to Sonia Street will also result in the reinstatement of a residential zoning to three vacant private lots on Sonia Street and support the amendment of one vacant private lot from a drainage problem zoning to a residential zoning.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

The cost associated with the Officer's Recommendation such as the gravel access (approximately \$5,000), road opening application fee (approximately \$600), survey (approximately \$3,500) and legal fees (approximately \$1,000). The funding required will be referred to the relevant budget quarterly review.

### **PLANNING SCHEME IMPLICATIONS**

The Land Use Planning Group was consulted and it is considered that following amendments will be required as a result of the Officer's Recommendation:

- Inclusion of 7, 10, 11 and 14 Sonia Street, Russell Island within the SMBI Residential zone from the CN1 zone;
- Removal of the Community Purposes Sub-Area CP7 [infrastructure] zone from 65-81 South End Road and inclusion within the Rural Non-Urban Sub-Area RN3 zone.

### **CONSULTATION**

The Manager Infrastructure Planning has consulted with the Divisional Councillor, Property Services Manager, Principal Advisor Urban and Rural Planning, Senior Advisor Spatial Management, Roads and Drainage Services Manager and Land Development Services Manager.

### **OPTIONS**

#### **PREFERRED**

1. That Council apply to the Department of Natural Resources and Water to surrender the subject lots to the State to be opened as road;
2. That Council construct a gravel access from Susan Street to Sonia Street within three months of the subject land being opened as road; and
3. That the Chief Executive Officer be delegated authority to sign all necessary documentation associated with the transfer of the subject lots for road purposes.

**ALTERNATIVE**

That Council provide formal all weather access to Sonia Street via the route identified in the SMBIPLUS.

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

Moved by: Cr Murray  
Seconded by: Cr Reimers

**That Council resolve as follows:**

- 1. To apply to the Department of Natural Resources and Water to surrender the subject lots to the State to be opened as road;**
- 2. To construct a gravel access from Susan Street to Sonia Street within three months of the subject land being opened as road; and**
- 3. That the Chief Executive Officer be delegated authority to sign all necessary documentation associated with the transfer of the subject lots for road purposes.**

**CARRIED**



## 10.2.2 COUNCIL COMMENTS ON PARLIAMENT INQUIRY INTO ENERGY EFFICIENCY IMPROVEMENTS

**Dataworks Filename:** EM Response to Climate Change  
**Attachments:** [Council Comments on Parliament Inquiry Into Energy Efficiency Improvements](#)  
**Responsible Officer Name:** Angela Wright  
Acting Manager Environmental Management  
**Author Name:** Warren Mortlock  
Senior Adviser Environmental Protection

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### EXECUTIVE SUMMARY

This report seeks retrospective Council approval of comments prepared by Council officers and forwarded to the Queensland Parliament Environment and Resources Committee Inquiry into energy Efficiency improvements.

### PURPOSE

To seek retrospective Council approval of comments prepared by Council officers and forwarded to the Queensland Parliament Environment and Resources Committee Inquiry into energy Efficiency improvements.

### BACKGROUND

- On 23 April 2009 the Legislative Assembly resolved: 'That the Environment and Resources Committee investigate the economic and environmental potential provided by energy efficiency improvements for households; communities; industry; and government. In undertaking this inquiry, consideration should be given to:-
    - the economic and environmental costs and benefits arising from energy efficiency improvements;
    - potential barriers and impediments to improved energy efficiency;
    - potential policy options for energy efficiency improvements, with an emphasis on initiatives that are cost effective for individual producers and consumers; and
    - the role of the Carbon Pollution Reduction Scheme and other Commonwealth Government initiatives in encouraging energy efficiency.'
  - The committee is to report to the Legislative Assembly by 30 November 2009 and comments were sought by COB 17<sup>th</sup> August.
  - The attached comments were forwarded to Environment and Resources Committee on August 17<sup>th</sup>.
  - John Cherry, Executive Director, Council of Mayors (CoM) forwarded comments from the CoM at the same time.
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## **ISSUES**

Following receipt of Council's comment, Mr Hansen, Research Director for the Environment and Resources Committee contacted Council to request that Council's endorsement be forwarded to the Environment and Resources Committee, as the submission has a different standing at the inquiry if left as officer level.

## **RELATIONSHIP TO CORPORATE PLAN**

The recommendation does not directly support a specific strategic priority of Council. However, the recommendation ensures that Council has a say in regional policy and legislative matters of concern to Council and the Redland community.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications for Council from the recommendation.

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

Consultation on energy efficiency has taken place with representatives across Council recently in the preparation of Council's Carbon Audit and implementation plan. Comments were sought widely from Corporate Services, Customer Services, and Planning and Policy.

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows:

1. To endorse the comments in the attachment; and
2. Forward this comment to Mr Hansen, Research Director for the Environment and Resources Committee directly.

### **ALTERNATIVE**

That Council resolve to provide further direction regarding the comment.

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

Moved by: Cr Murray  
Seconded by: Cr Reimers

**That Council resolve as follows:**

1. To endorse the comments in the attachment; and

2. **Forward this comment to Mr Hansen, Research Director for the Environment and Resources Committee directly.**

**CARRIED**

**10.2.3 DRAFT COUNCIL CLIMATE CHANGE ADAPTATION PLAN**

**Dataworks Filename:** EM Response to Climate Change  
**Attachments:** [Climate Change Adaptation Plan](#)  
**Responsible Officer Name:** Angela Wright  
Acting Manager Environmental Management  
**Author Name:** Warren Mortlock  
Senior Adviser Environmental Protection  
Helena Malawkin  
Advisor Environmental Performance

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**EXECUTIVE SUMMARY**

A Draft Climate Change Adaptation Plan has been prepared for Council by consultants Marsden Jacobs and Broadleaf International. It is the culmination of a project funded by Council and the Australian Government under its Local Adaptation Pathways Program. The adaptation plan addresses the risks previously identified in the Redland City Council Climate Change Risk Assessment Report, which was adopted by Council in June 2009. Following the recent acceptance of the Draft Climate Change Adaptation Plan by the Department of Climate Change (DCC), the plan is now presented to Council for comment and adoption.

Climate change poses many challenges for Redland City Council. As a result of the adaptation workshop and subsequent analysis, it is clear that the Council has already made significant advances towards addressing many of the priority climate change risks. It is also clear that there is ample opportunity for Redland City Council to advance its approach to climate change adaptation.

**PURPOSE**

To seek Council comments on and adoption of the Draft Redland City Council Climate Change Adaptation Plan Report as a basis for planning and policy response to climate change.

**BACKGROUND**

- Corporate Environment Policy POL-2644, commits Council to “Ensure that the consequences of climate change for Redland City are understood and planning minimises the potential adverse impacts on natural ecosystems and the community”.
- Council received \$50,000 of Federal Government funding under the “Local Adaptation Pathways Program” in May 2008, and Council subsequently committed to match the contribution from the DCC in the 2008/09 budget and provide in-kind support.
- In September 2008 consultants Marsden Jacobs and Broadleaf International (MJA) appointed.

- The Redland City Council Climate Change Risk Assessment Report was adopted as a basis for planning and policy response to climate change at the General Meeting of 24 June 2009.
- The identified climate risks are being added to the corporate risk register and responsibilities for ownership allocated.
- An internal workshop to develop the adaptation plan was held in April 2009, which has led to the development of the draft Redland City Council Climate Change Adaptation Plan Report.
- The Department of Climate Change (DCC) provided comments and approval of the Draft Adaptation Plan on 24th July, in accordance with the requirements of the contract signed between the DCC and Council for this Local Adaptation Pathways Program (LAPP) project. Our commitments under this contract will be complete with the DCC endorsement of the Final Adaptation Plan.

## ISSUES

### **Climate change policy**

Response to climate change is a rapidly evolving area of public policy. The following are just some of the major policy and legislation arising in July and August alone – and though relevant to this report, as has been pointed out previously, it is difficult for Councillors and Officers to keep up to date with such a volume of material.

The Queensland State government is really only just getting up a ‘head of steam’ on response to climate change, and has just developed the SEQ Climate Change Management Plan public consultation draft.

The State Government has recently published the:

- ‘Queensland Renewable Energy Plan’ as a Toward Q2 initiative;
- ‘SEQ Climate Change Management Plan public consultation draft’ (which proposes to bring Queensland into line with NSW, SA, and Vic in adopting 0.8 m sea level rise by 2100);
- ‘ClimateQ: toward a greener Queensland’ presents the revised strategy for Queensland’s response to climate change – see [http://www.climatechange.qld.gov.au/whats\\_being\\_done/queensland\\_climate\\_change\\_strategy](http://www.climatechange.qld.gov.au/whats_being_done/queensland_climate_change_strategy).

The Australian Government has:

- Introduced the Carbon Pollution Reduction Scheme to the Senate;
- The Government has released exposure draft legislation to implement the expanded national Renewable Energy Target (RET) scheme.
- Published guidelines ‘Climate Change Adaptation Actions for Local Government’, by SMEC Australia – see <http://www.climatechange.gov.au/impacts/publications/local-government.html> .

- Published an interim update of Australia's emissions projections of domestic emissions for the Kyoto period of 2008-12 illustrating the 'abatement challenge' Australia faces in meeting its 2020 targets.

### **Climate change science**

Climate change science is also rapidly evolving, and much relevant research has been published since the last Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report released in 2007. Two recent review and summaries of the science on climate change with special reference to impacts in Australia were published by the DCC:

- 'Australia's biodiversity and Climate Change: summary for policy makers' by the Climate Change Expert Advisory Group as a strategic assessment of the vulnerability of Australia's biodiversity to climate change: see <http://www.climatechange.gov.au/science>;
- 'Climate Change 2009; Faster Change and More Serious Risks', by Will Steffen: see above web address. Steffen is a member of the Climate Change Expert Advisory Group.

### **Local government's response to climate change**

Local government has been the leading government sector nationally on the response to climate change, and Redland City has been at the forefront in its response. For ten years prior to the publishing of the Climate Change Adaptation Actions for Local Government report by DCC, the International Council for Local Environment Initiatives (ICLEI) has led Councils in cooperative action on climate change through their Cities for Climate Protection Program (CCP), for which the Federal Government has recently withdrawn funding. The demise of CCP marks the end of the era characterised by voluntary action on climate change, and the start of a regulated era beginning with the Carbon Pollution Reduction Scheme and a looming host of Federal and State initiatives.

The current level of uncertainty of climate change projections makes it difficult for local governments to prioritise their commitment to adaptation. The priority for local government is to continue its progress on climate change and move from its focus on early reduction of greenhouse gas emissions (mitigation) to an early focus on adaptation – both planning and action. Most other SEQ Councils have recently completed or are finalising broad climate change strategies that embrace early adaptation actions. Redland City Council officers routinely network with these Councils and share information and approaches.

### **Redlands response to climate change**

Response to climate change requires mitigation to reduce greenhouse gas (GHG) emissions which are the source of the problem and adaptation which includes the actions we take to manage risks and impacts posed by changes occurring in climate (real or predicted).

### Mitigation

Council has been a participant in the Cities for Climate Protection Program (CCP) since 1999. The CCP Milestone 5 Report completed in July 2007, and a comprehensive Audit by ARUP in February 2009 showed that GHG emissions reductions were not meeting Local Greenhouse Action Plan 2004 – 2010 (LGAP) targets. The LGAP is culminating in 2010 and its review imminent. Council will not meet its LGAP corporate target - of 25% reduction in emissions by 2010 over 1998 levels. Without proposed investment in emissions reduction in 09/10 financial year, corporate emissions are likely to remain 30% higher in 2010 than in 1998.

There are a number of emissions efficiencies planned, which may see the target of 25% being achieved. When landfill (and water and wastewater) is excluded, Council has a 30% increase in corporate emissions between 1998 and 2007/08, despite significant per-capita reductions in emissions. The continuing increases stem from the fast growing Redland City population, and the additional buildings, staff and services provided by Council. On a per staff member basis, building and facility emissions have decreased by 14% and fleet emissions decreased by 15% overall and 45% per passenger vehicle.

There is no prospect that the Redland community will meet its LGAP target by 2010. Based on CCP and ABS Census figures, the community emissions profile indicates a 171% increase in GHG emissions between 1996 and 2006. Our increasing population drives substantial net increase in the community emissions of the Redlands. The LGAP appears to have had little if any impact on this trend.

It is proposed that a Redland City Council Climate Change Strategy be prepared bringing together the high level planning for both Council adaptation and mitigation on climate change. This strategy would replace the Local Greenhouse Action Plan. The strategy would propose actions to identify broader risks and impacts on the community from climate change and include additional actions that Council may take to address these at a later date.

### Adaptation

Climate change poses many challenges for Redland City Council. As a result of the adaptation workshop and subsequent analysis, it is clear that the Council has already made significant advances towards addressing many of the priority climate change risks. It is also clear that there is ample opportunity for Redland City Council to advance its approach to climate change adaptation.

The risk assessment followed the approach described in the Australian Greenhouse Office (AGO) publication, Climate Change Impacts and Risk Management: A Guide for Business and Government, which is based on the Australian standard for Risk Management AS/NZS4360 2004 (as required by our LAPP funding agreement with DCC).

Three principles further characterise the approach:

Focus on the priority climate change risks;

- Recognition that adaptive management approaches build on existing measures and management systems (a new requirement to imbed into our

existing management structures and systems not a new requirement on its own);

- Use of criteria to assess existing controls in place for climate change risks and recommending new adaptation measures only where these are needed.

At this stage, planning is only concerned with the climate change risks to Council, and does not include detailed examination of risks to the community per se. The risk assessment focussed on the risks of climate change to Council assets and services. Risks were examined in three time periods: immediate term (next five years); medium term (to 2030) and longer term (beyond 2030). Outcomes of the risk assessment, including a full risk register, are detailed in Redland's Climate Change Risk Assessment report (adopted by Council June 2009). This approach limits the current work to a manageable scale and allows Council to better understand climate change risks before taking the next step to look at the impacts of climate change on the wider community and how Council has control or influence over these. Many Council risks are of course also community risks, and our planning therefore already has something of a whole community perspective. While Council can support, inform and encourage local residents, business and organisations to plan for climate change, it can't force them to plan, nor can it do their planning for them.

#### **Redland City Council Adaptation Plan**

A Draft Climate Change Adaptation Plan (in Attachment) has been prepared for Council by consultants Marsden Jacobs and Broadleaf International. It is the culmination of a project funded by Council and the Australian Government under its Local Adaptation Pathways Program. The adaptation plan addresses the risks previously identified in the Redland City Council Climate Change Risk Assessment Report, which was adopted by Council in June 2009.

Following the recent acceptance of the Draft Climate Change Adaptation Plan by the Department of Climate Change (DCC), the plan is now presented to Council for comment and adoption.

Forty eight (48) climate change risks were previously identified, discussed and rated across five Key Elements (Community & Social Planning, Corporate Services, Environment, Infrastructure and Planning & Development) and 31 Risk Categories.

The Adaptation Plan focuses on the **twenty one** 'priority risks' identified, for which the plan makes **38 recommendations** to Council on revised or new measures required to address these priority risks. The 38 recommendations cut across all of the priority risks and encompass a range of different response streams including 'on-ground' works, amendments to strategies and plans, changes to the planning scheme, further research on potential impacts or possible measures, community information and education and improved liaison and coordination with other levels of government.

#### **Next steps**

The Adaptation Plan is not an end in itself. A Redland City Council Climate Change Strategy will now be developed in-house by June 2010 - based on the Risk



Assessment and Adaptation Plan reports prepared by MJA, and in-house GIS and policy analysis carried out over the last 12 months. The Adaptation Plan presents sufficient information and direction on corporate climate change actions until then.

The Plan provides recommendations for each risk that the responsible areas of Council may follow. Council has added all 48 risks to its risk register and will now begin the challenge of implementing the recommended measures for the 21 priority risks (only at this stage). This will require the prioritisation of responses for each priority risk by the areas responsible across Council.

Because of the cross-Council nature of the Adaptation Plan and its implementation, a high level direction and co-ordination by Council on responsibilities and implementation through the risk framework is required. It is proposed that Council monitor implementation and progress on this plan by way of an annual report to Council.

Very few of these risks are 'environmental'. Rather, they arise mainly where Council provides services and infrastructure to the community and to Council's own assets. Many of the risks identified require much further investigation (eg. Foreshore protection) and for some the science is simply not yet available to support rigorous analysis (eg. acid sulphate soils).

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

The recommendation supports most, if not all, of Council's strategic priorities.

#### **FINANCIAL IMPLICATIONS**

There is no urgency resulting from the Adaptation Plan such that Council need to allocate extraordinary budget at this stage. Response to climate change should be included progressively (without haste) into Council policy, planning and operations, becoming "business-as-usual". Adaptation actions need to be prioritised and incorporated into coming operating and capital budgets as requirements are fully understood and projects develop over (say) the next ten years.

More detailed studies are required and recommended as a result of Adaptation Planning.

Council already expends on mitigation activities to its current capacity.

#### **PLANNING SCHEME IMPLICATIONS**

The Land Use Planning Group was consulted and it is considered that the outcome of recommendations in this report will result in possible amendments to the Redlands Planning Scheme. The Adaptation Plan identifies the areas for potential future amendments to the Planning Scheme. Council's implementation of best practice response to climate change in its planning scheme seems dependent on legislative change by State government in key respects. Any changes required would receive due process.

## CONSULTATION

Consultation has taken place with representatives across Council during the preparation of the Risk Assessment Report, and continues with Adaptation Planning. This has included Corporate Services, Customer Services, Planning and Policy and Redland Water in:

- risk identification and analysis workshop (October 2008);
- draft risk assessment report forwarded to all workshop participants for comment (November 2008 and March 2009);
- Climate Change Risk Issues Paper (released as a Redlands 2030 Fact Sheet);
- An internal workshop to develop the adaptation plan was held in April 2009, which has led to the development of the draft Redland City Council Climate Change Adaptation Plan Report.
- Adaptation Plan Report forwarded to all workshop participants for comment (July/August 2009);

## OPTIONS

### PREFERRED

That Council resolve as follows:

1. To adopt the Redland City Council Climate Change Adaptation Plan;
2. Add all climate risks to the corporate risk register, allocate responsibilities for ownership, prioritise and implement the Adaptation Plan recommendations for the 21 priority risks;
3. The Chief Executive Officer to report to Council annually on co-ordination and progress with implementation.

### ALTERNATIVE

That Council resolve to provide further direction on steps necessary before the *Redland City Council Climate Change Adaptation Plan* can be adopted.

## OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Murray  
Seconded by: Cr Reimers

That Council resolve as follows:

1. To adopt the Redland City Council Climate Change Adaptation Plan;
2. Add all climate risks to the corporate risk register, allocate responsibilities for ownership, prioritise and implement the Adaptation Plan recommendations for the 21 priority risks; and

3. The Chief Executive Officer to report to Council annually on co-ordination and progress with implementation.

**CARRIED**

#### 10.2.4 COUNCIL COMMENTS ON DRAFT SEQ CLIMATE CHANGE MANAGEMENT PLAN

<b>Dataworks Filename:</b>	<b>EM Climate Change</b>
<b>Attachments:</b>	<a href="#"><u>Council Comments on Draft SEQ Climate Change Management Plan</u></a>
<b>Responsible Officer Name:</b>	<b>Angela Wright Acting Manager Environmental Management</b>
<b>Author Name:</b>	<b>Helena Malawkin Adviser Environmental Performance</b>

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#### EXECUTIVE SUMMARY

This report seeks Council approval of comments prepared by Council officers in response to the draft *SEQ Climate Change Management Plan* (CCMP). The Queensland Department of Infrastructure and Planning (DIP) has released the Plan for public consultation. The CCMP describes draft actions to implement the climate change policies of the *South East Queensland Regional Plan 2009-2031*.

#### PURPOSE

To seek Council approval of comments prepared by Council officers in response to the draft *SEQ Climate Change Management Plan*. Comments are expected to be returned to the Department of Infrastructure and Planning by 11 September 2009.

#### BACKGROUND

- The recently released SEQ Regional Plan 2009 – 2031 contains climate change principles, policies and programs on climate change relevant to local government. These are concerned with reducing greenhouse gas emissions, natural hazards and climate change adaptation. Under Program 1.4.4, the plan seeks to *'align and coordinate the implementation of regional policies to increase resilience to and reduce risk from natural hazards, including the projected effects of climate change, through the SEQ Climate Change Management Plan'*.
- The SEQ Climate Change Management Plan (CCMP) is currently a draft for public consultation. The consultation period closes Friday 11 September 2009.
- The State Government has also recently published the 'Queensland Renewable Energy Plan' as a Toward Q2 initiative, and 'ClimateQ: toward a greener Queensland' presents the revised strategy for Queensland's response to climate change – see [http://www.climatechange.qld.gov.au/whats\\_being\\_done/queensland\\_climate\\_change\\_strategy](http://www.climatechange.qld.gov.au/whats_being_done/queensland_climate_change_strategy).

## ISSUES

A comment has been prepared by Council officers and is provided in attachment. It is proposed to forward this comment to Department of Infrastructure and Planning.

Response to climate change is a rapidly evolving area of public policy and the Queensland State government is really only just getting up a 'head of steam' on its response. The State has struggled to develop the CCMP and there are still major policy issues outside the scope of the SEQ Regional Plan and the CCMP to be resolved. There appears to be continuing friction between State Departments responsible for climate change, and multiple policy instruments are emerging.

On July 16th, John Cherry, Executive Director, Council of Mayors forwarded initial comments on the Draft CCMP to State government. The Council of Mayors (SEQ):

*'expressed disappointment with the timidity of the draft CCMP and believe that SEQ Councils are already much more advanced with climate change responses than this document provides. Council staff provided extensive comments in technical workshops over many months in developing this plan but there is little to show for that effort. I appreciate that the State is resource constrained and that the document is about providing some leadership particularly on DIP's work program. But as a blueprint for addressing climate change issues in SEQ, councils are looking (and will require) far more in terms of policy guidance than is outlined in the plan.'*

The Council of Mayors (SEQ) is expected to submit extensive comments to provide during the formal consultation period.

