



**Redland**  
CITY COUNCIL

# **MINUTES**

## **GENERAL MEETING**

**Wednesday 25 November 2009  
commencing at 4:00pm**

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

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING .....	5
2	DEVOTIONAL SEGMENT .....	5
3	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE .....	5
4	RECEIPT AND CONFIRMATION OF MINUTES .....	5
4.1	GENERAL MEETING MINUTES 28 OCTOBER 2009 .....	5
4.2	SPECIAL MEETING MINUTES 12 NOVEMBER 2009 .....	6
5	MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES .....	6
5.1	REPORT FROM CHIEF EXECUTIVE OFFICER .....	6
5.1.1	REGIONAL SPORTING FACILITY .....	6
5.1.2	PETITION (DIVISION 6) – REQUEST FOR BIKE TRACK BETWEEN MOUNT COTTON VILLAGE AND MOUNT COTTON STATE SCHOOL .....	6
5.1.3	CARE OF INJURED WILDLIFE.....	6
5.1.4	CLEVELAND POINT RESERVE MASTER PLAN.....	7
5.1.5	PETITION (DIVISION 5) – REQUEST TO EXTEND WALKWAY, WATERFRONT EASEMENT REDLAND BAY .....	7
5.1.6	STORM TIDE HAZARD STUDY .....	7
6	PUBLIC PARTICIPATION .....	7
7	PRESENTATIONS .....	8
7.1	PRESENTATION (CR HENRY) – 3 <sup>RD</sup> ANNUAL GREENROOFS CONFERENCE 09 – UNIVERSITY OF MELBOURNE .....	8
8	MOTION TO ALTER THE ORDER OF BUSINESS.....	8
9	DECLARATION OF INTEREST ON ANY ITEMS OF BUSINESS.....	8
9.1	MATERIAL PERSONAL INTEREST .....	8

---

9.2	CONFLICT OF INTEREST.....	9
10	PLANNING & POLICY COMMITTEE 4/11/09 - RECEIPT AND ADOPTION OF REPORT.....	10
10.1	PLANNING AND POLICY.....	10
10.1.1	ENVIRONMENTAL IMPACTS OF TRAIL BIKES IN REDLANDS.....	10
10.1.2	PROPOSED DRAINAGE EASEMENT – KEATS STREET, RUSSELL ISLAND .....	15
10.2	GENERAL BUSINESS.....	18
10.2.1	TRADE WASTE POLICY.....	18
10.2.2	PLANNING & POLICY MEETINGS – EQUALISATION OF ITEMS .....	18
11	REDLAND WATER COMMITTEE 17/11/09 - RECEIPT AND ADOPTION OF REPORT.....	19
11.1	CORPORATE SERVICES.....	19
11.1.1	WATER REFORM - LAND TENURE - RESERVOIRS & WATER PUMP STATIONS.....	19
11.2	REDLAND WATER.....	26
11.2.1	REDLAND WATER BUSINESS UNIT REPORT – OCTOBER 2009 .....	26
11.2.2	DELEGATED AUTHORITY FOR REDLAND WATER PROJECTS.....	29
11.3	CLOSED SESSION AT COMMITTEE .....	33
11.3.1	WATER BUSINESS THREE INTERIM PARTICIPATION AGREEMENT.....	33
12	PLANNING & POLICY COMMITTEE 18/11/09 - RECEIPT AND ADOPTION OF REPORT.....	35
12.1	PLANNING AND POLICY.....	35
12.1.1	TRIAL CLOSURE OF SOUTH STREET, THORNLANDS.....	35
12.2	ITEM DELEGATED TO COMMITTEE FROM COUNCIL.....	44
12.2.1	REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM - ROUND 2 FUNDING .....	44