## RELATIONSHIP TO CORPORATE PLAN

The recommendation does not directly support a specific strategic priority of Council. However, the recommendation ensures that Council has a say in regional policy and legislative matters of concern to Council and the Redland community.

## FINANCIAL IMPLICATIONS

There are no direct financial implications for Council from the recommendation.

## PLANNING SCHEME IMPLICATIONS

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

## CONSULTATION

Consultation on climate change response has taken place with representatives across Council recently in the preparation of Council's own Adaptation Plan. Comments were sought widely from Corporate Services, Customer Services, Planning and Policy and Redland Water on the CCMP on July 31.

In the spirit of focussing on the positive, Officers from a number of SEQ Councils met on 19<sup>th</sup> August to discuss the CCMP and the key requirements for an improved Plan. The most significant shared concerns that the revised CCMP should include were identified as:

- Clear identification of regional level risks as a basis and framework for the plan;
- Serious treatment of mitigation principles and priorities;
- Recognition of the need for and working toward regional targets for mitigation and adaptation;
- Regional coordination and delivery of key information (data) for planning and to evaluate the impact of plan actions (eg. energy data).

## **OPTIONS**

### **PREFERRED**

That Council resolve to endorse the comments in the Attachment as Council's submission to the draft SEQ Climate Change Management Plan.

### **ALTERNATIVE**

That Council resolve to provide further direction regarding the comment.

## **OFFICER'S RECOMMENDATION**

That Council resolve to endorse the comments in the Attachment as Council's submission to the draft SEQ Climate Change Management Plan.

## **PROCEDURAL MOTION AT COMMITTEE**

That the item lie on the table in order to discuss Item 1.1, due to the arrival of Mr J Cherry.

In accordance with Part 3, Division 5, Section 29(7) of Subordinate Local Law No 5 (Meetings), a procedural motion is required, *"that the item be taken from the table"* before the matter can be reconsidered and concluded.

## **PROCEDURAL MOTION AT COMMITTEE**

That the item be taken from the table.

## **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Reimers

**That Council resolve to endorse the comments in the attachment as Council's submission to the draft SEQ Climate Change Management Plan with the following additional comments:**

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1. That a scientific excellence panel be appointed to oversee the science of the plan (under governance and review);
2. That the development of TODs should be paralleled with improvements of public transport. These improvements should deliver efficient and reliable public transport as planned in the SEQ Integrated Regional Transport Plan (Draft Action 3);
3. To ensure that multi unit housing is sensibly designed both environmentally (energy efficient) and socially (open space and noise related issues);
4. Implement the Queensland Government's 'green door' policy to fast-track new sustainable developments that are consistent with local planning schemes;
5. Amend the comments for draft action 12 by including the words, after the words 'energy sources', 'including transport and vehicles';
6. Amend the comments for draft action 17 by including the words, after the words 'waste strategy position', 'which should include waste avoidance, minimisation, diversion and improved recycling';
7. Amend the comments for draft action 18 by including the additional words, 'that the State government should have a major community education program targeting community and commercial sectors';
8. Amend comments for draft action 21 by including new words, 'to identify coastal areas where development is not desirable';
9. General Comments –
  - a. for the state to development a population policy based on limits to growth where climate change is one such limit and that the precautionary principle be applied where development has not yet occurred in coastal and low lying areas;
  - b. Increased awareness of how population growth impacts on climate change mitigation and adaptation and the need for integrated policies that link population pressures with continued need for continued per capita reduction of green house gases and the implementation of improved technologies.

**CARRIED**

### 10.3 GENERAL BUSINESS

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

#### 10.3.1 QUESTIONS ON NOTICE

**Cr Williams:**

1. What Council local laws or regulations apply to large events, including the erection of temporary structures, held on private property?
2. Have we received a response or acknowledgement from the Premier and/or Head of the Opposition on the petition of 1000+ signatures regarding fluoridation of our drinking water?

**Cr Elliott:**

1. Will the Water Commission's restraints on watering our ovals going to affect our Workplace Health & Safety liability.
2. Investigate opportunities for further mobile home parks in the Redlands and make provision for them in our Planning Scheme.

#### **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Reimers

**That these questions be taken on notice and responded to by the Chief Executive Officer.**

**CARRIED**

#### 10.3.2 REPORT ON BENCHMARKING TRUCK PARKING

Cr Murray moved a motion to request for a report regarding how to benchmark numbers of trucks which could be permitted to be accommodated on blocks in areas which Council regards as suitable for truck parking.

Cr Murray withdrew the motion and in accordance with section 22(4) of the Subordinate Local Law No. 5 (Meetings) where there was no objection, was withdrawn with the consent of the meeting.

#### **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Reimers

**That the General Business Item be noted.**

**CARRIED**



**10.3.3 DRAFT INCHEON ACCORD****COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Reimers

**That Council note and endorse the signing of the Incheon Accord by the Mayor while attending the Mayors' Forum of the 7<sup>th</sup> Asia Pacific Cities Summit in Incheon, Korea on 15 September 2009.**

**CARRIED**

**10.3.4 INTEGRITY AND ACCOUNTABILITY INQUIRY****COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Ogilvie  
Seconded by: Cr Henry

**That Council resolve to make a late submission to Queensland State Government's 'Integrity and Accountability Inquiry' stating support for the full implementation of all CMC legislative reform recommendations from the Gold Coast City Council inquiry, including the recommendation regarding pre-election disclosure of election donations, with Councillors' additional comments to be included in the submission.**

**CARRIED**

## **11 REDLAND WATER COMMITTEE 22/09/09 - RECEIPT AND ADOPTION OF REPORT**

Moved by: Cr Henry  
Seconded by: Cr Boglary

That the Redland Water Committee Report of 22 September 2009 be received.

CARRIED

### **11.1 CORPORATE SERVICES**

#### **11.1.1 WATER REFORM - LAND TENURE - WASTE WATER TREATMENT PLANTS**

**Dataworks Filename:** GOV WRAD PCG - Legal & Regulatory - Land Tenure  
**Responsible Officer Name:** Eleanor Bray  
Water Reform Manager  
**Author Name:** Diane Green  
Water Reform Program Coordinator

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#### **EXECUTIVE SUMMARY**

Redland City Council (RCC) is currently undertaking a land tenure project in relation to the south-east Queensland (SEQ) Water Reform Program (WRP) coordinated through the Council of Mayors (COM). The land tenure project has been established to identify land parcels for transfer to the new water business.

At the General Meeting of 29 April 2009, council resolved to delegate authority to the Chief Executive Officer (CEO) to survey and reconfigure/amalgamate land in preparation for transfer to the SEQ Distribution Entity (Interim) Pty Ltd (SEQDE). As the state government confirmed its support for an alternate water reform model from SEQDE (Interim) Pty Ltd to 3 new retail and distribution water businesses, the resolution above requires amendment to reflect the new water entity, Water Business 3 (WB3), which will contain Gold Coast, Logan and Redland City Councils' water businesses.

#### **PURPOSE**

The purpose of this report is to seek council approval to amend the council General Meeting resolution of 29 April 2009 to change the reference from SEQ Distribution Entity (Interim) Pty Ltd to the new water business (WB3) containing Gold Coast, Logan and Redland City Councils' water businesses.

## BACKGROUND

In May 2009, the state government indicated they would consider an alternate water reform model if it reduced business implementation costs and met with water reform policy objectives. In response, the Council of Mayors (CoM) proposed an alternate water reform model comprising 3 integrated distribution and retail businesses instead of one distribution business (SEQ Distribution Entity (Interim) Pty Ltd) and 3 retail businesses.

On 18 July 2009, the state government confirmed its support for 3 new distribution and retail businesses. One of these distribution and retail businesses will be made up of Gold Coast, Logan and Redland City Councils' water businesses.

At its General Meeting of 29 April 2009, council resolved, in preparation for transfer of identified land parcels to SEQDE (Interim) Pty Ltd, to delegate authority to the CEO to:

1. Survey and reconfigure and/or amalgamate, as appropriate, and in accordance with the details in this report:
  - a. site 1 – Mooloomba Road, Point Lookout – Lot 130 on SL13002 and Lot 46 on SL2484;
  - b. site 2 – Ballow Road, Dunwich – Lot 1/2 on SP117361, Lot 123 on SL8150 and Lot 67 on SP104056;
  - c. site 3 – Quarry Road, Thorneside – Lot 2 on SP133567;
  - d. site 4 – Smith Street, Capalaba – Lot 2 on RP165277 and Lot 3 on RP150397;
  - e. site 5 – Link Road, Victoria Point – Lot 56 on SL8061, Lot 3 on RP173508 and Lot 2 on RP196484;
  - f. site 6 – German Church Road, Redland Bay – Lot 3 on SP117639;
  - g. site 7 – Weippin Street, Cleveland – Lot 171 on SL7400; and
2. Make, vary, discharge and execute any relevant contracts in this matter.

Due to the alternate water reform model, reference to SEQDE (Interim) Pty Ltd needs to change to the new water business comprising Gold Coast, Logan and Redland City Councils' water businesses.

## RELATIONSHIP TO CORPORATE PLAN

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

## FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

## CONSULTATION

No additional consultation was required.

**OPTIONS****PREFERRED**

That Council resolve, in preparation for transfer of identified land parcels to the new water business, to delegate authority to the Chief Executive Officer to:

1. Survey and reconfigure and/or amalgamate, as appropriate, and in accordance with the details in this report:
  - a. site 1 – Mooloomba Road, Point Lookout – Lot 130 on SL13002 and Lot 46 on SL2484;
  - b. site 2 – Ballow Road, Dunwich – Lot 1/2 on SP117361, Lot 123 on SL8150 and Lot 67 on SP104056;
  - c. site 3 – Quarry Road, Thorneside – Lot 2 on SP133567;
  - d. site 4 – Smith Street, Capalaba – Lot 2 on RP165277 and Lot 3 on RP150397;
  - e. site 5 – Link Road, Victoria Point – Lot 56 on SL8061, Lot 3 on RP173508 and Lot 2 on RP196484;
  - f. site 6 – German Church Road, Redland Bay – Lot 3 on SP117639;
  - g. site 7 – Weippin Street, Cleveland – Lot 171 on SL7400; and
2. Make, vary, discharge and execute any relevant contracts in this matter

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

Moved by: Cr Henry  
Seconded by: Cr Murray

**That Council resolve, in preparation for transfer of identified land parcels to the new water business, to delegate authority to the Chief Executive Officer to:**

1. **Survey and reconfigure and/or amalgamate, as appropriate, and in accordance with the details in this report:**
  - a. **site 1 – Mooloomba Road, Point Lookout – Lot 130 on SL13002 and Lot 46 on SL2484;**
  - b. **site 2 – Ballow Road, Dunwich – Lot 1/2 on SP117361, Lot 123 on SL8150 and Lot 67 on SP104056;**
  - c. **site 3 – Quarry Road, Thorneside – Lot 2 on SP133567;**
  - d. **site 4 – Smith Street, Capalaba – Lot 2 on RP165277 and Lot 3 on RP150397;**
  - e. **site 5 – Link Road, Victoria Point – Lot 56 on SL8061, Lot 3 on RP173508 and Lot 2 on RP196484;**
  - f. **site 6 – German Church Road, Redland Bay – Lot 3 on SP117639;**



## 11.2 REDLAND WATER

### 11.2.1 REDLAND WATER BUSINESS UNIT REPORT - AUGUST 2009

<b>Datworks Filename:</b>	<b>WW Redland Water Committee WS Redland Water Committee</b>
<b>Attachments:</b>	<a href="#"><u>Business Unit Report - August 2009</u></a> <a href="#"><u>Appendix A – Wastewater treatment plants supplementary performance information</u></a>
<b>Responsible Officer Name:</b>	<b>Gary Soutar General Manager, Redland Water</b>
<b>Author Name:</b>	<b>Gary Soutar General Manager, Redland Water</b>

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### 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 August 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 August 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 Murray

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

**CARRIED**



### **11.3 GENERAL BUSINESS**

Permission was granted to raise the following confidential item of general business.

#### **MOTION TO CLOSE COMMITTEE MEETING**

The Committee Meeting was closed to the public to discuss item 3.1 under the *Local Government Act 1993* Section 463(1) "*(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*"

The committee meeting was again opened to the public.

#### **11.3.1 WATER REFORM UPDATE**

The Manager Water Reform provided a briefing on the following water reform matters:

1. Equity Determination;
2. Water Business Three Establishment; and
3. Land Use Plan and Development Assessment

#### **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Henry  
Seconded by: Cr Murray

**That the water reform update be noted.**

**CARRIED**

## 12 PLANNING & POLICY COMMITTEE 23/09/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Ogilvie  
Seconded by: Cr Townsend

That the Planning & Policy Committee Report of 23 September 2009 be received.

CARRIED

### 12.1 PLANNING & POLICY

#### 12.1.1 REQUEST TO RENAME SECTION OF ALMA STREET, THORNESIDE (NOS 37-41 TO QUEENS ESPLANADE) - (DIVISION 10)

**Datworks Filename:** RTT Naming - Roads  
**Attachments:** [Locality Plan for Alma Street, Thorneside](#)  
**Responsible Officer Name:** David Elliott  
Manager Infrastructure Planning  
**Author Name:** Abdish Athwal  
Senior Engineer Traffic & Transport

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### EXECUTIVE SUMMARY

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

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

This report recommends that the northern section of Alma Street, Thorneside shown on the plan attached to the report be renamed in accordance with Guideline GL-3012-003 ‘Assessment for Renaming of Streets’, subject to further consultation with local residents to finalise a new street name from those proposed in the report.

### PURPOSE

To respond to the Council resolution requesting an investigation of the renaming of the northern section of the Alma Street, Thorneside road reserve from numbers 37-41 to Queens Esplanade.

### BACKGROUND

- At the General Meeting of 26 August 2009, Council resolved to investigate the renaming of road reserve from 37 Alma Street to Queens Esplanade, Thorneside to “Wader Court” in accordance with Council’s criteria for renaming

streets and bring this report to a Planning and Policy Committee in September, due to its urgency.

- In Council's Red-E-Map database Alma Street is shown as a through connect from Mooroondu Road to Queens Esplanade.
- The UBD however shows Ruth Street as the connection from Queens Esplanade to the un-constructed portion of Alma Street south of Ruth Street [refer to attached plan].

## **ISSUES**

### ***CURRENT STREET NAMING***

Due to the steepness of the terrain Alma Street, between David Street and Queens Esplanade, will never become a through street.

Due to the planned development of properties 43-47 and 37-41 currently in progress, there is a need to rename this section of Alma Street to eliminate potential confusion with the section south of David Street.

Since Ruth Street as shown on Council's Red-E-Map database starts from number 1 (one), it is not feasible to continue it through to Queens Esplanade as indicated on the UBD directory and accommodate future numbers for properties 43-47 and 37-41.

### ***RENAMING STREET***

Council's Guideline, GL-3012-003 '*Assessment for renaming of Streets*' sets out the process required for changing a street or road name. As it is intended for it to never become a through street, it is clear that there is a community benefit in renaming the northern section to assist future road users.

### ***POSSIBLE NAMES FOR RENAMING STREET***

A list of possible names is as follows:

- Naomi, Esther or Joel Court – biblical names in keeping with a number of other streets in the area [ie Ruth, Saul and David];
- Evelyn Court – after Evelyn Cairncross, a former long term resident of Alma Street, but now deceased;
- Baywalk Court – due to its close proximity to the bay.

Wader Street, originally suggested by the Divisional Councillor, is now not considered to be suitable following subsequent consultation with local residents.

It is recommended that further consultation be undertaken with local residents to select a name from the proposed list.

## **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.

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## FINANCIAL IMPLICATIONS

The cost implications are minimal and can be absorbed in the existing 2009-2010 budget.

## PLANNING SCHEME IMPLICATIONS

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

## CONSULTATION

The Divisional Councillor has informed the Infrastructure Planning Group that consultation has been carried out with all affected stakeholders and supports the recommendations contained in this report.

Further consultation with local residents, in accordance with Guideline GL-3012-003 'Assessment for renaming of Streets', is proposed to select a final name from the proposed list.

## OPTIONS

### PREFERRED

That Council resolve as follows:

1. That the northern section of Alma Street, Thorneside shown on the plan attached to the report, be renamed in accordance with Guideline GL-3012-003 'Assessment for Renaming of Streets';
2. That further consultation in accordance with the above guideline be undertaken with local residents to finalise a new street name from those proposed in the report; and
3. That the Chief Executive Officer be delegated authority to approve the renaming of the street once the public consultation has been completed.

### ALTERNATIVE

No alternative suggested.

## OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

That Council resolve as follows:

1. That the northern section of Alma Street, Thorneside, shown on the plan attached to the report be renamed in accordance with Guideline, GL-3012-003 *Assessment for Renaming of Streets*;

2. That further consultation in accordance with the above guideline be undertaken with local residents to finalise a new street name from those proposed in the report; and
3. That the Chief Executive Officer be delegated authority to approve the renaming of the street once the public consultation has been completed.

**CARRIED**

**12.1.2 REDLANDS 2030 CONSULTATION DRAFT**

**Dataworks Filename:** CS Redlands 2030 Community Plan  
**Attachment:** [Redlands 2030 Consultation Draft](#)  
**Responsible Officer Name:** Roberta Bonnin  
Manager Community & Social Planning  
**Author Name:** Colette Torrance  
Community Plan Project Manager

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**EXECUTIVE SUMMARY**

Redland City Council launched the Redlands 2030 Community Plan process in February 2009. When the community plan is finally completed in early 2010 it will set a strategic vision for the Redlands to 2030.

Community engagement commenced in February 2009 and continued until July 2009. Following the completion of the first stage of engagement the data acquired through over 30 different forms of engagement has been recorded and analysed using a web-based data management tool. The Community Reference Group has had an ongoing role in data analysis. Based on this analysis the community vision, priorities and goals have been identified and are now articulated in the *Redlands 2030 Consultation Draft*.

The *Consultation Draft* will go out for a four week period of public consultation, planned from the 5 October 2009 until the 30 October 2009. Once public consultation is complete the final Redlands 2030 Community Plan will be developed and formatted and presented to Council for endorsement. The Community Plan will inform Council's decision-making in the development of the Corporate Plan.

**PURPOSE**

The purpose of this report is for Council to approve the release of the *Redlands 2030 Consultation Draft* for public comment for a minimum four week consultation period.

**BACKGROUND**

In June 2008/9 Council authorised the budget for Stage 1 of Redlands 2030. Stage 1 contained media campaigns, the development of educational material, community engagement, data collection and analysis, and draft plan with indicators and breakthroughs

Council was kept informed of the stages and progress of the Community Plan through a workshop, Council report, presentation and four briefing notes:

**October 2008 - Councillor Workshop: Community Plan Engagement Strategy**

- Presentation on Phillips Group Consultancy community plan roadmap, research into Redlands' preferred forms of consultation and cross-city engagement program

**December 2008 - Report to Council: Community Plan Inception Report**

- Audit and analysis of the last community plan, Vision 2005 and Beyond
- "Redlands 2030: creating our future" approved as name for the new community plan.
- Approval provided to pilot three engagement networks during Redlands 2030 process in line with Council's *Community Engagement Policy 3053 and Strategy*.
- Approval provided to seek an increase in the budget for IT and advertising.

**January 2009 - Briefing Note: Launch, Process and Engagement Plan**

- Approval for Redlands 2030 February public launch to the community
- Updates given on Community Reference Group, Community Feedback Network recruitment, the engagement plan and information papers/fact sheets

**April 2009 - Briefing Note: Update on Process and Engagement Plan**

- Updates given on cultural program, further engagement events, emerging themes, process of analysis and deliberation, Community Reference Group and Community Feedback Network

**July 2009 - Briefing Note: Approval for workshop****Presentation: Data Analysis, Outcome Areas and Corporate Plan**

- Presentation on outcome of engagement process, *Phillips Groups Data Analysis Report*, Outcome areas, proposed format of the community plan, and relationship between community plan and corporate plan

**September 2009 - Briefing Note: Outcome Areas and Media Awareness Campaign**

- Outcome Areas with priorities and goals provided to the Councillors
- Attention drawn to the media awareness campaign commencing in September

## ISSUES

### Engagement process

From February to July 2009 more than 2,500 community members participated in visioning workshops, youth activities, phone, mail and internet surveys and web forums, wrote individual and group submissions and returned over 450 postcards. This material was stored in a substantial database and was then analysed to draw out the visions, outcomes, priorities and goals contained in this draft.

In addition, an arts program, *Stories of the Redlands*, brought together artists and residents to explore and express their values and visions through the medium of song, film, painting, sculpture, photography and the written word. These creative works were considered as part of the community plan drafting process along with the views of participants in the more traditional engagement sessions convened across the Redlands.

Over 60 trained volunteers from Council and the Metropolitan South Institute of TAFE recorded and facilitated at the various workshops, Speakouts and meetings held at all times of the day and night.

The Community Feedback Network, an on-line group of over 320 residents independently selected through market research to represent the demographic profile of the Redlands were surveyed to provide their views on key issues that had arisen during the consultation process. The extensive survey containing 171 questions was a form of ground-truthing to help verify the priorities and goals included in the draft. An experienced professional social researcher on the CRG was involved in developing the survey tool along with Council officers.

The Community Reference Group has met regularly from April 2009 onwards to provide input and feedback on the progress of the plan and assist in the drafting process. The 46 registered members of this group, who are a voice for the various communities living in the Redlands, will continue to be involved in the development of the plan and its implementation.

### Analysis and deliberation

The community's views recorded through more than 30 different engagement activities were recorded into a web-based data management system, *Consultation Manager*. From this database, the Phillips Group consultants produced extensive verbatim reports and a *Redlands 2030 Data Analysis Report*. Senior Council managers and the Community Reference Group were given transcripts of material stored in the database in order to cross check the consultants' analysis.

Deliberative processes to highlight both qualitative and statistical data were developed by the consultants and adopted by internal community plan working groups and the Community Reference Group to articulate the themes arising from the data, and then the key outcomes, priorities, goals and vision statements to be included in the draft.



Based on these deliberative processes the Redlands 2030 Consultation Draft contains eight outcome areas that reflect the different aspects of the community's visions, their priorities and goals. Senior managers and officers from Planning and Policy provided advice to support the development and review of the eight outcome areas and goals.

Indicators and targets for each of the eight outcome areas were elicited through ongoing connection between an internal indicators working group led by Corporate Planning, Performance and Risk, and government and academic advisers undertaking indicators research around Australia. Two members of the CRG were also involved in developing indicators

Breakthrough changes and projects that will accelerate progress to achieve the vision were based on suggestions from the community about what to do more of or do differently to achieve the vision and fleshed out with examples of Council proposals for future work drawn from the ten year Operational Plan and CAPEX.

### **Status of the Redlands 2030 Consultation Draft**

The visions, priorities and goals within the body of the attached *Redlands 2030 Consultation Draft* are drawn from: an analysis of the detailed data stored in Consultation Manager; from the artwork developed through *Stories of the Redlands*; and through extensive discussion with the Community Reference Group and senior managers. The material has been sorted and collated to reflect the aspirations of the Redlands community and its accuracy will be tested through the next phase of public consultation.

Matters that have had consistent and widespread support have been included. Where matters were consistently raised but the balance of views was unclear, goal statements indicate that further consideration is required. Matters which may be inconsistent with State planning legislation have been included to reflect the community's views.

In addition to the aspirational content derived from community engagement, the *Redlands 2030 Consultation Draft* also contains a section encouraging the community to think about Council's longer term financial planning. This section addresses the question "How do we pay for what we want now and into the future?" which was one of the eight critical questions devised for the Phase 1 community engagement process. Not enough information was collected to answer this question so it is being included as part of the consultation process.

Under the *Local Government Act 2009*, local governments must ensure that a community plan is developed and that the community plan drives the council's corporate plan, long term financial plan and long term asset management plan. It is important to remember that the Community Plan is a high level visionary document.

Redlands 2030 visioning process has set a twenty year vision – creating our future. The final Redlands 2030 community plan which will be presented to Council will have a ten year life with a major review after five years and an annual review of its

implementation through Council's planning instruments. The community plan drives the Corporate Planning process and as such the Corporate Plan will be the document that moves the community's vision, priorities and goals into Councils core business. Council must consider in its corporate planning process the role it will take in implementing the community vision.

The *Redlands 2030 Consultation Draft* has been prepared as a document for public consultation. It is anticipated that during the consultation period, Council will receive submissions on the content of the draft. The submissions will be recorded and analysed any proposed changes to the draft will be contained in a detailed consultation report which will be prepared following the consultation period. Proposed changes will be considered by the Community Reference Group prior to the development of a final plan.

### **Public Consultation Strategy**

Public consultation is planned to take place from 5 October until 30 October with a summit bringing it to a conclusion on the 7 November. The timescale associated with public consultation is linked to the timeline for the development of the Corporate Plan. With the Corporate Plan set to be in place by June 2010 it is imperative that the Community Plan is complete no later than February 2010. These dates recognise the fact that the two documents are being developed in parallel and are actively addressing the intersection between community plan content and corporate plan decision-making processes.

During the 4 week consultation phase there will be a program of activity to raise awareness in the community of the content of the draft plan and the direction this document will set for the future of the Redlands. Residents will be strongly encouraged to submit their views on draft during this phase. Based on advice from Marketing and Communications, the Community Reference Group and councillors, the following engagement activities have been proposed:

#### Presentations

- community members and interest groups who participated during the engagement phase will have the opportunity to attend scheduled events throughout the community
- requests from additional groups for presentations will be considered
- a summit will be held to present the draft and the outcome of the arts program, and to summarise the feedback and host a final discussion on the draft

#### Displays

- Structured displays will be set up in Customer Service Centres and Libraries and will be considered for other strategic locations throughout the city

Distribution of hard copy *Redlands 2030 Consultation Draft*

- Hard copies will be available for distribution to schools;
- Access to hard copies of Redlands 2030 Consultation Draft will be available across the city and within the mobile libraries.

Media Campaign

- Advertising and editorial campaign (already commenced);
- Radio interviews if requested.

Submission Opportunities

Members of the community and non-resident land owners will be able to lodge submissions in the following ways:

- Hard copy response forms will be available for completion.
- 1300 number will be available for community members to call.
- Online survey.
- Written submissions and emails.
- Records retained from participation at an engagement event.

Other Consultation

- Newsletter 3 will be distributed to the public via the Bayside Bulletin on the mainland and as an e-attachment in island media or post box delivery;
- A second survey will be undertaken with the Community Feedback Network and also with other members of the community who registered for online contact during the Redlands 2030 community engagement process.

**RELATIONSHIP TO CORPORATE PLAN**

To provide effective organisational leadership through strategic planning and accountable and ethical standards of practice.

**FINANCIAL IMPLICATIONS**

Funds of \$57,050 have been allocated in the 2009/10 budget for Stage 2 of the Redlands 2030 community planning project. These funds will be expended in the delivery of public display and advertising of the *Redlands 2030 Consultation Draft*, finalisation of the plan, publication and launch of the final Redlands 2030 Community Plan and integration into the Corporate Planning Process.

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

Consultation has been undertaken throughout the development of *Redlands 2030 Consultation Draft* with a number of internal and external stakeholders including:

- The Redlands resident and business community;
- Community Reference Group;
- Project Control Group;
- ELG & Senior Managers;
- Council staff;
- Department of Infrastructure Planning.

The draft outcome areas, priorities and goals were distributed to Council's Senior Management Group and any requests for amendments were included where possible. The draft outcome areas, priorities and goals were then circulated to ELG. No changes were requested. The General Manager Corporate Services and the Manager Finance provided the copy of the Financial Sustainability section included in the *Consultation Draft*.

## **OPTIONS**

### **PREFERRED**

That Council resolve to approve the release of the Redlands 2030 Consultation Draft for public comment for a minimum four week consultation period.

### **ALTERNATIVE**

That Council resolve to approve the release of the Redlands 2030 Consultation Draft for public comment for a minimum four week consultation period, with identified areas to be amended for further tested during the public consultation phase.

### **OFFICER'S RECOMMENDATION**

That Council resolve to approve the release of the *Redlands 2030 Consultation Draft* for public comment for a minimum four week consultation period.

### **COMMITTEE RECOMMENDATION**

1. That the Officer's Recommendation be adopted with an amendment to the consultation draft Introduction section, "The Question of Financial Sustainability", as follows:

Paragraph 1 – Addition of the words, *“How will Council prioritise and pay for the aspirational objectives that are contained in the community plan within the limited resources it has at its disposal?”* before the words, *“This question still needs to be addressed.”*

Paragraph 5 – Addition of the words, *“Council’s capacity to take on more debt is limited as this adds increased financial operational costs through paying the interest that is charged on them and repaying the debts when they become due.”* after the first sentence, and *“The community is asked to consider whether it would be willing to take on more debt bearing in mind that this must be done in a financially sustainable way.”* as the last sentence.

Therefore, section to read as follows:

#### The Question of Financial Sustainability

A question that was not answered during the first phase of community engagement was: How will Council prioritise and pay for the aspirational objectives that are contained in the community plan within the limited resources it has at its disposal? This question still needs to be addressed.

Council’s total expenditure for 2009/2010 including key community infrastructure, operational services and depreciation is approximately \$250 million. Most of the revenue, around 66%, comes from general rates, utility charges and levies. Only 13% comes from other external sources such as grants, subsidies and contributions. Fees and charges based on a user pays principle amount to another 7% of the total cash funding.

The structure of the general rates from which most of Council’s income is derived, is based on unimproved capital value of the land. This means that landowners contribute the bulk of Council revenue and the majority of these landowners are residential ratepayers. Differential rating and rate capping has been introduced over the last six years and has provided some capacity to address the issue of equity and the impact of valuation changes. Concessions are available for full and part pensioners.

There are a number of options for increasing revenue to pay for growing expenditure requirements and the community is asked to consider how this could be done equitably. Increasing residential rates across the Redlands or imposing new levies for specifically targeted community benefit may affect some residents more than others. The option to increase commercial and industrial rates may not be attractive if it deters rather than stimulates business development and economic investment. Another option is to reduce expenditure on current priorities to pay for more pressing needs.

Currently Council has quite modest loan borrowings and plans for only modest growth. Council’s capacity to take on more debt is limited as this adds increased financial operational costs through paying the interest that is charged on them and repaying the debts when they become due. The source of funds to repay debt growth is largely limited to residential ratepayers who represent the vast majority

of the rating pool. Increased borrowings may also result in a potential shift of the financial burden of repayment to future generations. Investment in revenue generating assets may be a good use of borrowings should returns be adequate, largely Council's asset are not revenue generating. The community is asked to consider whether it would be willing to take on more debt bearing in mind that this must be done in a financially sustainable way.

The outcomes and goals articulated by the community will need a sound financial model to implement them. Now is the ideal time to have your say on revenue and expenditure in response to the Redlands 2030 Consultation Draft.

2. That Council resolve to approve the release of the *Redlands 2030 Consultation Draft* for public comment for a minimum four week consultation period.

### COUNCIL RESOLUTION

Moved by: Cr Ogilvie  
Seconded by: Cr Henry

**That the Committee Recommendation be adopted with the following amendments:**

1. That the 'preamble' on the contents page be amended by deleting the last sentence of the second paragraph. Preamble to read as follows:

***REDLANDS 2030 CONSULTATION DRAFT contains the Redland community's views, visions and values for the future of the Redlands. Following a further period of community consultation, the Redlands 2030 Community Plan will be finalised and then presented to Redland City Council for endorsement.***

***Responsibility for the achievement of the aspirations contained in the Redlands 2030 Community Plan will rest with all levels of government, the broader community and individuals living in or visiting the Redlands.***

***Redland City Council acknowledges the co-contribution and partnership with the Phillips Group Pty Ltd in the preparation of the Redlands 2030 Consultation Draft and their considerable work in producing the Redland 2030 Data Analysis Report (Phillips Group 2009)***

2. That the third paragraph on page 3 under the heading 'A Changing World' be amended to read:

***The Draft SEQ Regional Plan (2009 – 2031), was released for comment in December 2008. The State's draft plan outlined the need for planning to manage population growth, make better use of existing urban areas and urban footprint and respond to regional pressures on transport systems and infrastructure. The SEQ Regional Plan was finalised on the 28<sup>th</sup> July 2009.***

3. That the words, “Maintain or” be deleted from the Indicator “Secure and safe community’ on page 25 of the attachment.

The motion was put as follows:

1. That Council resolve to approve the release of the *Redlands 2030 Consultation Draft* with the following amendments:

- a. That the consultation draft Introduction section, “The Question of Financial Sustainability”, be amended as follows:

*Paragraph 1 – Addition of the words, “How will Council prioritise and pay for the aspirational objectives that are contained in the community plan within the limited resources it has at its disposal?” before the words, “This question still needs to be addressed.”*

*Paragraph 5 – Addition of the words, “Council’s capacity to take on more debt is limited as this adds increased financial operational costs through paying the interest that is charged on them and repaying the debts when they become due.” after the first sentence, and “The community is asked to consider whether it would be willing to take on more debt bearing in mind that this must be done in a financially sustainable way.” as the last sentence;*

- b. That the ‘preamble’ on the contents page be amended by deleting the last sentence of the second paragraph. Preamble to read as follows:

*REDLANDS 2030 CONSULTATION DRAFT contains the Redland community’s views, visions and values for the future of the Redlands. Following a further period of community consultation, the Redlands 2030 Community Plan will be finalised and then presented to Redland City Council for endorsement.*

*Responsibility for the achievement of the aspirations contained in the Redlands 2030 Community Plan will rest with all levels of government, the broader community and individuals living in or visiting the Redlands.*

*Redland City Council acknowledges the co-contribution and partnership with the Phillips Group Pty Ltd in the preparation of the Redlands 2030 Consultation Draft and their considerable work in producing the Redland 2030 Data Analysis Report (Phillips Group 2009).*

- c. That the third paragraph on page 3 under the heading 'A Changing World' be amended to read:

*The Draft SEQ Regional Plan (2009 – 2031), was released for comment in December 2008. The State's draft plan outlined the need for planning to manage population growth, make better use of existing urban areas and urban footprint and respond to regional pressures on transport systems and infrastructure. The SEQ Regional Plan was finalised on the 28<sup>th</sup> July 2009;*

- d. That the words, "Maintain or" be deleted from the Indicator "Secure and safe community' on page 25 of the attachment; and

2. That Council approve the release of the Redlands 2030 Consultation Draft for public comment for a minimum four week consultation period.

**CARRIED**

A division was called for.

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

Cr Williams voted in the negative.

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



### **12.1.3 COUNCILLORS' CBF DIVISION 4 - PROVISION OF PARK INFRASTRUCTURE**

**Datworks Filename:** P&R Planning - Division 4  
**Responsible Officer Name:** Angela Wright  
Acting Manager Environmental Management  
**Author Name:** Emma Baker  
Advisor Landscape Architect

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#### **EXECUTIVE SUMMARY**

Council annually allocates in its budget an amount for discretionary spending by Divisional Councillors known as the Councillors Community Benefit Fund (CCBF). All requests for funding individual projects with a greater expenditure that \$5000 requires approval from Council.

This request is for an amount of \$12,100.00 (GST exclusive) to be allocated for the installation of a new play fort and slide at Coochiemudlo Island Foreshore West.

#### **PURPOSE**

The purpose of this report is to seek approval from Council for an allocation from the Division 4 proportion of CCBF of \$12,100 (GST exclusive) for the installation of a new fort and slide structures at Coochiemudlo Island Foreshore West, located at 1-21 Victoria Parade South, Coochiemudlo Island.

#### **BACKGROUND**

Requests have been received for improved park playground facilities on the western foreshore of Coochiemudlo Island to meet the expectation of community and in accordance with the Open Space Plan 2004-2016 regional park embellishment standards. . Consequently the Division 4 Councillor has requested that facilities be upgraded and added to within the play area.

In consultation with the Landscape Architect for Open Space Planning, it was recommended that new play equipment be installed into the existing playground to expand the play opportunities within the foreshore recreational area. Quotations were sought from suppliers from the Council's Register of Pre-Qualified Suppliers Parks Infrastructure (1176-2008-PCO) and submitted to the to the Divisional 4 Councillor for approval.

#### **ISSUES**

With consultation with the Divisional Councillor and the community, proposed landscape master planning of the foreshore west area may take place in the near future to provide additional recreation opportunities within a regional destination park.

The Divisional Councillors currently have funding available in 2009/2010 allocation of the Community Benefit Fund to support the Officer's Recommendation and is in accordance with the Councillors' Community Benefit Guideline GL-2034.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

The Divisional Councillor supports this project and has sufficient funds to allocate an amount of \$12,100.00(GST exclusive) from the Division 4 portion of the CCBF.

### **PLANNING SCHEME IMPLICATIONS**

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

### **CONSULTATION**

The Division 4 Councillor and the Landscape Architect Open Space Planning have been consulting with the Coochiemudlo Island Progress Association about this project and requested the Asset Services Officer to assist with the sourcing of costs for this project to be undertaken.

### **OPTIONS**

#### **PREFERRED**

That Council resolve to approve an allocation of \$12,100.00 (GST exclusive) from the Division 4 portion of the Councillors' Community Benefit Fund for the supply and installation of a new play fort and new slide structure at Coochiemudlo Island Foreshore West (Victoria Parade).

#### **ALTERNATIVE**

That Council not approve the allocation of \$12,100.00(GST exclusive) for this project.

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

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

**That Council resolve to approve an allocation of \$12,100.00 (GST exclusive) from the Division 4 portion of the Councillors' Community Benefit Fund for the supply and installation of a new play fort and new slide structure at Coochiemudlo Island Foreshore West (Victoria Parade).**

### **CARRIED**

## 12.2 SMBI COMMUNITIES ADVISORY COMMITTEE REPORT OF 16 SEPTEMBER 2009

### 12.2.1 ITEMS FOR CONSIDERATION

<b>Datworks Filename:</b>	<b>GOV SMBI Advisory Committee</b>
<b>Attachment:</b>	<a href="#"><u>Committee Report</u></a>
<b>Responsible Officer Name:</b>	<b>Gary Photinos</b> <b>Acting General Manager Planning &amp; Policy</b>
<b>Committee Manager:</b>	<b>Mark Conlan</b> <b>Principal Advisor – SMBI Strategies</b>

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### EXECUTIVE SUMMARY

The SMBI Communities Advisory Committee met on Wednesday, 16 September 2009 at Macleay Island Progress Association Hall. Attached is a copy of the Committee Report from this meeting.

The following reports were considered by the Advisory Committee:

#### 1.1 South East Queensland Regional Planning Update:

Recommendation to Advisory Committee was -

- to note the update on the release of the SEQ Regional Plan 2009-2031; and
- to discuss the future influences of transport planning being undertaken at the regional level, through the Commencing SEQ 2031 project on the SMBI.

#### 1.2 Redland City Transport Planning Review:

Recommendation to Advisory Committee was -

- to note the information provided in the report,
- for the Advisory Committee to be provided with a copy of the project plan when finalised; and
- to discuss the role of the Committee in the community engagement for the project.

#### 1.3 Draft Queensland Coastal Plan 2009:

Recommendation to Advisory Committee was -

- to note the release of the Draft Queensland Coastal Plan 2009 and the deadline for comment on the draft plan being 31 October 2009; and
- to discuss the matter of providing comments to Council for inclusion as part of Council's submission to the draft Queensland Coastal Plan 2009.

#### 1.4 Council Updates and Review of Actions from Previous Meetings:

Recommendation to Advisory Committee was -

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- to review and note the update of action arising from previous meetings as presented.

### **1.5 Administrative Matters:**

Recommendation to Advisory Committee was -

- to discuss and decide on the appropriate communication channels for individuals or island community groups to contact the Advisory Committee;
- to provide agreement to the future workshops and meetings program; and
- to discuss the preferred option on how the Advisory Committee can review and respond to planning documents potentially having implications on the SMBI.

The items presented to the Committee were discussed and it is recommended that Council resolve in accordance with the following Officer's Recommendation.

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

That Council resolve as follows:

1. To receive the attached SMBI Communities Advisory Committee Report; and
2. To note that the Chief Executive Officer will deal with any operational or administrative recommendations from this Advisory Committee Report and where appropriate, report to the next Planning & Policy Committee meeting with recommendations for consideration by that Committee.

### **COUNCIL RESOLUTION**

Moved by: Cr Townsend

Seconded by: Cr Bowler

That Council resolve as follows:

1. **To receive the attached SMBI Communities Advisory Committee Report; and**
2. **To note that the Chief Executive Officer will deal with any operational or administrative recommendations from this Advisory Committee Report and where appropriate, report to the next Planning & Policy Committee meeting with recommendations for consideration by that Committee; and**
3. **That consideration of the meeting schedule for the Advisory Committee be deferred and considered at its November 2009 meeting.**

**CARRIED** (unanimously)

## **12.3 GENERAL BUSINESS**

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

### **12.3.1 QUESTIONS ON NOTICE**

**Cr Townsend:**

1. At what stage is the review of the local law in respect to the banning of smoking on jetties/pontoons?

**Cr Murray:**

1. Requested that the review on truck laws be brought back to committee as soon as possible.
2. Requested that consideration be given to the provision of designated hockey fields for Redlands Hockey Association.

### **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Elliott

**That these questions be taken on notice and responded to by the Chief Executive Officer.**

**CARRIED**

### **13 FINANCE AND CORPORATE MANAGEMENT COMMITTEE 23/09/09 - RECEIPT AND ADOPTION OF REPORT**

Moved by: Cr Townsend  
Seconded by: Cr Reimers

That the Finance and Corporate Management Committee Report of 23 September 2009 be received.

CARRIED

#### **13.1 CUSTOMER SERVICES**

Cr Townsend declared a material personal interest in the following item stating that her husband owns a company that previously contracted to Council to clean the North Stradbroke Island Caravan Parks and he was contacted by one of the Tenderers during the tender process. Cr Townsend left the meeting for discussion and decision on this Item.

##### **13.1.1 COMMUNITY CONCERNS RE LEASE OF THE STRADDIE HOLIDAY PARKS**

**Datworks Filename:** CP Tender Process – Management of NSI  
Caravan Parks and Camping Grounds

**Responsible Officer Name:** Greg Jensen  
Group Manager - Customer & Community  
Services

**Author Name:** Michael Tait  
Project Manager - Customer & Community  
Services

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#### **EXECUTIVE SUMMARY**

At a workshop held by Council on 18 August 2009 the invited community groups from North Stradbroke Island raised a number of concerns regarding the leasing of the Straddie Holiday Parks to one commercial operator for a term of 30 years. A petition was also received by Council at the General Meeting 26 August 2009 that stated: *"We the undersigned electors of the City of Redlands and visitors to North Stradbroke Island request:*

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

*For the following reasons:*

- 1. The 30 year leasing will have long term environmental, social, cultural and economic ramifications to the island and its people.*
-

2. *The island community needs to be active participants in development of sustainable strategies for its camping reserves and foreshores.”*

This petition formed part of the presentation to Council on 18 August 2009. Concerns raised by the community groups have been detailed in this report along with their researched responses. Key concerns have centred around community consultation, implications for native title, access through the Holiday Parks, environmental management, employment and training opportunities, and impacts on local businesses.

In response to the tender the two short listed Tenderers were required to outline their ability to provide significant outcomes to the community. Tenderers have provided Council with responses to a number of concerns which provide significant outcomes to the community. The tender submission and subsequent clarifications, interviews and presentations with the short listed Tenderers indicated that both Tenderers were willing to develop and participate in a Steering Committee with a view to provide a “seat at the table” for community groups and Council across a number of management issues. Additionally, the Tenderers are also willing to develop a Plan of Management to accompany the Trustee Lease that will provide an extra level of surety to Council and the community on management process and community consultation. The Plan of Management will form part of the Lease and is binding on the Lessee.