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12.3	GOVERNANCE.....	48
12.3.1	DRAFT COUNCILLOR CODE OF CONTACT WITH DEVELOPERS - SUBMISSION .....	48
12.4	REGULATORY SERVICES .....	52
12.4.1	ADOPTION OF THE APPROVAL AND COMPLIANCE PROCESS FOR THE INSTALLATION OF SOLAR AND HEAT PUMP HOT WATER UNITS .....	52
12.5	PLANNING AND POLICY .....	56
12.5.1	FEASIBILITY OF UGRADING AND PROVIDING SOLAR LIGHTING - EDDIE SANTAGIULIANA WALKWAY, RABY BAY ESPLANADE .....	56
12.5.2	SUBMISSION RE DRAFT STATE PLANNING POLICY FOR HEALTHY WATERS 2009 .....	59
12.5.3	SMBI COMMITTEE REPORT 11 NOVEMBER 2009 – ITEMS FOR CONSIDERATION .....	65
12.6	GENERAL BUSINESS.....	67
12.6.1	VEGETATION TREE CLEARING OFFSET POLICY.....	67
12.6.2	COMMITTEE GENERAL BUSINESS .....	67
13	FINANCE AND CORPORATE MANAGEMENT COMMITTEE 18/11/09 - RECEIPT AND ADOPTION OF REPORT .....	68
13.1	GOVERNANCE DEPARTMENT .....	68
13.1.1	REPORT ON THE AUDIT COMMITTEE MEETING - 13 OCTOBER 2009.....	68
13.1.2	COUNCIL MEETING DATES - JANUARY TO MARCH 2010 AND DEVELOPMENT ASSESSMENT DELEGATED AUTHORITY - DECEMBER 2009 TO JANUARY 2010.....	76
13.1.3	CORPORATE BALANCED SCORECARD REPORT - OCTOBER 2009.....	81
13.2	CORPORATE SERVICES DEPARTMENT.....	84
13.2.1	OCTOBER 2009 - MONTHLY FINANCIAL REPORTS .....	84
13.2.2	2009/2010 FIRST QUARTER BUDGET REVIEW .....	89

---

13.2.3	SURRENDER OF LEASE - MEISSNER STREET, REDLAND BAY .....	93
13.3	CUSTOMER SERVICES DEPARTMENT .....	95
13.3.1	APPOINTMENT OF EXECUTIVE OFFICER AND DEPUTY EXECUTIVE OFFICER TO LDMG .....	95
13.4	CLOSED SESSION.....	98
13.4.1	2010-2011 BUDGET PARAMETERS AND TIMETABLE .....	99
13.4.2	COMMUNITY GRANTS PROGRAM AND RADF ROUND 1 APPROVAL OF FUNDS .....	101
13.4.3	COMMUNITY MODEL FOR THE MANAGEMENT OF THE STRADDIE HOLIDAY PARKS.....	108
13.4.4	PROVISION OF LEASE FOR THE NORTH STRADBROKE ISLAND HOLIDAY PARKS.....	110
13.5	TENDER FOR CONSIDERATION .....	111
13.5.1	TENDER 1223-2009-FNS BANK & PROVISION OF PAYMENT PROCESSING SERVICES .....	111
13.6	REGULATORY SERVICES DEPARTMENT.....	119
13.6.1	AMENDMENT TO THE SCHEDULE OF FEES AND CHARGES FOR 2009/10 .....	119
13.7	GENERAL BUSINESS.....	128
13.7.1	RATING INFORMATION SESSION.....	128
14	DIRECT TO COUNCIL REPORTS.....	129
14.1	GOVERNANCE.....	129
14.1.1	ADOPTION OF 2008-09 ANNUAL REPORT.....	129
15	MEETING CLOSURE.....	132

## 1 DECLARATION OF OPENING

The Mayor declared the meeting open at 4.00pm and acknowledged the Quandamooka people, who are the traditional custodians of the land on which Council meets. The Mayor also paid Council's respect to their elders, past and present, and extended that respect to any indigenous Australians present.

## 2 DEVOTIONAL SEGMENT

Pastor Peter Grieve from the Redlands Ministers' Fellowship led Council in a brief devotional segment.

## 3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

### MEMBERS PRESENT:

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

### EXECUTIVE LEADERSHIP GROUP:

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

### MINUTES:

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

### 4.1 GENERAL MEETING MINUTES 28 OCTOBER 2009

Moved by: Cr Boglary  
Seconded by: Cr Ogilvie

That the minutes of the General Meeting held on 28 October 2009 be confirmed.