The Tenderers are willing to discuss the outcomes that would be achieved by the community management model and incorporate them into their Plans of Management. This would ensure that the community is delivered the outcomes it is trying to achieve whilst the Holiday Parks are being managed by industry experts that have the proven financial capability and business acumen to ensure it succeeds and does not become a financial burden to Council or the ratepayers of Redland City. This process reduces the risk to Council.

If Council chooses not to proceed with the Tender process it could result in a financial loss to Council representing a rate increase of between 1% and 1.5% per annum for the next 30 years for every ratepayer (approx. 62,000) of Redland City (based on current projections). Additional lost opportunity costs will also be felt by NSI businesses keen to form strategic business alliances with the successful Tenderer. If Council chooses to accept the Tender it will reduce Council's capital program by \$2.5 million over the next 10 years.

## **PURPOSE**

To advise Council of the Tenderers' proposed commercial management model for the Straddie Holiday Parks which will address the concerns that have been raised by community groups at the workshop and in the petition regarding leasing of the Straddie Holiday Parks.

## BACKGROUND

A workshop was organised on 18 August 2009 to discuss concerns raised by North Stradbroke Island community groups relating to the proposed leasing of the Straddie Holiday Parks. In attendance at this workshop was: the Mayor and four Councillors, CEO and General Managers, Council Officers, Officers from the Department of Environment and Resource Management (DERM), representatives from the Quandamooka Forum, and members of the Stradbroke Island Management Organisation (SIMO), Friends of Stradbroke Island (FOSI), Amity Point Progress Association and the NSI Branch of the ALP.

## ISSUES

The NSI community groups have raised a number of concerns regarding the leasing of the Straddie Holiday Parks. Detailed below are the concerns raised and the researched responses to those concerns.

### Lack of Community Consultation during the Process

The NSI community groups including the Quandamooka Forum feel that they were not adequately consulted during the expression of interest (EOI) and tendering process.

The EOI was an open process inviting the public and interested parties to provide a submission on the operation of the Straddie Holiday Parks. Prior to the EOI being advertised, a media release notifying the community of the upcoming expression of interest was sent to all local papers and letters were also sent to all storage van owners describing the process Council was about to undertake.

Discussion occurred between the Group Manager Customer and Community Services and the Secretariat Officer of the Quandamooka Forum to determine if there would be interest from the Quandamooka Forum in any EOI process for all or part of the camping ground operations. A letter was also emailed to Chairperson of the Quandamooka Forum and the Secretariat Officer of the Quandamooka Forum prior to the EOI being advertised to notify them of Council's intention of investigating various management options for the Holiday Parks and inviting the Quandamooka Forum to submit an expression of interest.

The EOI was advertised locally and nationally in The Australian, The Courier Mail, The Bayside Bulletin and the Redland Times on 7 November 2008 which resulted in Council receiving enquiries and sending EOI documents as far a field as Vanuatu. Interested parties who requested a copy of the EOI were invited to attend a site visit of the Straddie Holiday Parks to aid in the development of their submissions. The Quandamooka Lands Council Aboriginal Corporation attended this site visit. The Council officer from the Contract Management Services Unit provided guidance to the Chair of the Quandamooka Lands Council Aboriginal Corporation and the Secretariat Officer of the Quandamooka Forum during the site visit.

Council received eight (8) submissions for the EOI. The submission received from the Quandamooka Lands Council Aboriginal Corporation did not address the relevant



evaluation criteria and was considered unsuccessful by the evaluation panel. As part of the process a letter of non acceptance was sent to all unsuccessful submitters with an invitation from Council to offer feedback on their submission. This offer was not taken up by the Quandamooka Lands Council Aboriginal Corporation.

At the General Meeting held 25 February 2009 Council resolved to enter into a selective tender with management companies that demonstrated capacity to operate the Straddie Holiday Parks after assessment against the EOI evaluation criteria.

Following the decision handed down at the General Meeting, Redland City Council's CEO, Gary Stevenson issued a media release to the Straddie Island News on 24 March 2009 detailing Council's decision to enter into a selective tender and explaining the process Council would follow over the coming months. Another letter was also sent to all storage van owners highlighting the information issued in the above statement.

As Trustees of Crown Land, DERM expect that Council would follow a comprehensive process to ensure that the holiday parks and camping grounds are managed by highly skilled and experienced operators. The expression of interest was designed to identify organisations that Council could invite to tender that had the prerequisite capabilities required by DERM and Council for the management of the Straddie Holiday Parks. This process reduces the risk to Council of failure of the operation by using an extensive two step process to ensure operational and financial capability and capacity have been demonstrated.

Lack of community involvement in future operational management and development of the Holiday Parks

The community groups are concerned that a lease would exclude them from decision making processes with regard to the operational management and future development of the camping grounds. The Tenderers are committed to community consultation and are willing to write this requirement into a management plan document that is agreed with Council to provide an extra level of assurance to Council that community consultation will take place.

Both Tenderers propose to establish a "Steering Committee" that includes a representative of the Council, the community, the indigenous community, the environmental groups and the Tenderer. This Steering Committee will discuss issues related to master planning and environmental planning for the Holiday Parks.

The advantage of the Steering Committee is that it provides the community a "seat at the table" when it comes to the development of master plans and environmental management plans for the Holiday Parks. The Steering Committee option allows for all issues to be raised by the various sectors of the community early in the planning process so that they can be fully addressed prior to moving forward with any works. Both Tenderers have many years experience working with communities to deliver outcomes that are both agreed to and a benefit to the community and Council. A Plan of Management will be developed by the successful Tenderer with community and

Council engagement. This plan will form part of the Lease and is binding on the Lessee.

#### Potential Alternate Management Model for the Holiday Parks

The NSI community groups are developing a community management model for the Holiday Parks. The Tenderers are willing to discuss the outcomes that would be achieved by the community management model and incorporate them into their management plans. This would ensure that the community is delivered the outcomes it is trying to achieve whilst the Holiday Parks are being managed by industry experts that have the proven financial capability and business acumen to ensure it succeeds and does not become a financial burden to Council or the ratepayers of Redland City. This process reduces the risk to Council.

#### Compliance with Permitted Use of the Reserve Land

The permitted use for the reserves upon which the Holiday Parks are located is: camping and recreation, allowing for camping and caravanning related uses consistent with the Trusteeship agreement. The Tenderers will not without the prior written consent of the Council and the Minister use the Holiday Parks for any purpose other than the permitted use. DERM has been consulted in relation to establishing a Trustee Lease for the Holiday Parks and they have indicated that it is consistent with the permitted use. The Trustee Lease does not materially change the use of the parks, or its structures or building footprint and is limited to the currently occupied park facilities and not the adjacent reserves. The role of the Holiday Parks for tourist accommodation will remain unchanged

It is important to note that “camping” incorporates not only tent structures, but also powered and unpowered sites, caravans, cabins and bungalows. DERM take an evolutionary view of the Holiday Parks and consider that the Holiday Parks should be offering modern facilities. Any upgrades or inclusion of additional facilities must be agreed with DERM and be consistent with the permitted use of the reserve. Similarly any application for Development Approval must be consistent with the current zoning of the Holiday Parks in the Redlands Planning Scheme.

The overarching intent of “camping and recreation” will be maintained under the Tenderers’ proposals. The Tender document clearly outlined the character of the Island camp sites must be retained so that the Straddie Holiday Parks maintain their unique identity. The Trustee Lease will allow Council to outsource the operational management and funding of the Holiday Parks whilst providing the important contractual controls and safeguards that are agreed with DERM, Council and the successful Tenderer.

Other concerns raised include; the conversion of crown land to freehold land after 30 years, and that the Trustee Lease would be for the land and not for the management of the Holiday Parks. DERM have confirmed that neither is the case – crown land will not convert to freehold land and the Trustee Lease is in effect a management contract between Council and a third party and is not held over the Trust Land. The Trustee Lease does not materially change the land use of the reserves but its management to be co-ordinated through the successful Tenderer. This means the successful Tenderer and Council are required to comply with the Land Trust Terms;

the Land Act management plans; the *Native Title Act*, requirements of the QLD Heritage Council, the *Integrated Planning Act* and all other Federal, State and Local Government legislation.

#### Use of Rental Income from the Trustee Lease

Concerns has been raised to as whether Council can derive a rental income from a Trustee Lease over the Holiday Parks and what that rental income will be used for. DERM has stipulated that any rent gained via the Trustee Lease must be reinvested into the management and upgrades to the trust land on North Stradbroke Island. The rent will be utilised to fund activities such as; weed eradication, beautification of reserve land, maintenance of fire breaks, upgrades to facilities etc. There is also the possibility of utilising the rental income to fund community/indigenous projects that result in enhancements to trust land which could also incorporate education and training. This option requires further investigation and approval by DERM. Council will also require a return to offset the depreciation costs of the assets it is providing to the Lessee. Revenue can be held in reserve to enable future capital renewal and replacement.

#### Implications for Native Title

The Quandamooka people currently have a native title claim before the Federal Court that covers all of North Stradbroke Island including the reserve land that the Holiday Parks are part of.

The Queensland South Native Title Services have on behalf of the Quandamooka people expressed their concerns about their proposed lease being consistent with the *Native Title Act 1993*. Council has responded to these concerns by stating the proposed lease is consistent with the *Native Title Act*. The proposed lease is restricted to the developed area of the holiday parks and does not materially change the use or extend beyond the developed areas.

The proposed lease is based on the mandatory standard terms document produced by Department and Environment and Resource Management (DERM) and applicable to all trustee leases in Queensland. The proposed lease ensures that any material change to the use or development of the holiday parks must have Council and DERM consent and be consistent with all laws applicable in Queensland including the *Native Title Act 1993*, *Aboriginal Cultural Heritage Act 2003*, *Land Act 1994*, *Integrated Planning Act 1997* and Redlands Planning Scheme.

Advice from DERM officers is that in their assessment of the proposed dealing - the approval of a trustee lease may proceed, as native title interests will not be affected by the awarding of a trustee lease.

DERM officers go on to advise that **Council should rely on the advice that it receives from its legal sources** rather than the assessment that the department has made in case it is proven that the department's assessment is incorrect. Ultimately, the extinguishment of native title is a matter for the Federal Court to consider and determine. As yet no decision has been made and is not expected until November 2009 at the earliest.

### Development Impacts within the Holiday Parks and Foreshore Camping

Concerns have been raised by the NSI community groups regarding the level of development planned for the Holiday Parks and Foreshore Camping areas. No further development is planned for the foreshore camping areas at Flinders and Main Beaches and existing site numbers will not be increased for the foreshore camping areas. National Parks and Wildlife have indicated that at some point in the future these areas will become national parks.

The tender stipulates that *“all Premises are located in close proximity to, or on the beachfront in pristine, sensitive environments. Because of this, any development and improvements within the Premises will be limited in size and scope. The Department of Natural Resources and Water, along with public sentiment have indicated that development within the Premises must not change the ambiance and nature of the Premises. Therefore the development of swimming pools, multiple accommodation units and the like would not be permitted at this point in time.”*

Council recognises the unique nature of the Straddie Holiday Parks and has no desire to see Gold Coast or Sunshine Coast style developments occur within our Holiday Parks. Tenderers therefore have limited development within the Holiday Parks to: upgrades to existing facilities, a limited increase in cabins and safari tents, and landscaping and infrastructure upgrades. There are no proposals for swimming pools, tennis courts, kiosks or multiple accommodation units for the Holiday Parks.

Tenderers have identified the need for detailed master planning for the Holiday Parks which recognises the unique characteristics of the sites and incorporates community and Council collaboration as part of their process. The principles of environmentally sustainable development will be incorporated into the master planning process. All proposed improvements will require Council assessment against the Redlands Planning Scheme with DERM as a possible referral agency. Any development application will be subject to the IPA process and compliance with all relevant legislation including EPBCA, IPA, EPA, Lands Act, Native Title Act, Aboriginal Cultural Heritage Act, QLD Heritage Council, Coastal Management Act, RCC Local Laws and Policies, etc.

Additionally, the Holiday Parks have been surveyed and those surveys will be registered with the Trustee Lease to ensure the existing footprint of the Holiday Parks will not be expanded.

### Access to Land and Sea

The community groups have raised concerns about access through the Holiday Parks, particularly access at Amity Point to the Basin, a traditional fishing area of the indigenous community. Tenderers understand that the importance of allowing public access through some of the Holiday Parks and have expressed that they would consult with local residents, including the indigenous community, and regular visitors with the objective of providing public access whilst recognising the need for the security and safety of park patrons.

Public liability, OHS risk management and patron safety are important issues that need to be carefully addressed. A storage van owner at Bradbury's Beach has

commented that he would prefer to see limited access through that Holiday Park due to the noise and behaviour of general public passing through the park. On another occasion at Amity Point Holiday Park, members of the public were driving through the park and tossed 1-2 bottles from the vehicle which smashed on the park road. The occupants did not stop and the Park Manager was engaged to remove the glass before anyone was injured. The Park Manager mentioned that this behaviour happens regularly and escalates with the season and dealing with those who fail to provide common courtesy was a constant source of aggravation, fear and upset for them.

Both Tenderers identify the key issue is to provide managed public access through the Holiday Parks to ensure patron security and provide holiday makers with a safe family environment. Before any action is taken to alter existing arrangements with respect to public access, the local community would be consulted and a means by which public access can be maintained would be investigated, agreed too and implemented. Suggested methods that could be adopted include providing permits or pin numbers, enforcing time constraints and breach policies. If a dispute arises regarding access through a park, Council would be the sole arbiter and the decision will be binding on all parties.

Another concern was that access to the beaches would be limited and the Holiday Parks would have private use of the beaches. This is not the case. Beaches and rock walls are outside of the Holiday Parks' boundaries and therefore not part of the lease. Also, under the Local Government Act the beaches are considered public lands for public purposes and the community is entitled to have access to the beaches.

#### Lack of Employment Opportunities

Employment opportunities for the local residents are a priority and concern particularly for the indigenous community. Tenderers have assured Council that employment opportunities will be provided to residents of North Stradbroke Island prior to the general public. Again, clausung to this effect can be written into the successful Tenderers' Plan of Management. Tenderers' currently employ at least 95% of their staff from within the local area.

Tenderers have identified that in terms of sound business practice, made even more pertinent in a semi remote location, the ability to utilise local residents is paramount. Having operated tourist accommodation businesses in remote locations, the Tenderers are well versed in the advantages of providing local employment opportunities; it provides for tenure of employment; economic sustainability, a tool of communication and hospitality education into the community.

Once based on NSI, the Tenderers believe they will become a natural source of local employment and training opportunities. In the transition period it will be necessary to engage external, highly skilled, Holiday Park industry trained personnel who can sustain existing systems and implement rapidly changing technology. There may also be the need to employ contractors familiar with the Tenderers' operations to implement rapid improvements to the Holiday Parks. Local contractors will be sourced first where possible however should there be a need for expertise or

knowledge that is not available on NSI, then external contractors will need to be engaged to ensure the completion of the scheduled works.

Tenderers have committed to not only looking to NSI residents who are already skilled in the required area, but more importantly look to NSI residents who have the potential to be trained in the required skill as this would then provide sustainable long term employees. Tenderers have also expressed a strong desire to work with the existing Straddie Holiday Parks staff.

Council will continue to maintain a compliance presence on NSI. The existing Beach Ranger is the only officer within the holiday parks that undertakes a compliance function along with Parks and Conservation staff.

#### Lack of Training Opportunities

Training opportunities for local residents is also a priority. The Tenderers acknowledge that training and development of holiday park staff is an important function, it not only improves the performance of staff in their parks and provides a better all-round experience for patrons, but also broadens the skills and career options of their holiday park staff.

Tenderers recognise that school-based traineeships are vital for preparing the youth to enter into the work place and have many years experience in offering school-based traineeships to the local community. Tenderers are also prepared to offer nationally accredited training through the Straddie Holiday Parks, not only to school-based trainees, but also to new and existing employees in the parks.

The courses currently offered externally include certificate/diploma courses in Holiday Park Operations, Tourism and Business Administration. Trainees can then specialise in areas such as Grounds/Maintenance, Operations and Front Office/Reception. Trainees can also transfer credit for some units into other courses in Tourism & Hospitality should they wish to branch into other areas.

In addition, both Tenderers offer extensive in-house training to all park managers and staff in the areas of reservations, customer service, cleaning and maintenance, marketing and sales, OH&S, IT skills and reporting. Both Tenderers have also successfully delivered training opportunities in regional areas. One of the Tenderers has been responsible for initiating and implementing hospitality traineeships designed specifically for the indigenous community in two remote locations.

#### Negative Impacts on Local Business

A concern has been raised by the local businesses that the development of kiosks within the Holiday Parks will adversely affect their current limited trade, particularly at Amity Point. Both Tenderers have identified that the Holiday Parks are such that they are generally close to shops and therefore it would not be necessary to operate kiosks within the reception areas. The majority of the reception buildings do not have adequate space to provide for a kiosk and there has been no provisions made by the Tenderers for a kiosk in any of the Holiday Parks.

Through the tender, Council has indicated a preference to achieving a AAA rating for the Straddie Holiday Parks. This may necessitate the provision of vending machines for park patrons stocked with soft drink, ice cream and confectionary as this does form part of the AAA assessment process and an expectation of the “modern” camper.

The Tenderers have expressed a keenness to develop strategic business alliances with the local NSI businesses and indigenous community. The Tenderers wish to partner with the community to achieve economic benefits for all. A number of NSI businesses have already contacted one of the Tenderers concerned that possible business partnerships and resulting economic benefits to the NSI businesses could be in jeopardy if the tendering process is not successful.

#### Adverse Environmental Impacts

Concerns have been raised regarding the environmental management of the Holiday Parks. The Tenderers have submitted extremely comprehensive environmental management plans which will be tailored specifically to meet the challenges of the sensitive North Stradbroke Island environment. The Tenderers have won numerous awards for their environmental sustainability initiatives that they have incorporated into the operation of their parks. The Tenderers are keen to implement these initiatives at the Straddie Holiday Parks so they too will become showpieces of environmental sustainability.

These initiatives include:

- Enhancing native habitats
- Introducing energy efficiency measures.
- Introducing recycling measures
- Reducing noise and air pollution
- Focusing on biodiversity conservation
- Reductions in water and wastewater, and
- Involving the community in their environmental initiatives.

It is important to note that the Tenderers, through the Steering Committee, are committed to collaborating with the community and Council in the development of environmental management plans that will address the sensitive issues specific to the Holiday Parks. This provides the community and Council the opportunity to shape the way in which environmental outcomes are delivered within the Holiday Parks. It must be remembered that the environmental management plans will address activities within the Holiday Parks and not the surrounding reserves. The management of the balance of the reserves is the responsibility of Council.

#### Inappropriate Effluent Disposal

Concerns have been raised regarding the suitability of existing effluent disposal systems within the Holiday Parks. The existing sewer system is the most appropriate and environmental friendly system for the holiday parks. The system prevents any seepage of effluent into the environment and transports the waste to an appropriate treatment facility which is maintained to EPA requirements. All holiday parks apart from Amity Point are on Council’s reticulated sewerage system. Upgrades at some of

the parks will enhance existing services. At Amity Point, Council is in the process of investigating how to better treat and dispose of the effluent generated on site. Liaison and approval by DERM as well as lodging Development Applications will be mandatory.

Additionally, Council currently conducts environmental monitoring of septic systems within the Amity Point Holiday Park as a requirement of the EPA. Council will continue to conduct this monitoring if the holiday parks are leased.

#### Light Spillage

Concerns have been raised regarding light spillage within the Holiday Parks. Lighting within the holiday parks will be maintained to a level adequate for purposes of security and health and safety thus allowing the Lessee to fulfil its Duty of Care obligations to the Holiday Park patrons. The lessee will be required to comply with all legislation relating to light spillage. The current back to nature character of the Holiday Parks will be maintained so that excessive lighting will not be required.

#### Permanent residency within the Holiday Parks

The community groups and in particular the Quandamooka Forum have indicated that they would like to see the Holiday Parks be utilised for additional permanent housing particularly in Dunwich where there is a current shortage. DERM have stipulated that this would not be permitted. DERM has determined that the current number of permanent van sites will not be increased; and current permanent vans will decline in number through natural attrition only. Therefore no new permanent sites will be allowed within the reserve land.

Additionally, any increase in the number of storage vans will require Council's and DERM's prior approval. Storage van sites will be managed so that they will not alter the character of the holiday parks. Strict controls will be implemented to ensure that the amenity of the parks and adjoining properties are not adversely affected.

#### Lack of Financial viability of the Holiday Parks

The NSI community groups have questioned why the Holiday Parks would be more financially viable under the management of a commercial operator than under Council management. The Tenderers through their submissions have provided Council with a five year financial forecast for the holiday parks. It is clear through their submissions that the Tenderers have conducted thorough economic and financial feasibility assessments of the Straddie Holiday Parks to determine if they are a financially viable proposition.

Council has also conducted its own in-depth financial analysis of the Holiday Parks and determined that, in their current form with the ongoing commitment from Council to upgrades to the facilities, the Holiday Parks will result in continuing losses to Council which will ultimately be subsidised by the ratepayer. If a Tenderer were to operate the Holiday Parks, there would be no financial cost to Council as the Tenderers will be responsible for funding all operational requirements and capital works for the Holiday Parks.



Some of the reasons the operation is not commercially viable for Council, but would be for a private entity, are:

- Council's internal overhead costs
- Existing staff are employed under government awards that are inflexible and costly. Under a private entity the staff would be on employment contracts that allow for flexibility of hours and provides for increases in remuneration based on performance.
- Council cannot form alliances with specific tourist operators to increase occupancy and revenues because Council cannot be seen to favour one operator over another.
- Council does not have strategic alliances with other Holiday Parks, industry tour operators and extensive specialist marketing channels.
- The level of continuing Council investment into upgrade and renewal of assets that could be funded through outsourcing the operations allowing Council to allocate its available funds to other projects for the community.

#### Potential Expansion of the Dunwich Cemetery

The Quandamooka Forum has raised the idea of extending the Dunwich Cemetery through Bradbury's Beach Holiday Park back to the existing creek. Council is currently investigating this possibility however concerns have risen that the underground water table is too high to allow for a burial. Council has conducted test digs and will organise a geo-technical survey and ground penetrating radar to determine the suitability of the site for burials. There is also a sewer main that runs through the middle of this section of the Holiday Park which would limit the area in which burials are possible. Liaison with the Minjerribah Moorgumpin Elders-in-Council is currently occurring regarding this possibility.

#### Impact of Pets on the Environment

Concerns have been raised regarding allowing pets into the Holiday Parks and the affect this would have on the sensitive eco system surrounding the parks. Currently pets are not permitted within the Holiday Parks and would not be permitted in future without specific approval from the Council. The Tenderers have identified that it is standard industry practise to prohibit pets from staying within the Holiday Parks and have a strict "no dogs" policy. Both Tenderers support the continuation of Council's policy to not permit pets within the Holiday Parks. Additionally, 'clausing' to this effect can be included in the Plan of Management that will be developed by the successful Tenderer.

### **RELATIONSHIP TO CORPORATE PLAN**

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

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

## **FINANCIAL IMPLICATIONS**

If Council chooses not to proceed with the Tender process it could result in financial loss to Council requiring a rate increase of up to 1.5% per annum for the next 30 years for every ratepayer of Redland City.

Additional lost opportunity costs will also be felt by NSI businesses keen to form strategic business alliances with the successful Tenderer.

If Council chooses to accept the Tender it will reduce Council's capital program by \$3.1 million over the next 10 years.

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

Senior Land Officer for the Department of Environmental and Resource Management (DERM) was consulted with regard to native title implications of the Trustee Lease.

Corporate Communications was consulted regarding the Communication Strategy to ensure all stakeholders are kept informed of the process.

The Legal Services Unit was consulted regarding implications for native title and the timeframe and progress of any Land Claim actions currently over the reserves that contain the Holiday Parks.

## **OFFICER'S RECOMMENDATION**

That Council resolve to:

1. Endorse this report and proceed with the tender process for the Provision of Lease for the North Stradbroke Island Holiday Parks; and
2. Inform the petitioners of the outcome of this report.

## **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Henry  
Seconded by: Cr Boglary

**That Council note the report.**

## **CARRIED**

Cr Townsend returned to the meeting.

## 13.2 GOVERNANCE

At the Committee meeting on 23 September 2009, Crs Townsend, Bowler, Boglary and Elliott declared a conflict of interest in the following item and left the meeting, as they had been mentioned in the report and recommendations of the Conduct Review Panel. Crs Hobson, Henry and Burns were absent from that meeting.

At today's meeting, Crs Townsend, Bowler, Boglary, Elliott and Henry declared a conflict of interest in the following item and left the meeting as they had been mentioned in the report and recommendations of the Conduct Review Panel. Cr Hobson declared a conflict of interest as she had been mentioned in the report and recommendations of the Conduct Review Panel remaining in the chamber seeking advice from the Chief Executive Officer. The Chief Executive Officer stated that with the departure of Cr Hobson the meeting would lose quorum.

Cr Williams stated she may have a conflict of interest in this item as the complainant in this matter. Cr Williams remained in the chamber.

### 13.2.1 INVESTIGATION REPORT UNDER SECTION 501E OF THE LOCAL GOVERNMENT ACT 1993

**Datworks Filename:** GOV-LG Act s.501E Reports  
**Attachment:** [Conduct Review Panel Report](#)  
**Responsible Officer Name:** Gary Stevenson  
Chief Executive Officer  
**Author Name:** Kylie Fernon  
Manager Internal Audit

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### EXECUTIVE SUMMARY

A complaint was received by the Chief Executive Officer alleging a possible breach of Councillors' statutory obligations under the Redland City Council's Code of Conduct by Councillors Hobson, Elliott, Townsend, Boglary and Henry. In particular, the complaint alleges possible breaches of **Section 229** and **Section 250M** of the **Local Government Act 1993** (LGA).

As required under **Section 250U** of the LGA, this matter was referred to the Conduct Review Panel. The Conduct Review Panel has recommended that no action be taken against the subject Councillors, as there are insufficient grounds to determine that a breach of statutory obligations has occurred.

It is recommended that the Conduct Review Panel findings and recommendation be accepted by Council and that no further action be taken in respect of the complainant's allegations.

## PURPOSE

The purpose of this report is to recommend to Council that the Conduct Review Panel's findings and recommendation be accepted and that no further action be taken in respect of the complainant's allegations.

## BACKGROUND

On 19 May 2009, the Chief Executive Officer received a letter from a complainant raising concerns about the conduct of Councillors Hobson, Elliott, Townsend, Boglary, Henry and Bowler, regarding their involvement in an extension for a planning application which was approved on 21 April 2009.

This matter was referred to the Crime and Misconduct Commission (CMC) as possible official misconduct. The CMC advised that, as the information was insufficient to reasonably raise a suspicion of official misconduct, they were unable to take any further action regarding the matter.

The complaint, insofar as it involved Cr Bowler, related to a possible minor breach of the Councillor's ethical and behavioural obligations under the Code of Conduct and must be dealt with in accordance with **Section 250S** of the LGA if it cannot be resolved under the general complaints process. The complainant agreed not to proceed with the complaint in relation to Cr Bowler.

As the complaint regarding the other Councillors involved possible breaches of statutory obligations under the Code of Conduct for Councillors, the matter was referred under **Section 250U(1)(a)** of the LGA to the Conduct Review Panel. The Conduct Review Panel determined, after due deliberation, that no interviews were necessary as the grounds of the complaint were deemed to be circumstantial rather than substantive.

It is the view of the Conduct Review Panel that it does not have a mandate to investigate the 'conduct of a Councillor' who voted on a decision taken in a duly convened Council meeting. The Panel cannot examine the respective merits or demerits of a Council decision. The matter is solely within the competence of Council itself to determine.

The complainant had a belief that breaches of the Councillors statutory obligations occurred. However, it is the Panel's view that the complainant has not been able to substantiate that belief.

## ISSUES

In this matter, the Panel is of the view that there is insufficient evidence to determine that a breach of a statutory obligation has occurred by the subject Councillors. The grounds of the complainant's belief are circumstantial, not substantive.

Having regard to the available evidence, the Panel has reached a unanimous decision that, on the balance of probabilities, the subject Councillors did not breach the statutory obligations under the Redland City Council Councillors' Code of Conduct.

The Conduct Review Panel has recommended that no action be taken against the subject Councillors, as there are insufficient grounds to determine that a breach of statutory obligations has occurred.

### **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.

### **CONSULTATION**

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

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

**That Council resolve as follows:**

- 1. To note the Conduct Review Panel findings and recommendation as outlined in the attached report; and**
- 2. To take no further action in relation to the complaint, in accordance with the Panel's recommendation.**

The Chief Executive Officer advised that under the circumstances the matter could not be determined by Council at this time and informed the meeting that he intended to seek direction from the Minister for Local Government on the future handling of this matter.

This matter remains unresolved pending further advice.

Crs Townsend, Henry, Boglary, Elliott and Bowler returned to the meeting.

### 13.2.2 REMUNERATION OF INDEPENDENT EXTERNAL APPOINTEES - AUDIT COMMITTEE

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

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#### EXECUTIVE SUMMARY

At the General Meeting on 26 August 2009 Council resolved to:

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

This report details the proposed remuneration arrangement for Mr Virendra Dua and the remuneration arrangement for the current Chairperson of the Audit Committee – Mr Len Scanlan.

#### PURPOSE

To advise on the proposed remuneration arrangement for Mr Virendra Dua and the remuneration arrangement for the current Chairperson of the Audit Committee – Mr Len Scanlan.

#### BACKGROUND

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

At the General Meeting on 26 August 2009 Council resolved to:

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

The current Audit Committee Chairperson is Mr Leonard John Scanlan of Mitchelton, Brisbane. Mr Scanlan is the former Auditor-General of Queensland (from 1997 until December 2004).

Council resolved to appoint Mr Scanlan as the Chairperson, Audit Committee on 27 April 2005 until March 2008. This agreement was renewed by Greg Underwood, Acting Chief Executive Officer on 22 May 2008 until March 2012.

## ISSUES

**Section 237** of the **Local Government Act 1993** states that ‘a local government may, by resolution, authorise .... payment of remuneration to a person who is a member of an advisory committee of the local government who is not a councillor.’

It is proposed that remuneration of the two external members of the Audit Committee will compensate contribution by the individual to the Committee.

It is proposed that Mr Len Scanlan – Chairperson of the Audit Committee – continues to be remunerated as follows:

- The incumbent be paid a fixed payment of \$5,500 (GST inclusive) per annum for attendance at quarterly meetings to be paid in quarterly instalments;
- Additional or special Audit Committee meetings shall be paid a fee of \$1,250 (GST inclusive) per day;
- This level of remuneration is consistent with the remuneration paid for this position in previous years; and
- The remuneration is for preparation and attendance at committee meetings.

It is proposed that Mr Virendra Dua – External Member of the Audit Committee - be remunerated as follows:

- The incumbent be paid a fixed payment of \$5,500 (GST inclusive) per annum for attendance at quarterly meetings to be paid in quarterly instalments;
- Additional or special Audit Committee meetings shall be paid a fee of \$1,250 (GST inclusive) per day; and
- The remuneration is for preparation and attendance at committee meetings.

The fundamental principle upon which the remuneration is based is to provide a level of compensation for external members in consideration of the contribution to the Audit Committee. Whilst it is acknowledged that Council could not fully compensate members for their time, the proposed amount has been determined as being comparable to the hourly rate charged by professional consultants. The remuneration level also reflects the importance of the roles undertaken by the Audit Committee members and the high level of professional expertise that they bring to the committee. This is based on the assumption that the average meeting time of Audit Committee meetings is two hours, in addition to time involved in preparation for the committee meetings.

## RELATIONSHIP TO CORPORATE PLAN

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

**FINANCIAL IMPLICATIONS**

Fees to be paid to the two external Audit Committee members have been budgeted for in the 2009/2010 Budget.

**CONSULTATION**

The CEO and General Manager Governance have been consulted in this process.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve in accordance with section 237(1), (2), (3) and (4) of the *Local Government Act 1993*:**

1. **To continue to remunerate Mr Len Scanlan, Chairperson of the Audit Committee, as follows:**
  - a. **A fixed payment of \$5,500 (including GST) per annum for attendance at quarterly Audit Committee meetings, to be paid in quarterly instalments;**
  - b. **A payment of \$1,250 (including GST) per day for additional or special Audit Committee meetings;**
  - c. **That the remuneration be paid for attendance at the Audit Committee meetings, including:**
    - i. **review of agenda papers for each Audit Committee meeting,**
    - ii. **provision of high level professional expertise and advice; and**
    - iii. **performing the role of Chair of the Audit Committee meetings;**
  - d. **That the remuneration be paid based on the following principles:**
    - i. **consistent with previous years' payments of \$1,375 (including GST) per meeting;**
    - ii. **comparable with the hourly rate charged by similar professional consultants within the market place; and**
    - iii. **based on the assumption that meeting times are two hours each meeting;**
2. **To remunerate Mr Virendra Dua, External Member of the Audit Committee, as follows:**
  - a. **A fixed payment of \$5,500 (including GST) per annum for attendance at quarterly Audit Committee meetings, to be paid in quarterly instalments;**
  - b. **A payment of \$1,250 (including GST) per day for additional or special Audit Committee meetings;**



- c. That the remuneration be paid for attendance at the Audit Committee meetings, including:
  - i. Review of agenda papers for each Audit Committee meeting; and
  - ii. Provision of high level professional expertise and advice;
- 3. That the remuneration be paid based on the following principles:
  - a. Payments to be calculated based on comparable hourly rate charged by similar professional consultants within the market place of \$1,375 (including GST) per meeting; and
  - b. Based on the assumption that meeting times are two hours each meeting.

**CARRIED**

### 13.2.3 COUNCILLOR REPRESENTATION ON EXTERNAL COMMITTEES

**Dataworks Filename:** GOV Meetings  
**Responsible Officer Name:** Gary Stevenson  
Chief Executive Officer  
**Author Name:** Thorbjorg Dunn  
Team Leader - Corporate Meetings & Registers

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#### EXECUTIVE SUMMARY

In addition to statutory duties associated with ordinary and standing committee meetings, councillors are required to participate, from time to time, in regional forums, task forces and various boards and committees representing Council's interests on local government matters.

Councillors, when participating on these external forums, act on behalf of Council and, therefore, a formal appointment is required by Council resolution.

#### PURPOSE

The purpose of this report is to recommend that Council resolve to:

1. Endorse Cr Henry's appointment to the Donald Simpson Over 50's Leisure Centre (DSC) Board of Management, at the Centre's Annual General Meeting on 11 September 2009; and
2. Appoint Cr Ogilvie to the position of Deputy Chair of the Regional Arts Development Fund (RADF) Committee, thereby replacing Cr Henry.

#### BACKGROUND

1. At the Post-Election meeting on 1 April 2008, Council appointed the Mayor and Cr Henry to the DSC Board of Management, and appointed Cr Ogilvie as Chair and Cr Murray as Deputy Chair of the RADF Committee;
2. On 27 August 2008, Council amended its decision in relation to the appointments to these two committees and appointed Cr Ogilvie to the DSC Board of Management for a period of 12 months, and appointed Cr Murray as Chair of the RADF and Cr Henry as Deputy Chair.
3. At the DSC Annual General Meeting on 11 September 2009, the Mayor nominated Cr Henry to its Board of Management, who was subsequently appointed, replacing Cr Ogilvie;
4. It is proposed that Cr Ogilvie be appointed to the position of Deputy Chair of the RADF Committee, replacing Cr Henry in due course;
5. Council endorsement, by resolution, is required to effect these appointments.

#### ISSUES

At each statutory post-election meeting Council, by resolution, submits nominations and makes appointments, respectively, to various external groups and committees. Any subsequent changes to these must be by Council resolution.

## **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.

## **CONSULTATION**

Consultation occurred between the Mayor and relevant Councillors.

## **OPTIONS**

### **PREFERRED**

That Council resolve to:

1. Endorse Cr Henry's appointment to the Donald Simpson Over 50's Leisure Centre Board of Management, at the Centre's Annual General Meeting on 11 September 2009; and
2. Appoint Cr Ogilvie to the position of Deputy Chair of the Regional Arts Development Fund (RADF) Committee, thereby replacing Cr Henry.

### **ALTERNATIVE**

1. That Council resolve not to endorse the appointments as recommended; or
2. That Council resolve to consider appointing alternate Councillors to these positions.

## **OFFICER'S RECOMMENDATION**

That Council resolve as follows:

1. To endorse Cr Henry's appointment to the Donald Simpson Over 50's Leisure Centre Board of Management, at the Centre's Annual General Meeting on 11 September 2009; and
2. To appoint Cr Ogilvie to the position of Deputy Chair of the Regional Arts Development Fund (RADF) Committee, thereby replacing Cr Henry.

## **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Townsend

Seconded by: Cr Reimers

**That Council resolve as follows:**

1. **To endorse Cr Henry's appointment to the Donald Simpson Over 50's Leisure Centre Board of Management, at the Centre's Annual General Meeting on 11 September 2009, thereby replacing Cr Ogilvie; and**

2. To appoint Cr Ogilvie to the position of Deputy Chair of the Regional Arts Development Fund (RADF) Committee, thereby replacing Cr Henry.

**CARRIED**

### 13.2.4 CORPORATE BALANCED SCORECARD REPORT

**Datworks Filename:** GOV Corporate BSC Reporting to Committee  
**Attachments:** [Corporate Balanced Scorecard Report](#)  
**Responsible Officer Name:** Luke Wallace  
Manager Corporate Planning Performance & Risk  
**Author Name:** Ben Steel  
Project Coordinator Corporate Planning & Performance

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#### EXECUTIVE SUMMARY

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

This report is an important component of 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 August 2009 is Above Standard, with a weighted score of 2.85.

#### PURPOSE

To provide Council with the Corporate Balanced Scorecard Report for the financial year to August 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 3)

The Development Assessment Performance Timeliness Index is below target. Further details about this measure are included in the attached report.

### People and Learning Perspective (page 5)

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.

## **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**

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 August, 2009 as attached.

**ALTERNATIVE**

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

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

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

**CARRIED**

### 13.3 CORPORATE SERVICES

#### 13.3.1 AUGUST 2009 - MONTHLY FINANCIAL REPORTS

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

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#### EXECUTIVE SUMMARY

The structure of the monthly financial reports to committee is currently under review. The current report set comprises a combination of strategic and operational data which does not readily lend itself to assist the reader in gaining a better understanding of Council's strategic financial position and performance. A proposal of a revised report has been presented to ELG and Council during a workshop on 1 September 2009. Following the feedback from this consultation process, a revised set of monthly financial reports will be produced that may facilitate more in-depth debate on financial performance against Council's Financial Strategy.

The timeframe for the introduction of the new suite of reports is in line with September's monthly financial report.

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

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

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

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

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

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favourable by \$0.9 million, slightly offset by operating revenue unfavourable by \$0.7 million.

At this early point in the financial year, the majority of variances are timing and are expected to disappear by 30 June 2010.

The cash flow position for the year is ahead of revised budget levels by \$6.7 million principally due to phasing of the budget. The cash held is ahead of targeted levels at \$91.4 million, equal to 7.0 months cash capacity against an original target of three to four months.

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

## **PURPOSE**

The purpose is to present the August 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 August 2009:

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

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

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

Classifies variances between revised budget and actual results as being either timing or permanent variances as well as favourable or unfavourable. Timing variances are anticipated to disappear once 30 June 2010 figures are produced. Permanent variances imply the variance will remain into the next financial year.

**Council Financial Report 1 (C)**

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

**Council Financial Report 2 (D)**

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

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

**RELATIONSHIP TO CORPORATE PLAN**

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

**FINANCIAL IMPLICATIONS**

The overall financial position as at the end of August 2009 remains strong with EBITD of \$9.1 million (\$0.2 million ahead of budget). This result is due to total operating revenue of \$31.3 million (\$0.7 million behind budget) and total operating costs of \$22.2 million (favourable variance of \$0.9 million).

*Operating Revenue*

Rates and Utility Charges is over budget by \$191,000 due in the main to Water consumption charges \$248,000, anticipated to be timing at this stage. Unfavourable variances that partly net off the amount above include credits held \$45,000 and trade waste \$39,000; once again timing differences at this stage. Pensioner Remissions is favourable against budget by a timing variance of \$31,000. Fees and Charges is over budget by \$70,000 in the main due to camping fees and 4WD permits although these variance are anticipated to be timing only at this stage. Operating Grants and Subsidies is under budget by \$1.1 million due to the Federal Assistance Grant for the first quarter being received in 08/09 to be accounted for in 09/10. This will be addressed in September reporting.

*Operating Expenditure*

Employee Costs is under budget by \$415,000 in the main due to \$494,000 which is the budget for the Defined Benefit Superannuation (potential shortfall). Following the adoption of the budget, advice has been received that there is no longer a shortfall for Council to meet and hence this budgeted amount will be given up in a future Budget Review. Operational Goods and Services is under year to date budget by

\$631,000 and the variances are all expected to be timing at this stage. Of particular note, \$337,000 is predominantly underspends on contractors and consultants for Redland Water, \$161,000 is underspends in relation to Waterways and \$147,000 is an underspend in Damages Settlements.

#### *Capital Revenue*

Contributions and Donations is \$153,000 over budget as Planning and Policy developer contributions were received ahead of budget and are just timing differences. These monies have been transferred to capital reserves and accompany a further \$0.9 million that has been transferred to reserves due to the phasing of the Conservation Land Acquisitions. Both transfers are timing variances only.

#### *Capital Expenditure*

Capitalised Goods and Services is \$1.0 million under year to date budget as a result of significant underspends in Redland Water \$1.1million, Planning and Policy \$725,000 and Corporate Services \$437,000. These underspends are due in the main to delays in Redland Water capital works: Wastewater ICS \$753, 000 works not started and Water Retic \$145,000 works not started and are slightly offset by the \$1.2million overspend in Customer Services. The overspend in Customer Services is mostly due to timing of projects, of particular note Rickertt/Quarry Road widening \$213,000, Manning Esp. cycleway \$106,000 and Hilliards Creek track \$107,000. The Planning and Policy underspend is due to the phasing of the budget with respect to Conservation Land Acquisitions \$835,000. Fleet has \$410,000 timing variances due to items on order and not yet delivered.

Capitalised Employee Costs has an incorrect cumulative budget amount which results in an overspend of \$710,000 although this calculated variance is not a true reflection of Council's position at the end of August. The Customer Services Department will correct the budgeting error in the current period for accurate reporting in September.

#### *Cash and Investments*

The investment of surplus funds for the month returned a weighted average rate of return of 3.39%, which is again ahead of the UBS Aust Bank Bill Index of 3.02%. These returns are reported on a monthly weighted average return and Council benchmarks the funds against the UBS Australia Bank Bill Index. Interest return is reported on both an annual effective and nominal rate of return. It is also relevant to note that the RBA policy interest rate has remained at 3.00% as at the end of August 2009.

The cash balance is \$91.4 million at the end of August 2009 which is equivalent to 7.0 months cash capacity. Council is intentionally maintaining a higher balance than target whilst it monitors the impact of the structural reforms to the water business.

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

Consultation has taken place amongst the Executive Leadership Group.

## **OPTIONS**

### **PREFERRED**

That Council note the End of Month Financial Reports for August 2009 and explanations as presented in the attachments.

### **ALTERNATIVE**

That Council requests additional information.