CARRIED

## **4.2 SPECIAL MEETING MINUTES 12 NOVEMBER 2009**

Moved by: Cr Townsend  
Seconded by: Cr Boglary

That the minutes of the Special Meeting held on 12 November 2009 be confirmed.

CARRIED

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

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

The Chief Executive Officer presented the following items for noting:

#### **5.1.1 REGIONAL SPORTING FACILITY**

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

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

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

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

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

#### **5.1.3 CARE OF INJURED WILDLIFE**

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

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

#### **5.1.4 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 the Planning & Policy Committee meeting scheduled for 2 December 2009.

#### **5.1.5 PETITION (DIVISION 5) – REQUEST TO EXTEND WALKWAY, WATERFRONT EASEMENT REDLAND BAY**

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

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

#### **5.1.6 STORM TIDE HAZARD STUDY**

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

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

### **6 PUBLIC PARTICIPATION**

#### **MOTION TO ADJOURN MEETING**

Moved by: Cr Boglary  
Seconded by: Cr Ogilvie

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

CARRIED



1. Mr P Steller, Wellington Point addressed Council in relation to a development application at Wellington Point.

## **MOTION TO RESUME MEETING**

Moved by: Cr Elliott  
Seconded by: Cr Henry

That the meeting proceedings resume.

CARRIED

## **7 PRESENTATIONS**

### **7.1 PRESENTATION (CR HENRY) – 3<sup>RD</sup> ANNUAL GREENROOFS CONFERENCE 09 – UNIVERSITY OF MELBOURNE**

Cr Henry gave a presentation to Council on her recent attendance at the 3<sup>rd</sup> Annual Greenroofs Conference 09 held from 23 to 25 September 2009 at the University of Melbourne.

Topics included: Green Roof Design & Installation, Specifying substrates and plants for Australian green roofs and Ground Up Planning: Transforming Urban Brownfields in Green Roof Infrastructure.

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

Nil

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

The Mayor reminded Councillors of their obligations in accordance with the *Local Government Act 1993*, sections 244 and 246A.

### **9.1 MATERIAL PERSONAL INTEREST**

Items 13.4.3 - *Proposed Management Model for North Stradbroke Island Holiday Parks* and 13.4.4 *Provision of Lease for the North Stradbroke Island Holiday Parks*

Cr Townsend declared a material personal interest in Item 13.4.3 *Proposed Management Model for North Stradbroke Island Holiday Parks* and Item 13.4.4 *Provision of Lease for the North Stradbroke Island Holiday Parks* - refer items 13.4.3 and 13.4.4 for details.

Item 13.5.1 *Tender 1223-2009-FNS Bank & Provision of Payment Processing Services*

Crs Murray, Reimers and Bowler declared a material personal interest in this item – refer item 13.5.1 for details.

## **9.2 CONFLICT OF INTEREST**

Item 13. 4.2 *Community Grants Program and RADF Round 1 Approval of Funds*

Crs Henry, Townsend, Murray, Ogilvie, Williams, Reimers and Hobson declared a conflict of interest in this item – refer item 13.4.2 for details.

## 10 PLANNING & POLICY COMMITTEE 4/11/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Murray  
Seconded by: Cr Elliott

That the Planning & Policy Committee Report of 4 November 2009 be received.

CARRIED

### 10.1 PLANNING AND POLICY

#### 10.1.1 ENVIRONMENTAL IMPACTS OF TRAIL BIKES IN REDLANDS

**Dataworks Filename:** P&R Trail Bikes  
**Attachment:** [Final Report – Ecological Impacts of Trail Bikes in Redlands Natural Reserves](#)  
**Responsible Officer Name:** Angela Wright  
Acting Manager- Environmental Management  
**Author Name:** Leo Newlands  
Advisor- Reserves Management

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#### EXECUTIVE SUMMARY

A Council resolution on 30 July 2008 required that a study be undertaken on ecological impacts of trail bikes in Redlands natural reserves. A study was undertaken in 2009 by a Griffith University student regarding the impact of trail bikes on four key areas of impact:

- soil erosion;
- flora;
- fauna; and
- noise.

The results highlight that trail bikes do have effects on ecological systems and that ecological and noise buffers are a significant requirement.