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

Moved by: Cr Townsend

Seconded by: Cr Reimers

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

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

## **CARRIED**

### 13.3.2 FINANCIAL STRATEGY PROGRESS REPORT

**Datworks Filename:** FM Management Reports  
**Responsible Officer Name:** Martin Drydale  
General Manager Corporate Services  
**Author Name:** Martin Drydale  
General Manager Corporate Services

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#### EXECUTIVE SUMMARY

This report provides a progress report on the review and preparation of Council's 10 Year Financial Strategy ("the Strategy") and outlines the proposed timing of the adoption of the Strategy as part of the 2010/2011 budget process.

In particular the Strategy will:

1. Set out Council's financial aims and the measures which need to be taken to ensure they will be achieved in a sustainable manner;
2. Set out Council's approach to achieving a sustainable position through the delivery of improved services and value for money over the next few years;
3. Describe Council's arrangements for developing a long-term financial plan within the context of the overall Corporate Planning process, including the identification and prioritisation of spending needs, the key financial influences on financial planning, the assumptions made in developing the plan and the challenges and risks associated with the plan and how they will be dealt with;
4. Facilitate consideration and debate of policy decisions which may lead to changes in the current modelling of the 10 year financial plan; and
5. Ultimately identify the resource issues and principles, which will shape Council's financial strategy and annual budgets.

It is recommended that following the completion of the first draft of the Strategy, a Councillor workshop be held in mid-October to consider the policy options which will influence the 10 year financial model. This will provide time to adjust the modelling inputs and parameters prior to the Strategy being submitted to the Finance and Corporate Management Committee in October 2009.

#### PURPOSE

The purpose of this report is to advise Council of the proposed process and timelines for developing the 10 Year Financial Strategy. The Strategy will form a key cornerstone of Council's sustainable financial planning framework.

#### BACKGROUND

The review and development of the long term Financial Strategy is a key initiative contained within the Organisational Development Plan. The emerging emphasis on strategic financial planning is clearly indicated in the Local Government Act and the involvement of Councillors and Senior Managers will ensure that there is a high level

of understanding and commitment by all to the policies, principles and assumptions established within the Strategy.

It is proposed that the Strategy will be structured with the following sections:

1. Purpose and Scope of the Financial Strategy;
2. The Strategic Planning Process and Local Priorities;
3. The Financial Context;
4. Expenditure Management;
5. Revenue and Pricing;
6. Investments and Cash Management;
7. Debt Management; and
8. Asset Management.

Each of sections 4 to 8 will provide more detail in relation to the overall financial context and will be structured in the following way:

- **Introduction** – provides background on the issue
- **Detailed Assumptions and KPI's** – provides information on the assumptions used in developing the 10 Year Financial Model (“the Model”) and sets out the KPI targets that have been established for those assumptions
- **Policy Commitments Required to Achieve Financial Sustainability** – sets out the policy framework and decisions which will be required in order to achieve the financial outcomes indicated in the Model
- **Risks and Opportunities** – provides an assessment of the risks associated with the achievement of the outcomes in the Model and the likelihood of those risks arising, together with an assessment of potential opportunities that may arise and be taken advantage of
- **Action Plans** – a list of detailed activities that need to be undertaken in order to maximise the realisation of the financial outcomes indicated in the Model
- **Policy References** – a listing of the existing policies relating to financial strategy and financial management
- **Discussion Points** – specific areas of policy debate which may lead to potential changes in strategic financial direction

Following completion of the first draft of the Strategy it is proposed that a Councillor Workshop be held around mid-October to facilitate primarily debate and consideration of the Discussion Points.

## **RELATIONSHIP TO CORPORATE PLAN**

The recommendation 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 Financial Strategy will have significant implications relating to how Council establishes policies, principles and assumptions with regard to short, medium and long term financial planning.

The Strategy sets out the overall shape of Council's budget over these periods by forecasting what available resources will exist which are able to be allocated between services, reflecting Council and community priorities, and therefore providing a framework for the preparation of annual budgets.

**CONSULTATION**

Not applicable.

**OPTIONS****PREFERRED**

That Council resolve to note the proposed process and timelines for the review and development of Council's long term Financial Strategy including a Councillor workshop to be held in October 2009 prior to the next Finance & Corporate Management Committee Meeting.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve to note the proposed process and timelines for the review and development of Council's long term Financial Strategy including a Councillor workshop to be held in October 2009 prior to the next Finance & Corporate Management Committee Meeting.**

**CARRIED**

### 13.3.3 ENTERPRISE ASSET MANAGEMENT POLICY

**Datworks Filename:** Enterprise Asset Management  
**Attachment:** [Enterprise Asset Management - POL-2528](#)  
**Responsible Officer Name:** Martin Drydale  
General Manager Corporate Services  
**Author Name:** John Hunter  
Service Manager Corporate Asset Information

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#### EXECUTIVE SUMMARY

The Asset Management Policy has been revised and augmented with the Strategic Enterprise Asset Management Steering Committee Charter. At the same time, the policy has been renamed the Enterprise Asset Management Policy reflecting the enhancement and inclusion of the asset enterprise focus within the Organisational Development Plan (ODP).

#### PURPOSE

The purpose of this report is to:

- 1) Consolidate the newly prepared Strategic Asset Steering Committee Charter document into the Enterprise Asset Management Policy document;
- 2) Embed inter-enterprise processes, goals and performance, communication and collaboration principles within Council's asset management framework. This is consistent with the intent of the inter-disciplinary nature of Organisational Development Plan; and
- 3) Rename the Asset Management Policy the Enterprise Asset Management Policy.

#### BACKGROUND

The ODP endorsed by Council includes three major initiatives relating to the management of assets. They are:

- The inclusion of an integrated Enterprise Asset Management framework;
- Ensuring the long term financial resourcing of assets is adequately funded; and
- That Asset Management Plans are prepared to drive sustainability in asset management;

The above three issues will be addressed within the revised Total Asset Management Plan which is currently being redrafted as the Enterprise Asset Management Plan to be submitted at the next Finance & Corporate Management Meeting.

#### ISSUES

To facilitate the enhanced approach to asset management, the Strategic Enterprise Asset Management Steering Committee Charter was formed with three General Managers being members on the Steering Committee. The Committee's purpose,

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reflected in the attached document is to provide an over-arching governance role supporting sustainable asset lifecycle management. The Committee will provide recommendations to ELG and to Council. A major aim of the Steering Committee is to integrate the Enterprise (leadership, culture and people), processes (e.g. lifecycle asset management) and innovation (including change management strategies and implementation).

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

There will be no financial implications to flow from the update and renaming of the Asset Management Policy.

### **CONSULTATION**

The members of the Strategic Asset Steering Committee reviewed the initial documentation. The General Manager Corporate Services, General Manager Planning & Policy and Manager Financial Services reviewed the final documentation.

### **OPTIONS**

#### **PREFERRED**

That Council resolve to adopt the revised and renamed "Enterprise Asset Management Policy" (POL-2528), which includes the Steering Committee Charter document, as attached.

#### **ALTERNATIVE**

No alternative is suggested.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve to adopt the revised and renamed "Enterprise Asset Management Policy" (POL-2528), which includes the Steering Committee Charter document, as attached.**

### **CARRIED**

**13.3.4 REQUEST FOR CONTRACT TO BE AWARDED UNDER DELEGATED  
AUTHORITY BY CEO FOR MICROSOFT ENTERPRISE AGREEMENT**

**Datworks Filename:** FM Contracts  
**Responsible Officer Name:** Phil Bucknell  
Group Manager Information Management  
**Author Name:** Ellen Jenkins  
IT Technical Services Manager

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**EXECUTIVE SUMMARY**

Approval is sought to establish a Microsoft Enterprise Agreement with the recommended Microsoft reseller– Data # 3 from 1 October 2009 to 30 June 2012.

Local Buy has a 20 year Head Agreement with Microsoft for software licensing for local government called a Master Business Agreement – No. I844109. To access this arrangement each council enters into a Microsoft Enterprise Agreement (EA) with the recommended Large Account Reseller (LARs). The agreement between each council and the Large Account Reseller is treated as an individual agreement and the term of the Individual agreement will be in accordance with the individual councils requirement, as the over arching agreement between local buy and Microsoft is for a period of twenty years, with the negotiations to be undertaken every three years on the contract.

Microsoft does not sell software licensing direct and sells this instead through a number of appointed resellers. These are called Large Account Resellers (LARs).

This year Local Buy Pty Ltd, in accordance with the Section 484 (1) of Local Government Act 1993, undertook a select quotation process from providers appointed to the Preferred Supplier Arrangement for IT Goods and Services, BUS 165-0508. Datacom, Data#3 and Dimension Data were requested to provide quotations. Submissions were received from Dimension Data and Data#3.

Following an evaluation process a recommendation was made to appoint Data#3 for a 3-year term as Local Buy's LAR. Their appointment was made on 30 June 2009 through to 30 June 2012.

Local Buy entered into an agreement with Microsoft to provide all Queensland councils with access to Microsoft's discounted government software licensing by creating one single Enterprise Agreement for all Queensland councils.

Council's that participate in this agreement receive the following cost and operational benefits:

- Discounted pricing to reflect the buying power of Queensland local government;
  - Rebate of 6% to be used for Microsoft based IT projects and training of your choice;
  - Removal of software activation keys and the provision of one "master" license (for all products within the Enterprise Agreement);
-

- Assurance of compliance with all Microsoft license requirements.

## **PURPOSE**

The purpose of this report is to recommend that the Chief Executive Officer be delegated the authority to make, vary and discharge a contract with Microsoft Large Account Reseller Data#3 to enter into a new Microsoft Enterprise Agreement negotiated by Local Buy for a period of three years from 1 October 2009 to 30 September 2012.

## **BACKGROUND**

Council's IT infrastructure is based on the Microsoft platform. This strategic decision and investment has favourably positioned Council to take advantage of systems and solutions that support Council's business requirements.

With the Microsoft Enterprise Agreement, Council can be confident that its IT infrastructure can adapt and grow with the organisation's evolving needs. Council's current Microsoft Enterprise Agreement expires on 30 September 2009.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

The Microsoft Enterprise Agreement cost for software licensing (based on current numbers) for the 3 year term with Redland City Council is \$1,406,769 compared to \$1,071,000 for the previous Microsoft Enterprise Agreement.

The value to Council can be shown by dissecting a single line item.

Under the EA renewal

1000 Office Professional Plus SA for 3 years is \$3,960,000

Under Open Licensing

1000 Office Professional Plus SA for 3 years is \$1,109,160

Under Open Licensing- Licence only

1000 Office Professional 2010 in 3 year period is \$520,000

*SA = Software assurance, provides access to upgrades of software, technical support, training and another number of benefits.*

The increased costs can be attributed to the changes in the licensing model Microsoft has introduced, the repercussions of the financial market collapse and exchange rate fluctuations.

Information Management has allocated sufficient funds in the 2009/2010 budget for these services. Funds for future financial years will be budgeted for in accordance with the requirements.

### **CONSULTATION**

Consultation has occurred with:

- Manager Information Management
- Supply Chain Manager
- Contracts Manager

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve as follows:**

1. **Enter into a contract with Data#3 as the Queensland Microsoft Reseller under the Local Buy Arrangement BUS165-0508 for the provision of Microsoft Enterprise Agreement; for a period of three (3) years from 1 October 2009 to 30 September 2012;**
2. **To delegate to the Chief Executive Officer the authority to:**
  - a) **make, vary and discharge the contract in accordance with the agreed contract terms for any changes; and**
  - b) **to sign all relevant documentation.**

**CARRIED**

**13.3.5 DEENYA PARADE RUSSELL ISLAND ACQUISITION**

**Dataworks Filename:** P.151476  
**Attachments:** [Acquisition Plan](#)  
**Responsible Officer Name:** Brian Lewis  
Manager Corporate Acquisitions Fleet & Facilities  
**Author Name:** Merv Elliott  
Property Services Manager

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**EXECUTIVE SUMMARY**

At its meeting held on 28 November 2008, Council resolved to resume for road purposes part of Lot 208 RP131864 (shown on plan AD86-1-1 attached), part of Lot 120 RP131862 and part of Lot 209 RP131864.

An objection to the resumption has been submitted by the property owner of Lot 208. Council is required to consider the objection before proceeding with final resumption.

**PURPOSE**

The purpose of this report is for Council to consider whether the objections raised are valid and decide whether to proceed with the resumption.

**BACKGROUND**

As part of the 08/09 Seal Gravel Roads Program, three separate acquisitions are required along Deenya Parade, Russell Island. This project was for construction of a sealed road from Channel Street to Channel Street (approximately 1080m), job number 45410.

The road openings are to provide a safe buffer zone for pedestrian movements and increased visibility around corners. The acquisitions will also provide a standard width to facilitate existing or any new service utilities that may be required.

The portions of land required from Lot 120 RP131862 and Lot 209 RP131864 have been resumed as no objections were submitted by the property owners.

**ISSUES**

The land owner of Lot 208 has submitted an objection to the resumption on the following grounds:

1. Reduction of 7m<sup>2</sup> land space – in regards to future development of the property.
2. Future development – as the plans for a dwelling has not been submitted yet, the possibility of Council restrictions should be a consideration.
3. Distortion of the shape – the property is already of a non-standard shape & the proposed Intention to Resume would further disadvantage the property value of the property.

4. Increase of traffic flow which will lead to greater noise, air pollution & higher incidents on the road.
5. Possibility of change of water flow leading to erosion of the land.
6. The impact on the environment.

Council's Response:

Objections 1 to 4 relate to compensation issues which, under the provisions of the *Acquisition of Land Act 1967*, are not valid grounds of objection.

Objection 5 is considered invalid as the acquisition of part of the subject property is required to provide a safe road formation including appropriate sight distances. The additional drainage construction will significantly reduce the erosion potential and in no way will detrimentally affect the flow of water on the subject block.

Objection 6 has no basis as the acquisition of part of the subject property will not have any adverse effect on the environment as Council is merely addressing a traffic safety issue that exists.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

No further financial implications as road works, land acquisitions etc in relation to this project were previously approved by Council to be allocated from the Capital Works Project funding.

## **CONSULTATION**

Property Services Manager has consulted with Survey Services Manager and Design Service Manager.

## **OPTIONS**

### **PREFERRED**

It is recommended that Council resolve as follows:

1. To continue with resumption action to acquire part of Lot 208 RP131864 for road purposes;
2. That the Chief Executive Officer be delegated authority to sign all relevant documentation;
3. That the Chief Executive Officer be delegated authority to negotiate and settle compensation payable to the affected land owner.

**ALTERNATIVE**

That Council resolve to take no further action to resume part of Lot 208 RP131864 for road purposes.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve as follows:**

- 1. To continue with resumption action to acquire part of Lot 208 RP131864 for road purposes;**
- 2. That the Chief Executive Officer be delegated authority to:**
  - a. sign all relevant documentation; and**
  - b. negotiate and settle compensation payable to the affected land owner.**

**CARRIED**

**13.3.6 MOBILE PHONE TOWERS - COUNCIL ADMINISTRATION BUILDING**

**Dataworks Filename:** P.118027/P.118023/P.118256  
**Responsible Officer Name:** Brian Lewis  
Manager Corporate Acquisitions Fleet & Facilities  
**Author Name:** Merv Elliott  
Property Services Manager

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**EXECUTIVE SUMMARY**

Optus Mobile Pty Ltd and 3GIS Pty Ltd have mobile phone towers and associated equipment located on the roof of Council's Administration Building in Bloomfield Street, Cleveland.

The facilities are subject to a lease from Council that was approved in 1999 for a 10 year period.

The term is about to expire and the carriers have requested that Council grant a further lease over the facilities.

**PURPOSE**

The purpose of this report is to recommend that both carriers be granted new leases for a 10 year period.

**BACKGROUND**

Council has previously granted approval to the execution of leases for mobile phone tower installations on top of the Administration Building.

The financial return from the rental paid is quite substantial and the facilities comply with Council building code.

**ISSUES**

The aerials, approximately 3 metres in height, are attached to the façade of the building and do not create a negative visual impact because of their relatively small size.

Electro-magnetic emissions are well below acceptable standard guidelines (0.28% of standard) and consequently there is no apparent reason why a further lease should not be granted.

**RELATIONSHIP TO CORPORATE PLAN**

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



**FINANCIAL IMPLICATIONS**

Council will receive approximately \$600,000 in rental over the 10 year period.

**CONSULTATION**

Property Services Manager has consulted with the Facilities Services Manager.

**OPTIONS****PREFERRED**

That Council resolve as follows:

1. To grant Optus Pty Ltd and 3GIS Pty Ltd a 10 year term lease over mobile phone facilities located on Council's Administration Building, Bloomfield Street, Cleveland on terms and conditions considered reasonable by the Chief Executive Officer; and
2. That the Chief Executive Officer be authorised to sign all relevant documents.

**ALTERNATIVE**

That Council resolve to not grant a lease over part of the Administration Building containing the mobile phone tower installations.

**OFFICER'S/COMMITTEE RECOMMENDATION**

That Council resolve as follows:

1. To grant Optus Pty Ltd and 3GIS Pty Ltd a 10 year term lease over mobile phone facilities located on Council's Administration Building, Bloomfield Street, Cleveland on terms and conditions considered reasonable by the Chief Executive Officer; and
2. That the Chief Executive Officer be authorised to sign all relevant documents.

**COUNCIL RESOLUTION**

Moved by: Cr Townsend

Seconded by: Cr Bowler

That Council resolve as follows:

1. To grant Optus Pty Ltd and 3GIS Pty Ltd a 10 year term lease over mobile phone facilities located on Council's Administration Building, Bloomfield Street, Cleveland on terms and conditions considered reasonable by the Chief Executive Officer, subject to approval being obtained from the minister under s.492 of the *Local Government Act 1993* and from the Department of Environment & Resource Management; and
2. That the Chief Executive Officer be authorised to sign all relevant documents.

**CARRIED**

**13.3.7 COMMUNITY SERVICE OBLIGATIONS FOR 2008-2009 FOR ADOPTION**

**Datworks Filename:** FM Financial Statements  
**Responsible Officer Name:** Martin Drydale  
General Manager Corporate Services  
**Author Name:** Kerry Phillips  
Manager, Financial Services

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**EXECUTIVE SUMMARY**

Community Service Obligations for 2008/2009 have been applied having regard to budgets established for Type 2 and 3 business activities that fall under the National Competition Policy Framework.

Community Services Obligations POL-2658 establishes the principles that underpin the establishment and treatment of Community Service Obligations.

For 2008/2009 budgets were not formally adopted for Community Service Obligations which is a legislative requirement.

There is also a legislative requirement to record actual Community Service Obligations as part of the Annual Financial Statements. Formal adoption of the actual activity will support their inclusion in the Annual Financial Statements for 2008/2009.

This report retrospectively seeks Council to formally adopt the Community Service Obligations which have been formally reported to Council via monthly and quarterly business activity reports to Council during 2008/09 as finalised for inclusion in the Annual Financial Statements prepared as at 30 June 2009.

**PURPOSE**

To provide background regarding the omission of Council approval for Community Service Obligations budget for 2008/2009. To seek retrospective adoption of the Community Service Obligations as they apply to the Annual Financial Statements prepared as at 30 June 2009.

**BACKGROUND**

Community Service Obligations (CSO) of commercial business units are defined under section 577 of the *Local Government Act 1993* (the Act). Part 10 Division 2 of the Local Government Finance Standard 2005 (the Finance Standard) specifies the treatment of community service obligations. Division 3 s.67 specifies matters that must be included in the Annual Performance Plan for a commercialised business unit including the nature and extent of CSO and the costing of and funding for CSO.

In respect to Water and Sewerage business activities, Part 12 Division 4 of the Finance Standard specifies the treatment of community service obligations, the extra

cost for the CSO to be treated as revenue. Division 6 provides for disclosure requirements for inclusion in the annual report.

In respect to business activities to which the Code of Competitive Conduct is applied, Part 11 Division 2 of the Local Government Finance Standards 2005 specifies the treatment of CSO. Part 11 Division 4 s.76(2) (d) and (3) (c) specifies the disclosure requirements for the budget. s.78(2)(i) and (3)(c) specifies the disclosure requirement for inclusion in the annual financial statements.

POL- 2658 stipulates that the following principles will be applied by Council:

Council is committed to:

1. The social objective or outcome, to be achieved by the CSO will fall within the goals of the Corporate Plan.
2. The most cost effective means of delivering /achieving the social objective will be through the establishment of a CSO and not via other means.
3. The percentage of the community which will benefit from the social objective will be acknowledged during consideration for inclusion CSO program.
4. The CSO will be administered in an accountable and performance based environment.
5. The CSO will not invite an unfair advantage to Council and its business units where there is established competition.
6. The CSO for Council will be reviewed annually as part of the annual budget process.
7. The measurement of CSO will be disclosed as a revenue and will represent the avoidable cost or revenue forgone of any CSO less any revenue arising from, carrying out CSO provided.
8. Payment transfers will be established monthly as part of the end of month financial accounting process.

## ISSUES

Council omitted to adopt the Community Service Obligations provided for type 2 and 3 business activities as part of the budget 2008/2009 process. Council is also required by legislation to report on Community Service Obligations provided during the financial year 2008/2009 in the Annual Financial Statements.

The tables below outline the budgeted Community Service Obligations for 2008/2009 and those proposed for inclusion in the Annual Financial Statements 2008/2009.

**TABLE 1**

<b>Business Activity</b>	<b>Description</b>	<b>Budget 2008/2009</b>
Waste	Clean up Australia Day	5,196
Waste	Birkdale sanitary Landfill	9,640
Waste	Redland Bay Transfer Station	467
Waste	NSI Transfer Station	384,105

<b>Business Activity</b>	<b>Description</b>	<b>Budget 2008/2009</b>
Waste	Bay island Transfer Station	794,807
Waste	Giles Road Hardfill Site	32,136
Waste	Waste manual service	31,000
Water	Concession not for profit	70,678
Water	Concealed leaks	66,577
Wastewater	Concession not for profit	147,786
RPAC	Estimate only available	938,000
Building Certification	Council Imposed obligations	413,000
<b>TOTAL BUDGETED 08/09</b>		<b>2,893,282</b>

TABLE 2

<b>Business Activity</b>	<b>Description</b>	<b>Annual Financial Statements 2008/2009</b>
Waste	Clean up Australia Day	5,196
Waste	Birkdale sanitary Landfill	9,640
Waste	Redland Bay Transfer Station	467
Waste	NSI Transfer Station	375,570
Waste	Bay island Transfer Station	797,165
Waste	Giles Road Hardfill Site	32,136
Waste	Waste manual service	31,529
Water	Concession not for profit	201,824
Water	Concealed leaks	133,764
Wastewater	Concession not for profit	140,805
RPAC	Discounts on commercial ticketing	46,487
Building Certification	Delivery of professional advice at Customer Service points	136,485
Building Certification	Internal Building Certification for RCC owned assets and pools	70,000
Building Certification	Building Certifiers advice on compliance/searches	106,239
<b>TOTAL ACTUAL 08/09</b>		<b>2,087,307</b>

## RELATIONSHIP TO CORPORATE PLAN

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

**FINANCIAL IMPLICATIONS**

Accounts have been prepared to reflect the treatment of these activities as acceptable Community Service Obligations. Should Council not accept any of these decisions it will impact on the performance reporting for the relevant business activity.

**CONSULTATION**

CEO identified the omission of the budget adoption when reviewing the draft Annual Financial Statements 2008/2009 with the General Manager, Corporate Services, Manager Financial Services and the Service Manager Financial Reporting.

**OPTIONS****PREFERRED**

That Council resolve to adopt the Community Service Obligations for 2008/2009 as outlined in table 2 of the report.

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve to adopt the Community Service Obligations for 2008/2009 as outlined in table 2 of the report.**

**CARRIED**

### 13.3.8 REDLAND CITY COUNCIL LAND RECORDS

**Datworks Filename:** FM Management Reports  
**Responsible Officer Name:** Martin Drydale  
General Manager, Corporate Services  
**Author Name:** Kerry Phillips  
Manager, Financial Services

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#### EXECUTIVE SUMMARY

A request has been made for an electronic copy of Council's land records to be provided to a residents group free of charge for the purposes of developing a submission to Council for consideration in the rating consultation process.

The *Local Government Act 1993* requires that non resident requests for land records should be charged a fee for access.

The request has the possibility of establishing a precedent of allowing an individual and/or group to access Council land records and databases for free thereby creating operational and administrative issues and a loss of potential revenue.

#### PURPOSE

To provide Council with background information regarding a request from a resident group regarding a fee free electronic copy of the land record, and to provide Council with advice pertaining to legislative limitations with regard to the provision of land records to individuals.

#### BACKGROUND

The *Local Government Act 1993* limits access to inspect records if a person is not an "owner, lessee or occupier of land" without paying a fee per record, therefore Council currently has a search fee of \$138.70 per record. Sections 994 and 995 are relevant to this request in that Section 994 says a local government must keep a record of every parcel of land, and Section 995 says it must be open for inspection to the owner, lessee or occupier of the land or the owner, lessee or occupier of the adjoining land. Section 995 (4) relates to this request in that anyone can inspect a land record if a fee is paid. The word "inspect" does not mean a copy of the database.

The State Government does provide access to these records at a substantially lower cost than it would be possible for Council to do so, and it should be noted that the individual making the request on behalf of the resident group has previously utilised this option.

#### ISSUES

The Mayor, Councillor Ogilvie and Council officers met with representatives of the Redlands Rate Reform Group (RRRG) earlier this month. Mr Harris, representing the

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RRRG, provided information that had been developed regarding analysis of the impact of rate reform since 2004. He advised at this meeting that would like to have access to more recent data to further update and refine the analysis and requested an electronic copy of the latest land record for this purpose. Mr Harris also offered to provide free consultancy to Council based on the analysis being undertaken in return for access to the land record database.

Councillor Ogilvie has requested that Mr Harris's request should be fulfilled and the fees set aside. He considers that Mr Harris has requested a copy of the database with current up to date UCV information so that he can properly prepare a submission for the consultation exercise.

Council should consider the following implications of any decision to grant access to the land records and to set aside any fees:

- This fee waiver would set a precedent for other groups who may have issues with the current rating system and the regular provision of this information will be onerous and costly for RCC to undertake.
- To continue to encourage the RRRG to access the latest data from the State does not in any way limit opportunity to consult. The RRRG will have various opportunities to present their views to Council through the planned consultation processes for the next budget development.
- The provision of a copy of the land record with a fee waiver should be treated separately from the issue of Mr Harris's offer of consultancy services to which the following issues should be considered:
  - a) It would not be appropriate for Council to commission work from Mr Harris without undergoing a proper procurement process.
  - b) It should be noted that Mr Harris on behalf of the RRRG is not in a position to provide an unbiased and objective analysis of rating systems having already outlined views on a preferred methodology.
  - c) There is a clear conflict of interest for the RRRG in that its members stand to gain financially from the recommendations which would be made from the work that they would undertake.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

Should the Officer's Recommendation not be adopted there will be administrative costs associated with provision of the land record and a loss of revenue that would normally be applied to such a request.

**CONSULTATION**

Councillor Ogilvie, Service Manager Revenue and Recovery, General Manager Corporate Services and the CEO have been consulted and provided advice and information for inclusion and consideration for the report

**OFFICER'S/COMMITTEE RECOMMENDATION**

That Council resolve as follows:

1. To not set aside the fee with respect to provision of Council's land record to the Redlands Rate Reform Group; and
2. To not accept Mr. Harris's offer of free consultancy services in return for access to Council's land record database.

**PROPOSED MOTION**

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

That Council resolve as follows:

1. To make the database available to Mr G Harris free of fee so as to facilitate a community submission as part of the consultation undertaken in the lead up to the adoption of a revenue policy in the financial strategy; and
2. That this database be made available free of fee to any other persons or groups who feel they can make use of it during the consultation phase.

On being put to the vote the motion was LOST.

A division was called for.

Crs Burns, Murray, Ogilvie, Boglary and Hobson voted in the affirmative.

Crs Reimers, Elliott, Bowler, Williams, Townsend and Henry voted in the negative.

The motion was declared by the Mayor as LOST.

**COUNCIL RESOLUTION**

Moved by: Cr Williams  
Seconded by: Cr Elliott

**That Council resolve as follows:**

- 1. To not set aside the fee with respect to provision of Council's land record to the Redlands Rate Reform Group; and**



2. To not accept Mr. Harris's offer of free consultancy services in return for access to Council's land record database.

**CARRIED**

## 13.4 CUSTOMER SERVICES

Cr Townsend declared a Material Personal Interest in the following item as the report contains information regarding a contract variation which relates to her husband's business and left the meeting for discussion and decision on this item.

### 13.4.1 WASTE MANAGEMENT SERVICES BUSINESS UNIT REPORT - AUGUST 2009

**Dataworks Filename:** WM Waste Monthly Reports to Committee  
**Attachments:** [Waste Management Services Business Unit Report - August 2009](#)  
**Responsible Officer Name:** Lex Smith  
Group Manager Operations & Maintenance  
**Author Name:** Mary-Anne Micovic  
Finance Officer

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#### EXECUTIVE SUMMARY

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

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

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

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

#### PURPOSE

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

#### BACKGROUND

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

#### ISSUES

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

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

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

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

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

### **RELATIONSHIP TO CORPORATE PLAN**

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

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

### **FINANCIAL IMPLICATIONS**

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

### **CONSULTATION**

Consultation has occurred with:

- Acting Manager Operations & Maintenance;
- Service Manager Waste Unit;
- Senior Advisor – Waste Planning.

### **OPTIONS**

#### **PREFERRED**

That Council resolve to accept the Waste Management Services Business Unit report for August 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 Reimers  
Seconded by: Cr Bowler

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

**CARRIED**

Cr Townsend returned to the meeting.

**13.4.2 WASTE MANAGEMENT SERVICES PERFORMANCE PLAN 2009-2010**

**Datworks Filename:** WM Waste Report to Committee  
**Attachments:** [Waste Management Services Performance Plan 2009-2010](#)  
**Responsible Officer Name:** Lex Smith  
Group Manager Operations & Maintenance  
**Author Name:** Mary-Anne Micovic  
Finance Officer

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**EXECUTIVE SUMMARY**

Waste Management Services (WMS) is a commercial business unit (CBU) of Redland City Council (RCC).

Section 580(1) of the Local Government Act 1993 states:

- there must be an annual performance plan (APP) for each CBU;
- a local government's operational plan under chapter 7, part 2, must include the APP for each of its CBUs;
- a performance plan may be amended at any time before the end of the financial year for which it is prepared.

Waste Management Services has conducted a review of its APP for the 2009-10 financial year and this is now presented for adoption.

It is recommended that the Annual Performance Plan be approved.

**PURPOSE**

For Council to adopt WMS's performance plan for 2009-10 to meet the requirements of the Local Government Act 1993.

**BACKGROUND**

The Local Government Act 1993 requires a CBU's performance to be monitored by the local government against performance targets detailed in an APP.

Section 67 of the Local Government Finance Standard 2005 states that the APP for a CBU must include:

- the CBU's financial and non-financial performance targets for its activities;
- the nature and extent of the CBU's community service obligations (CSOs);
- the costings of, and funding for, the CBU's CSOs.

Section 68(1) of the *Local Government Finance Standard 2005* states that the APP for a CBU must also include:

- the CBU's objectives and functions;
- the nature and scope of the CBU's main activities and undertakings;

- the CBU's notional capital structure and treatment of surpluses;
- the CBU's proposed major investments;
- the CBU's outstanding and proposed borrowings;
- the CBU's policy on the level and quality of service consumers can expect from the CBU;
- the delegations necessary to allow the CBU to exercise management autonomy and authority in its commercial activities;
- the type of information to be given in reports.

## ISSUES

No key performance indicators (KPIs) have been identified for removal from the performance plan.

The following is the complete list of KPIs for 2009-10:

<b>RW SCORECARD WASTE INDICATORS – 2009/10</b>	<b>Monthly Target</b>	<b>Unit</b>	<b>Reporting Frequency</b>	<b>Annual Target</b>
Total kilos of domestic waste land filled per capita per year	max 40	kg/ cap/ year	Monthly	max 480
Recyclable material diverted from kerbside collection (recycling bin only)	min 25	%	Monthly	min 25
Waste education – no. of activities (events, tours, visits)	8	#	Monthly	min 96
Earnings before interest tax & depreciation (EBITD)	0-5%	%	Monthly	0-5%
Operating cost per tonne of waste (waste)	max 93	\$	Monthly	max 93
Operating performance (expenditure to budget)	+/- 5	%	Monthly	+/- 5
% compliance with EPA licence requirements for waste management	min 98	%	Quarterly	min 98
Number missed wheelie bins services (refuse and recycling)	max 42	#	Monthly	max 504
% capital works program practical completion - % of planned project milestones achieved this quarter	Max 95	%	Monthly	Max 95
LTIFR	max 20	Injuries per million hours worked in period	Monthly	max 20

<b>RW SCORECARD WASTE INDICATORS – 2009/10</b>	<b>Monthly Target</b>	<b>Unit</b>	<b>Reporting Frequency</b>	<b>Annual Target</b>
Number of kerbside refuse bins at 1 July 2009	52,345			
Number of kerbside recycling bins at 1 July 2009	52,460			
Tonnage of waste collection (refuse & recycling)	54,021 tonnes			

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **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:

- Group Manager Operations & Maintenance;
- Service Manager Waste Unit;
- Senior Advisor – Waste Planning.

### **OPTIONS**

#### **PREFERRED**

That Council resolve to accept the Waste Management Services Performance Plan for 2009 - 2010, as presented in the attachment.

#### **ALTERNATIVE**

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

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

Moved by: Cr Townsend  
Seconded by: Cr Reimers

**That Council resolve to accept the Waste Management Services Performance Plan for 2009 - 2010, as presented in the attachment.**

### **CARRIED**

### 13.5 CLOSED SESSION

Cr Townsend declared a Material Personal Interest in the following confidential item stating that her husband owns a company that previously contracted to Council to clean the North Stradbroke Island Caravan Parks and he was contacted by one of the Tenderers during the tender process. Cr Townsend left the meeting for discussion and decision on this item.

### MOTION TO CLOSE MEETING

The committee meeting was closed to the public to discuss Items 12.4.1 and 12.4.2 under the *Local Government Act 1993* Section 463(1) "(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage" and "(e) contracts proposed to be made by it; (Council) respectively.

The committee meeting was again opened to the public.

#### 13.5.1 PROPOSED MANAGEMENT MODEL FOR NORTH STRADBROKE ISLAND HOLIDAY PARKS

**Datworks Filename:** CP Straddie Holiday Parks - General  
**Responsible Officer Name:** Lex Smith  
Manager Operations and Maintenance  
**Author Name:** Leanne Tu'ipulotu  
Coordinator Community Development

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### EXECUTIVE SUMMARY

A confidential report from Manager Operations & Maintenance dated 17 September 2009 was discussed in closed session.

### COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

**That Council resolve to accept the merits of the Community Proposal for Management of the North Stradbroke Island Camping Reserves and ask the proponents to present a detailed business plan for consideration by early November 2009.**

### CARRIED

A division was called for.



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

Cr Elliott voted in the negative.

Cr Townsend was not present when this motion was put.

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

Cr Townsend returned to the meeting.

Cr Townsend declared a Material Personal Interest in the following confidential item stating that her husband owns a company that previously contracted to Council to clean the North Stradbroke Island Caravan Parks and he was contacted by one of the Tenderers during the tender process. Cr Townsend left the meeting for discussion and decision on this item.

### **13.5.2 PROVISION OF LEASE FOR THE NORTH STRADBROKE ISLAND HOLIDAY PARKS**

**Datworks Filename:** CP Tender Process - Management of NSI Caravan Parks and Camping Grounds

**Responsible Officer Name:** Greg Jensen  
Manager - Customer and Community Services

**Author Name:** Michael Tait  
Project Manager - Customer and Community Services

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### **EXECUTIVE SUMMARY**

A confidential report from Manager Customer & Community Services dated 15 September 2009 was discussed in closed session.

### **COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**

Moved by: Cr Ogilvie  
Seconded by: Cr Henry

**That all tenders are still under active consideration.**

### **CARRIED**

A division was called for.

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

Cr Bowler voted in the negative.

Cr Townsend was not present when this decision was made.

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

Cr Townsend returned to the meeting.

Cr Burns left the meeting at 5.30pm.

**14 MAYORAL MINUTES**

Nil.

## 15 DIRECT TO COUNCIL REPORTS

### 15.1 CORPORATE SERVICES

#### 15.1.1 DRAFT UNAUDITED FINANCIAL STATEMENTS 2008/2009

**Datworks Filename:** FM Financial Statements  
**Attachment:** [Unaudited Financial Statements 2008/2009](#)  
**Responsible Officer Name:** Kerry Phillips  
Manager Financial Services  
**Author Name:** Kevin Lamb  
Services Manager Financial Reporting

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#### EXECUTIVE SUMMARY

The unaudited 30 June 2009 annual financial statements for Council have been prepared in accordance with the *Local Government Act 1993*, The *Local Government Finance Standard 2005* and the Australian Accounting Standards which include Australian Equivalents to International Financial Reporting Standards.

The unaudited financial statements were signed by the CEO and Mayor and presented to external auditors WHK Horwath in accordance with the *Local Government Finance Standard*.

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

This report provides:

- notification in accordance with the Local Government Finance Standard 2005 and
- a brief analysis of key financial data for the financial year 2008/09.

It is recommended that Council resolve to note the unaudited financial statements for the year ended 30 June 2009 as attached.

#### PURPOSE

This report provides notification in accordance with the Local Government Finance Standard 2005 and a brief analysis of key financial data for the financial year 2008/09. This report is not intended to provide comparisons between actual and budget data – please refer to the monthly financial management reports for this information.

## BACKGROUND

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

The unaudited annual financial statements were signed by the CEO and Mayor and presented to external auditors WHK Horwath in accordance with the Local Government Finance Standard 2005.

## ISSUES

The unaudited 30 June 2009 annual financial statements for Council have been prepared in accordance with the Local Government Act, the Local Government Finance Standards and the Australian Accounting Standards. Australian Accounting Standards include Australian Equivalents to International Financial Reporting Standards. The components of the annual financial statements include:

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

### *The Income Statement*

Headline results pertaining to the income statement are summarised in the table below. Council's net result increased from \$19.1 million (2008) to \$27.4million (2009). This result includes non cash developer contributions of \$21.1 million (2009) compared to \$13.0 million (2008).

	<b>Year Ending 30 June 2009</b>	<b>Year Ending 30 June 2008</b>
	<b>\$millions</b>	<b>\$millions</b>
Operating revenue	177.13	162.92
Operating expenditure	190.40	187.97
Finance costs	0.64	9.12
Depreciation	45.46	48.08
Earnings before interest and depreciation	32.83	32.15
Capital revenue	40.65	44.19
Net result after depreciation, finance costs and capital revenue	27.38	19.14

Operating revenue from ordinary activities increased by 8.7% from \$162.92 million (2008) to \$177.13 million (2009). Capital revenue decreased by 8.0% from \$44.19 million to \$40.65 million.

Net rates and utility charges increased by 13.7% from \$122.9 million to \$139.8 million. Income from fees and charges decreased by 1.5% from \$17.5 million to \$17.3 million.

Total operating expenses increased by 1.3% from \$188.0 million (2008) to \$190.4 million (2009). Operational employee costs, which represent 33.7% of total operating expenses, increased by 7.5% from \$59.6 million to \$64.1 million. Operational materials and services expenses increased by 9.0% from \$69.5 million to \$75.7 million.

#### *Balance Sheet*

Overall there has been an increase in community equity or the net worth of Council from \$1.963 billion (30/6/08) to \$2.079 billion (30/6/09).

Cash held at the bank and investments totalled \$80.9 million as at 30 June 2009 up from \$71.0 million at 30 June 2008.

Outstanding trade creditors and other payables amounted to \$18.4 million (30/6/09) compared to \$19.8 million (30/6/08).

Provisions for employee entitlements at 30/6/09 amounted to \$4.7 million and \$9.1 million for annual leave and long service leave respectively. Provisions for the remediation of old and current landfill sites across the city in addition to the remediation costs of Councils quarry increased from \$22.2 million (30/6/08) to \$26.1 million (30/6/09).

The balance of outstanding loans held with Queensland Treasury Corporation decreased from \$128.5 million (30/6/08) to \$40.7 million (30/6/09) due mainly to compensation proceeds from the transfer of bulk water assets to the State Water Authorities. Council drew down no new loans in the 2008/09 financial year.

#### *Statement of Cash Flows*

The balance of cash increased by \$9.9 million to \$80.9 million at 30 June 2009. Net cash from operating activities increased from \$16.35 million to \$29.85 million.

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

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

### **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

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

## **CONSULTATION**

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

The CEO and Acting Mayor have been provided with briefings prior to signing the unaudited statements.

## **OPTIONS**

### **PREFERRED**

That Council resolve to note the unaudited financial statements for the year ending 30 June 2009 as presented in the following attachments:

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

### **ALTERNATIVE**

That Council notes the unaudited financial statements 2008/2009 and requests additional information.

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

Moved by: Cr Bowler  
Seconded by: Cr Elliott

**That Council resolve to note the unaudited financial statements for the year ending 30 June 2009 as presented in the following attachments:**

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

**CARRIED**



## 15.2 PLANNING & POLICY

### 15.2.1 TOURISM ADVISORY FORUM - EXTENSION OF TERM

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

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

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

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#### EXECUTIVE SUMMARY

The Tourism Advisory Forum (TAF) was established by Council initially as a community board, according to Section 473A of the *Local Government Act 1993* for a limited period of twelve (12) months. This period will expire on 30 September 2009 and any extension to the term of appointment is subject to a resolution of Council.

Comprising industry specialists, tourism industry operators representing the three (3) geographic areas of the Redlands, Redlands Tourism board members and Redland City Council elected representatives, it was appointed to play a key role in promoting cohesiveness, providing a single direction and vision for tourism in the Redlands. It was also required to provide a strategic direction to ensure the area can effectively compete as a viable and attractive destination.

#### PURPOSE

That Council resolve to extend the initial term of twelve (12) months of the TAF for a further three (3) months, expiring 31 December 2009.

#### BACKGROUND

The TAF was appointed in September 2008 for a period of twelve (12) months.

A report, proposing a preferred model for the delivery of tourism for the City of Redland was presented to Council in April 2009.

An independent consultant was appointed in July to investigate the impact of the proposed model, especially in regard to legal, financial, human resource and governance perspectives.

#### ISSUES

The TAF, consisting of four (4) private sector specialists and tourism operators representing each of the Redland mainland, North Stradbroke Island and Southern Moreton Bay Islands, two (2) Redlands Tourism representatives and two (2) Councillors, was established by Council initially as a community board, according to Section 473A of the *Local Government Act* for a limited period of twelve (12) months.

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This period will expire on 30 September 2009 and any extension to the term of appointment is subject to a resolution of Council.

The TAF was appointed to play a key role in promoting cohesiveness, providing a single direction and vision for tourism in the Redlands. It was also required to provide a strategic direction to ensure the area can effectively compete as a viable and attractive destination.

In April, the TAF presented to Council a preferred model for the future delivery of tourism in the Redlands, which has implications for Council's tourism unit and Redlands Tourism, the existing local tourism organisation.

Council resolved to appoint an independent consultant to investigate the impact of the proposed model, especially relating to the legal, financial, human resources and governance issues.

Pacific Southwest Strategic Group was appointed in July and over the past two months has consulted with TAF and representatives of tourism industry sectors, Tourism Queensland and Brisbane Marketing. Interviews were also conducted with the Mayor, senior managers and officers.

Following presentation of a draft report, it was considered necessary by the CEO and Acting General Manager Planning and Policy to seek further advice, especially concerning the legal status and industrial relations.

The delay in finalising the report prior to 30 September 2009 has been unavoidable and consequently the role which the TAF was charged to undertake is not completed.

The initial term of appointment, for twelve (12) months, will expire on 30 September 2009. An extension of this term requires a resolution of Council.