#### PURPOSE

The purpose of this report is to present the findings of a study into the current impacts of trail bikes on the Redlands natural areas. This is in response to Council resolution on 30 July 2008 *“that Council undertake research on the current impacts of trail bikes on the Redlands natural areas.”*

## BACKGROUND

- 2009 – A report was presented to Planning and Policy Committee in response to a petition from Redlands District Motorcycle Club.
- 30 Jul 2008 – A resolution was made “...that Council on the current impacts of trail bikes on the Redland’s natural areas be undertaken. A report addressing this matter be presented to Planning and Policy Committee in September 2009”.
- March-June 2009 – A study was undertaken by an Industrial Affiliates student from Griffith University to scope the environmental impacts of trail bikes in Redland.

## ISSUES

### STUDY UNDERTAKEN THROUGH IAP (INDUSTRIAL AFFILIATES PROGRAM)

The IAP course is conducted primarily as individual student placements within an industrial or research environment and emphasises academic and vocational aspects of modern information technology practice. Students undertake detailed research that usually has an industry application and will work in close liaison with their industry supervisor and university supervisor.

This project was designed by the Environmental Management Group of Redland City Council, with the aim to develop an information source regarding the environmental impacts of trail bikes to inform planning and policy.

It should be noted that whilst this research was undertaken with care for validity and reliability of data, it should be considered indicative. However, the results do support and reflect other research undertaken in other states and internationally regarding the impacts of trail bikes and off-road vehicles.

### METHODOLOGY OF STUDY

The study was informed through a review of existing research (literature review). Data was also analysed in reference to existing research. As part of the methodology, a user survey was undertaken to provide user perceptions of ecological issues, types of trail bikes used and the scale of reserve use in Redland.

A methodology was developed to assess 4 key areas of impact, namely:

1. soil erosion;
2. impacts on vegetation communities;
3. impacts on wildlife; and
4. noise attenuation in bushland.

### FINDINGS OF TRAIL BIKE PROJECT

#### SOIL EROSION

Most of the soil types found in Redland City are in the high risk erosion categories and thus very susceptible to disturbance by trail bikes.

The study indicates that out of eight (8) soil types found in Redland City, six (6) are considered 'highly erodible', one (1) is 'very susceptible' and one (1) is an erosion risk. As most areas of the Redlands are in the 'highly erodible' rating this severely limits opportunities for trail bike sites in the city.

Erosion was identified as being most pronounced on steeper slopes, and soil loss was particularly high in mid-slope regions of trails. It was identified that motorcycles will cause soil disturbance following as few as four (4) passes. Further, low wet areas were also identified as being particularly susceptible to erosion.

Trail bike soil disturbance tests undertaken showed that, disturbance sufficient to remove all grasses and cause rutting to a depth of 2 cm and 10 cm wide, occurred in six (6) bike passes.

#### FLORA IMPACTS

Root exposure, trunk scuffing and branch and trunk breakages resulting from motorcycles forming trails was evident. Literature analysis identified further impacts such as introduction of weeds and plant pathogens as highly likely. A precautionary approach was recommended for areas of high habitat value and/or identified as containing EVR or sensitive flora species.

#### FAUNA IMPACTS

Evidence of increased predator prey relations were observed on and adjacent to trails formed by motorcycles. This was supported by evidence of both small mammals and predators using these trails as conduits.

Literature analysis identified increased likelihood of collision and road kill, avoidance of areas leading to habitat displacement and increased stress leading to lessened vigour, reproduction and even mortality.

The visual and auditory aspects of trail bikes were identified as being key stressors, with noise having the further ability to mask acoustic signals important to wildlife function. A precautionary approach is warranted regarding these impacts.

#### NOISE IMPACTS

- Motorcycle noise was estimated to travel approximately 800m before becoming imperceptible above a background noise level of 35dBa.
- Wind direction can decrease or increase this distance.
- Noise levels at this distance may meet EPA standards but does not mean the noise is imperceptible and thus not annoying to humans.
- The provision of sufficient buffering distances (see table below) between key habitat areas and sensitive land uses to prevent impacts of noise is required.

#### USER SURVEY

- 90% (n=10) of survey respondents indicated that they had fitted aftermarket exhausts that were louder than factory standard exhausts.

- Survey respondents with standard exhausts estimated noise propagation distance to be 100m whilst those with modified exhausts estimated 100-300m.
- 60% of respondents reported to having used Council land or privately owned land.
- Frequency of use was indicated as being a minimum of twice a month.
- 60% indicated that they had collided with vegetation and indicated that they thought it caused scuffing of tree trunks and broken branches. Some felt that this has no negative impact to the vegetation. No mention was made of root damage.

#### SUMMARY

The study shows that trail bikes have a range of ecological impacts that require careful consideration of site selection. Soils analysis alone indicates that soil types in Redland City are not amenable to the use of trail bikes due to their high erodability. Ecological and human buffer distances must be at minimum 800m to meet EPA standards, although this distance should be increased to account for non-standard exhaust systems, wind effects, and nuisance effect of noise below EPA standards.

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

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

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with the presentation of this report as it provides information for planning purposes only and does not require any actions of Council.

#### **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 was undertaken with a range of people and organisations in the development of the study and report including:

- Parks and Conservation;
- Regulatory Services;
- Open Space Planning;
- Health and Environmental Services Unit; and
- Redland District Motorcycle Club.

**OPTIONS****PREFERRED**

That Council resolve to receive, for planning purposes, the report on research of current impacts of trail bikes on the Redland's natural areas.

**ALTERNATIVE**

That Council resolve to direct that further investigation is undertaken before resolving to receive the report.

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

Moved by: Cr Murray  
Seconded by: Cr Elliott

**That Council resolve to receive, for planning purposes, the report on research of current impacts of trail bikes on the Redland's natural areas.**

**CARRIED**

### 10.1.2 PROPOSED DRAINAGE EASEMENT – KEATS STREET, RUSSELL ISLAND

**Dataworks Filename:** RTT Acquisitions General  
**Attachments:** [Site Plan](#)  
[Drainage Easement Plan A2-C257-2](#)  
**Responsible Officer Name:** David Elliott  
Manager Infrastructure Planning  
**Author Name:** Tom McErlain  
Draftsman

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#### EXECUTIVE SUMMARY

The lots on the Southern Moreton Bay Islands were originally sub-divided prior to Council having control of development, without consideration for the provision of stormwater overland flow requirements.

The sub-division of the land in Keats Street, Russell Island resulted in the creation of a low point in the street, which has no legal stormwater outlet.

To provide for the legal discharge of overland stormwater emanating from Keats Street, this report recommends the acquisition of a drainage easement along the western boundary of Lot 55 from Keats Street to Canaipa Point Drive.

#### PURPOSE

To seek Council's permission to create a drainage easement along the western boundary of Lot 55 RP 130107 in accordance with the *Land Act 1994* and the *Land Title Act 1994*.

#### BACKGROUND

The stormwater discharge from the road was not catered for in the original subdivision design approximately 50 years ago and consequently stormwater flows from Keats Street through the downstream properties in a wide shallow sheet flow, causing considerable inconvenience to the householder on the adjoining lot to the east.

This property, Lot 55 on RP 130107 is identified in the Redlands Planning Scheme as having a *Drainage Constrained Land Overlay* restriction.

#### ISSUES

Council has a responsibility to manage stormwater discharge from land under its control to alleviate flooding of private property. While the easement acquisition will not completely eliminate the overland flow problem, it will significantly reduce it for the lots immediately downstream of Keats Street, by allowing Council to legally construct an open drain through Lot 55 along the proposed easement.



## 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

The estimated cost to acquire the easement is approximately \$4,000 which includes survey fees, legal fees, plus compensation cost. Funds are available in the current budget to acquire the easement.

## 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

In preparing this report, Infrastructure Planning consulted with:

- The Divisional Councillor;
- Property Services Manager; and
- Land Development Services Manager.

## OPTIONS

### PREFERRED

That Council resolve as follows:

1. To acquire by agreement a 3 metre wide drainage easement in order to cater for overland flow along the western side boundary of lot 55 on RP130107;
2. To delegate authority to the Chief Executive Officer to proceed with resumption action under section 5(1)(b) of the *Acquisition of Land Act 1967* (if a mutual agreement cannot be reached); and
3. To delegate authority to the Chief Executive Officer to sign all necessary documentation associated with the acquisition of the drainage easement.