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

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

#### **FINANCIAL IMPLICATIONS**

There are no financial implications relating to the extension of the term of TAF as participation is voluntary. Future meetings will be facilitated by the Secretariat (Council's Tourism Unit) and may involve some minor catering costs.

#### **PLANNING SCHEME IMPLICATIONS**

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

**CONSULTATION**

- Acting General Manager Planning and Policy concerning the expiration of the current term of appointment of TAF as at 30 September 2009
- Mr Paul Lewin, Chair Tourism Advisory Forum, concerning the length of time of the extension

**OPTIONS****PREFERRED**

That Council resolve to extend the appointment of the Tourism Advisory Forum for a further three (3) months to expire on 31 December 2009.

**ALTERNATIVE**

That Council resolve not to extend the appointment of the Tourism Advisory Forum for a further three (3) months to expire on 31 December 2009.

**OFFICER'S RECOMMENDATION**

That Council resolve to extend the appointment of the Tourism Advisory Forum for a further three (3) months to expire on 31 December 2009.

**COUNCIL RESOLUTION**

Moved by: Cr Ogilvie

Seconded by: Cr Bowler

**That Council resolve to extend the appointment of the Tourism Advisory Forum for a further four (4) months, to expire on 31 January 2010.**

**CARRIED**

## 16 CLOSED SESSION

### MOTION TO CLOSE MEETING

Moved by: Cr Williams

Seconded by: Cr Henry

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

#### 16.1.1 Managed Print Copy Scan & Fax Service – 1192-2008-PSS

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

*"(e) contracts proposed to be made by it; (Council)*

#### 16.1.2 Water Reform Water Business Three (WB3) Memorandum of Understanding (MOU)

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

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

CARRIED

### MOTION TO REOPEN MEETING

Moved by: Cr Bowler

Seconded by: Cr Townsend

That the meeting be again opened to the public.

CARRIED

## 16.1 CORPORATE SERVICES

### 16.1.1 MANAGED PRINT COPY SCAN & FAX SERVICE - 1192-2008-PSS

**Datworks Filename:** FM Tendering Supply Services

**Attachment:** [Management Presentation](#)

**Responsible Officer Name:** Phil Bucknell  
Manager Information Management

**Author Name:** Ellen Jenkins  
Service Manager IT Technical Service Unit

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### EXECUTIVE SUMMARY

In accordance with section 484(1) of the *Local Government Act 1993*, Council invited tenders for the provision of Managed Print, Copy, Scan and Fax Service Incorporating Document Production and Scanning Centre.

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The objective of this tender was to obtain submissions from service providers who had demonstrated the capacity and capability to provide a managed service for printing, copying scanning and facsimile to areas located within the Redland City Council boundaries including North Stradbroke Island, Coochiemudlo Island and the Southern Moreton Bay Islands including Russell, Karragarra, Lamb and Macleay Islands.

The tender was advertised in the public tender section of the following papers:

1. Courier Mail on Saturday 29 November 2008
2. Bayside Bulletin on 2 December 2008
3. Redland Times on 5 December 2008

Thirty-six (36) companies requested the tender documents. Tenders closed in the tender box located at the Administration Building, corner of Bloomfield and Middle Streets, Cleveland Qld 4163 at 11.30am on Friday 6 February 2009.

At 1.30pm on Tuesday 16 December 2008 a Site Inspection was attended by thirteen (13) representatives from nine (9) companies.

At the close of tender a total of two (2) submissions were received from the following companies:

- Fuji Xerox Australia Pty Ltd (FXA)
- Ricoh Business Centre (RBC)

The tender submissions were evaluated by a panel comprising the following staff:

- Manager Information Management – Phil Bucknell
- Service Manager IT Technical Service Unit - Ellen Jenkins
- Records Management Service Manager - Venita Van der Meer
- IM Group Team Leader - Vicki Woodrow
- Contracts Manager - Gail Widrose
- Senior Contracts Officer - Fiona McCandless

During the evaluation process, the evaluation panel decided to seek further clarifications from both tenderers in order to proceed with the evaluation process.

On Wednesday 8 April 2009 the Evaluation Team met with representatives from Ricoh Business Centre for the purpose of seeking clarifications resulting from their submission dated 6 February 2009.

On 16 April 2009 RBC provided an emailed response to Redland City Council's (RCC) request for tender clarifications submitted via email on 31 March 2009. A hard copy of the RBC response was received via Australia Post on 17 April 2009.

The RBC response to the clarifications sought by RCC failed to provide a suitable response to the questions raised in the RCC request for tender clarifications. These questions were further clarified at a meeting attended by three (3) RBC representatives on the 8 April 2009. The prime, but not sole area of non-conformances identified revolved around the failure of RBC to provide a solution around the Print Centre and Scanning Services. This was a critical component of the business requirements. RBC's response made it clear that they had no interest in providing these services and as such in accordance with the Conditions of Tender, Clause 5.5 – Non Conforming Tenders, the Evaluation Team deemed the submission from RBC non-conforming.

This decision was communicated to RBC in Council's letter dated 11 May 2009.

On Wednesday 15 April 2009 the Evaluation Team met with the representatives from FXA for the purpose of seeking clarifications resulting from their submission dated 5 February 2009.

At this meeting FXA provided a written response including a presentation to the Evaluation Team in response to RCC's request for tender clarifications submitted via email on 6 April 2009. One of the outcomes from the meeting was a recommendation by FXA to conduct a due diligence process to determine actual requirements in terms of device allocation and placement prior to a final solution being determined.

The due diligence process was carried out by FXA on 12 May 2009 in conjunction with RCC. FXA and RCC representatives met to discuss the outcomes of this process on 18 May 2009.

The FXA methodology used to create the solution was to develop a multifunction strategy through consolidation of network and stand alone devices which would be viable and sustainable both now and in the future. While the total number of devices will reduce by over 50%, the efficiency and capacity of the new devices along with appropriate use of the print room service will ensure that overall printing capacity will increase. In addition to this, the extra functionality introduced with the new multifunction devices will enhance the organisation's capacity to scan, fax and photocopy. This achievement will result in a significant (estimated 43.14%) reduction in carbon emissions across the fleet.

This report summarises the evaluation process of tenders received. Based on the evaluation criteria set out in the tender documentation the Evaluation Team considered the tender submission from Fuji Xerox Australia Pty Ltd to provide value for money to Council and is being recommended under Sections 481, 483, 484 and 490 of the *Local Government Act* relating to tendering and the principles governing the making of contracts.

## **PURPOSE**

To seek Council's approval to award this contract on the basis of the officer's recommendation to Fuji Xerox Australia Pty Ltd for the provision of a Managed Print,

Copy Scan and Fax Service Incorporating Document Production and Scanning Centre commencing 1 October 2009 for a period of four (4) years with the option to extend for a further one (1) year.

## **BACKGROUND**

In mid 2006 FXA was contracted to undertake an Office Document Assessment (ODA) within RCC to:

- Provide a detailed understanding of RCC's baseline volumes and costs of document devices including printers, copiers, faxes and scanners;
- Determine the cost effectiveness and level of productivity of RCC's current document infrastructure;
- Demonstrate a fully costed strategic model to improve the current state and deliver both financial and operation benefits.

The General Manager Corporate Services provided an analysis of savings contained in the resultant ODA in a Briefing Note to ELG dated 13 April 2007.

Due to the uncertainty surrounding amalgamation activities at that time it was decided by ELG to:

- Await the outcome of the Council Reform/Amalgamations;
- Await the outcome of the Water Reform process;
- Revisit the ODA process after Council elections in March 2008;
- Restrict where possible the purchase of new printers, faxes and photocopiers;
- Suspend the general printer replacement program and trial the deployment of multi function devices (MFDs);
- Maintain existing contracts where possible;
- Implement a managed Print Room service on a trial basis incorporating the greatly increased volume of scanning resulting from RRIF PD Online Project.

In November 2008 a tender for Managed Print, Copy, Scan and Fax Service Incorporating Document Production and Scanning Centre was issued to the open market. Tenders closed at 11.30am on 6 February 2009.

The aim of this contract was to seek solutions from the market place to meet the following objectives:

- Office Fleet
  - Rationalise device numbers
  - Monitor device utilisation and allocate associated costs to departments/end users
  - Position devices centrally for easier access to users
  - Ensure all devices are networked
  - Provide a combination of reactive and proactive support
  - Reduce the cost of current expenditure and continue to drive cost savings

- Move volume away from the fleet to the Print Room – reduce staff time in non core activities
- Ongoing training of devices for a better return on equipment investment
- Document Production
  - Managed dedicated environment to supply document printing, copying, collation and finishing
  - Finishing including binding, lamination, guillotining, drilling, padding, booklet making and folding and inserting
  - Provide experienced and professional personnel to run this environment
  - Options for a pick up and delivery service
  - Accept work into the production centre via an array of media or hardcopy
  - Supply all associated specialty/coloured stock and consumables to perform a professional print/copy and finishing job
  - Allow for volume growth
  - Tracking of costs to departments and end users
- Scanning Services
  - Document preparation
  - Scan and index documents
  - Document reassembly
  - Scan documents A5-A3 in size both simplex and duplex as well as wide format
  - Ability to merge mixed sized images into one image
  - Turn-around time from 2 hours to 24 hours depending on priority
- Other
  - Communicate to Council regarding the new service offerings, including office fleet, print production and scanning services
  - Train Council's staff on new device functionality
  - Educate Council staff on who to contact for device support

The tender was developed in accordance with the following evaluation criteria used to assess this tender incorporating the above objectives with appropriate weightings applied against each criteria as follows:

<b>TENDER EVALUATION CRITERIA</b>		
<b>Mandatory Criteria</b>	<b>Reference to Tender Deliverable Attachment in Section B</b>	<b>Evaluation Weighting</b>
Form of Tender	Tender Deliverable Attachment A	-
<b>Other Criteria</b>	<b>Reference to Tender Deliverable Attachment in Section B</b>	<b>Evaluation Weighting</b>
Risk and Benefit to RCC	All Tender Deliverable Attachments	-
Statement of Non Compliance	Tender Deliverable Attachment B	-
Tendered Sum (Value for Money)	Tender Deliverable Attachment C	30%



<b>TENDER EVALUATION CRITERIA</b>		
<b>Mandatory Criteria</b>	<b>Reference to Tender Deliverable Attachment in Section B</b>	<b>Evaluation Weighting</b>
Insurance Details	Tender Deliverable Attachment D	-
Referee Reports	Tender Deliverable Attachment E	10%
Notice of Sub-Contractors	Tender Deliverable Attachment F	-
Quality Assurance Certification	Tender Deliverable Attachment G	-
Safety Management Plan	Tender Deliverable Attachment H	-
Environmental Management Plan	Tender Deliverable Attachment I	-
General Operational Capability and Experience	Tender Deliverable Attachment J	20%
Response to Specifications	Tender Deliverable Attachment K	40%

## ISSUES

As a result of the lengthy delays listed above, Information Management (IM) and Corporate Acquisitions Fleet and Facilities (CAFF) are finding it increasingly difficult to maintain document printing and reproduction service levels to an acceptable standard.

Council's printer fleet is aging and becoming difficult to maintain and support, in some instances breaking down completely with no replacements available.

Photocopiers are now out of contract and rented month by month. Any devices that fail are not being replaced.

Overall device under-utilisation statistics are comparable with the 2006 ODA levels.

The trial of the Managed Print Room service which commenced in 2007 expires on 15 October 2009.

Should the FXA tender not be accepted, Council would be forced to undertake a major fleet replacement program itself.

Attempting such a program in-house within existing budget would take a minimum of three years to achieve and could not possibly deliver all the outcomes desired. Cost benefits and service level improvement would be difficult if not impossible to achieve within the existing constraints.

Additionally, such an undertaking would also have a detrimental effect on the other aspects of ICT service delivery as it would require significant scaling back of other hardware replacement programs and a major change of focus of existing support staff. To have any chance of approximating the outcomes proposed by FXA, it would also require the employment of a project officer, as well as additional experienced temporary staff to handle change management and training issues.

Pursuing this option would also incur significant additional costs in terms of disruption to existing services (print room, scanning etc.) while the necessary but time

consuming process going to market for print room services, printers, photocopiers, and scanning services is undertaken. Hidden, but none the less real costs here include high level officers' time not only in Information Technology Technical Services, but also in Records, Supply Services, Facilities Services and possibly Legal Services.

The situation has been reached where there are no other options than to:

- A. Accept the FXA proposal which is the preferred option; or
- B. Commence a major internal fleet replacement program.

### **SUMMARY OF EVALUATION**

The tender submission received from RBC was deemed non-conforming due to its failure to provide a solution around the Print Centre and Scanning Services.

The tender submission received from FXA was conforming and was evaluated in line with the predetermined evaluation criteria including the objectives listed above.

In essence the FXA proposal is for a fully managed document service over a period of four (4) plus one (1) year term designed to:

- Rationalise device numbers
- Monitor device utilisation and allocate associated costs to end users
- Position devices centrally for easier access to users
- Ensure all devices are networked
- Provide a combination of reactive and proactive support
- Reduce the cost of current expenditure and continue to drive cost savings
- Redirect volume prints to the Print Room – less staff time in non core activities
- Ongoing training on devices for a better return on equipment investment
- Enhance and manage the existing Print Room service
- Enhance and manage the existing document scanning service
- Communicate and raise awareness of “green” initiatives
- Effectively contribute to RCC’s carbon reduction activities

The FXA methodology used to create the solution was to rationalise by consolidating many network and stand alone devices to develop a multifunction strategy. While the total number of devices will reduce by over 50%, the speed and capacity of the new devices along with appropriate use of the print room service will ensure that overall printing capacity will increase. In addition to this, the extra functionality introduced with the new multi-function devices will enhance the organisation’s capacity to scan, fax and photocopy. This achievement will result in a significant (estimated 43.14%) reduction in carbon emissions across the fleet.

All multifunction devices recommended for the 4 major buildings will have:

- Automatic document feeders

- Automatic duplex units
- Facsimile kits – walk up and LAN faxing
- Fax kits to allow for soft electronic receipt of faxes
- Automatic single and dual stapler/stackers
- 4 standard front loading 500 sheet paper trays and bypass

A comprehensive analysis of the cost of the FXA proposal has been undertaken which indicates that an overall operational cash injection of \$261,577 over the four (4) plus one (1) year term of the agreement is required to support it.

Apart from transferring some funds earmarked for printer replacement to an operational account there will be no overall changes to the 10 Year Capital Works Program.

The commitment to provision of additional operational funding will be required on an annual basis as follows:

- |           |          |                                      |
|-----------|----------|--------------------------------------|
| • 2009/10 | Nil      | (\$69,462) Surplus (due to buy back) |
| • 2010/11 | \$88,082 |                                      |
| • 2011/12 | \$71,556 |                                      |
| • 2012/13 | \$94,500 |                                      |
| • 2013/14 | \$76,901 |                                      |

Five Year Total	\$261,577	
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Hard savings to offset this additional expenditure are difficult to calculate with certainty. Achievement of the three tender objectives with the largest quantifiable payback potential are as follows:-

- Redirected employee time (minimum estimate \$56,000 per annum)
- Increased Print Room utilisation (minimum estimate \$30,000 per annum)
- Reduction in external printing (minimum estimate \$25,000 per annum)

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

Information Management will need to submit a request for additional funding through the budget process for 2010/2011 to cover the additional operational funding of this contract.

## PLANNING SCHEME IMPLICATIONS

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

## CONSULTATION

Extensive consultation has occurred during this tender process including:

- Briefing Note to General Manager Corporate Services – 1 July 2009
- FXA presentation to ELG – 17 August 2009
- FXA presentation to Senior Managers, Service Managers, Senior Advisors, Executive Assistants and Personal Assistants – 2 and 10 September 2009
- Briefing Note to General Manager Corporate Services – 16 September 2009
- FXA and IM attended follow up meetings with targeted groups to finalise printer locations and resolve any outstanding issues – 22 September 2009

In addition to the above, during the course of this tender process the following consultation has occurred with:

- General Manager Corporate Services
- Manager Information Management
- Manager Corporate Acquisitions Fleet and Facilities
- Supply Chain Manager
- Contracts Manager
- Service Manager IT Technical Service Unit
- Records Management Service Manager
- IM Group Team Leader
- Senior Contracts Officer

## OPTIONS

### PREFERRED

That Council resolve as follows:

1. To award a contract to Fuji Xerox Australia Pty Ltd for the provision of a Managed Print, Copy, Scan and Fax Service Incorporating a Document Production and Scanning Centre and the solution proposed commencing 1 October 2009 for a period of four (4) years with the option to extend for a further one (1) year at a cost of \$2,870,473.00 over the 4 year period;
2. Support the change management associated with the award of the tender specifying that a controlled change management and communication process will be undertaken over a six (6) month period in order to facilitate the introduction of the new service;
3. To delegate to the Chief Executive Officer the authority to:
  - a. make, vary and discharge the contract in accordance with the agreed contract terms for any changes; and
  - b. to sign all relevant documentation

**ALTERNATIVE**

Commence a major internal IT fleet replacement program.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Bowler  
Seconded by: Cr Henry

**That Council resolve as follows:**

- 1. To award a contract to Fuji Xerox Australia Pty Ltd for the provision of a Managed Print, Copy, Scan and Fax Service Incorporating a Document Production and Scanning Centre and the solution proposed commencing 1 October 2009 for a period of four (4) years with the option to extend for a further one (1) year at a cost of \$2,870,473.00 over the 4 year period;**
- 2. Support the change management associated with the award of the tender specifying that a controlled change management and communication process will be undertaken over a six (6) month period in order to facilitate the introduction of the new service;**
- 3. To delegate to the Chief Executive Officer the authority to:**
  - a. make, vary and discharge the contract in accordance with the agreed contract terms for any changes; and**
  - b. to sign all relevant documentation.**

**CARRIED**

**16.1.2 WATER REFORM WATER BUSINESS THREE (WB3) MEMORANDUM OF UNDERSTANDING (MOU)**

**Datworks Filename:** GOV WRAD WB3 Establishment Group  
**Responsible Officer Name:** Martin Drydale  
General Manager Corporate Services  
**Author Name:** Eleanor Bray  
Manager Water Reform

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**EXECUTIVE SUMMARY**

This report seeks Council approval to amend the Memorandum of Understanding (MOU) for the formation of Water Business Three (WB3), Clause 15 to remove the reference to arbitration following request from Gold Coast City Council.

**PURPOSE**

The purpose of this report is to seek approval for the amendment to the Memorandum of Understanding (MOU) for the formation of Water Business Three (WB3) between Logan City Council, Gold Coast City Council and Redland City Council.

**BACKGROUND**

On 11 September 2009 at a Special Meeting, Council considered various aspects of the establishment of Water Business Three (WB3) and passed a resolution to enter into a Memorandum of Understanding (MOU) that was presented at the meeting. Similar reports were presented to both Gold Coast City Council and Logan City Council during September 2009. Gold Coast City Council requested an amendment be made to the MOU regarding arbitration.

**ISSUES**

After consideration by the Establishment Group consisting of the three CEO's of respective councils within WB3 it was felt the removal of the arbitration reference within clause 15 of the MOU did not impact on any critical council decisions as these were also excluded from the MOU.

Detailed below is the extract from the MOU relating to relevant clause.

**Clause 15**

"Where there are disagreements about the interpretation of, or compliance with, the commitments in this MOU, they will be referred to the WB3 Establishment Group (WB3EG) for resolution. In the event the dispute cannot be resolved by the WB3EG, the dispute is to be referred to an independent arbitrator for determination. The three CEO's will agree on the appointment of the arbitrator or failing which the arbitrator will be appointed by the President of the Institute of Arbitrators and Mediators, Australia".

**RELATIONSHIP TO CORPORATE PLAN**

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

**FINANCIAL IMPLICATIONS**

There are no financial implications.

**PLANNING SCHEME IMPLICATIONS**

There are no implications to the Planning Scheme.

**CONSULTATION**

Consultation occurred between Chief Executive Officers and Senior Management Groups of Logan City Council, Gold Coast City Council and Redland City Council.

**OPTIONS****PREFERRED**

That Council agrees to the removal of arbitration provisions from Clause 15 of the Memorandum of Understanding for Water Business 3.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Williams  
Seconded by: Cr Bowler

**That Council agrees to the removal of arbitration provisions from Clause 15 of the Memorandum of Understanding for Water Business 3.**

**CARRIED**

**17 URGENT BUSINESS WITHOUT NOTICE****17.1 ITEM 16.3 OF MINUTES OF 26/08/09 – APPLICATIONS LODGED  
SPRINGACRE, WOODLANDS, TAYLOR & BOUNDARY ROADS,  
THORNLANDS**

Moved by: Cr Henry  
Seconded by: Cr Townsend

That permission be granted for Cr Elliott to bring forward item as urgent business.

CARRIED

Cr Elliott sought clarification on Council's position in relation to the resolution on item 16.3 of the previous General Meeting Minutes, where Council resolved to undertake a comprehensive media campaign to lobby the Minister for Infrastructure and Planning to call in or use other State powers to extinguish the applications lodged within the area of Springacre, Woodlands, Taylor and Boundary Roads, Thornlands, subject to legal advice. The Chief Executive Officer advised that this resolution still stands and that Council may make further resolutions if necessary, pending the Minister's action in this matter.

**17.2 REITERATION OF COUNCIL'S OBJECTION TO PUBLIC HOUSING  
PROJECT, BIRKDALE RAILWAY STATION**

Moved by: Cr Boglary  
Seconded by: Cr Henry

That permission be granted for Cr Murray to bring forward this item as urgent business without notice.

CARRIED

**COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Reimers

**That the Chief Executive Officer reiterate Council's previous objection to the public housing project at the Birkdale Railway Station prior to the 21 October 2009.**

CARRIED



**18 MEETING CLOSURE**

There being no further business, the Mayor declared the meeting closed at 6.21pm.

Signature of Chairperson: \_\_\_\_\_

Confirmation date: \_\_\_\_\_