### ALTERNATIVE

There is no alternative to this proposal if Council wishes to legalise this stormwater discharge point.

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

Moved by: Cr Murray  
Seconded by: Cr Elliott

**That Council resolve as follows:**

- 1. To acquire by agreement a 3 metre wide drainage easement in order to cater for overland flow along the western side boundary of lot 55 on RP130107;**
- 2. To delegate authority to the Chief Executive Officer to proceed with resumption action under section 5(1)(b) of the *Acquisition of Land Act 1967* (if a mutual agreement cannot be reached); and**
- 3. To delegate authority to the Chief Executive Officer to sign all necessary documentation associated with the acquisition of the drainage easement.**

**CARRIED**

## **10.2 GENERAL BUSINESS**

### **10.2.1 TRADE WASTE POLICY**

Cr Williams wanted to request a review of the Trade Waste Policy and needed to clarify whether the policy sat with Planning & Policy or Redland Water. The matter should be referred to Redland Water.

### **10.2.2 PLANNING & POLICY MEETINGS – EQUALISATION OF ITEMS**

Cr Hobson requested, over the next two Planning & Policy committee meetings, the equalisation of items coming to the committee meetings and that there be no late items. The Chief Executive Officer indicated that where possible agenda workload will be smoothed but that Statutory responsibility rests with him to present the agenda for Council and Committee meetings, and Councillors can elect to defer any item on any agenda at any time if it is not considered timely to determine the matter presented. The Chief Executive Officer also advised that in accordance with the Organisational Development Plan, the Committee structure and Committee/Council decision making processes, are all currently under review by the General Manager Governance and are currently the subject of consultation with Councillors.

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

Moved by: Cr Murray

Seconded by: Cr Elliott

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

**CARRIED**

## 11 REDLAND WATER COMMITTEE 17/11/09 - RECEIPT AND ADOPTION OF REPORT

Moved by: Cr Henry  
Seconded by: Cr Townsend

That the Redland Water Committee Report of 17 November 2009 be received.

CARRIED

### 11.1 CORPORATE SERVICES

#### 11.1.1 WATER REFORM - LAND TENURE - RESERVOIRS & WATER PUMP STATIONS

**Datworks Filename:** GOV WRAD PCG - Legal & Regulatory - Land Tenure

**Attachments:** [Maps](#)

**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. In this report, land associated with the 8 reservoirs and 5 water pump stations (WPSs) have been investigated.

A number of surveys are proposed to separate land parcels for transfer to the new water business whilst the majority of land parcels will be transferred via statutory licence to WB3.

#### PURPOSE

The purpose of this report is to seek council approval for the reconfiguration of land associated with the water reservoirs and WPSs, and agree in principle to the proposed reservoir and WPS land parcels recommended for transfer to the new water business.

## BACKGROUND

In the second stage of the water reforms, the council's water business will be separated from council and amalgamated with Gold Coast City Council and Logan City Council water businesses in a single distribution and retail business (WB3) by July 2010.

The balance of water assets remaining in council will be transferred to the new water business by 1 July 2010. A specific project group has been formed within council to investigate all land tenure issues associated with the water assets. The land tenure project has divided the project into 5 components, each of which will be investigated and reported progressively to council.

The 5 components being investigated are land associated with:

1. wastewater treatment plants (WWTPs);
2. water reservoirs;
3. water pump stations;
4. wastewater pump stations (WWPSs);
5. access reserves and sundry items.

At its General Meeting of 29 April 2009, council resolved, in preparation for transfer of identified land parcels to the SEQ Distribution Entity (Interim) Pty Ltd, to delegate authority to the Chief Executive Officer (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.

Investigations have been completed for the second component, i.e. land associated with water reservoirs and WPSs. Discussions have been conducted with officers across SEQ as well as internally within RCC to determine the appropriate actions required.

## ISSUES

### WATER RESERVOIRS

RCC has control of 8 water reservoirs that will be transferred to the new water business, 2 of which are located on the mainland and 6 on North Stradbroke Island (NSI). Details of each site and proposed action required to transfer to WB3 are as follows:

#### SITE 1- CLAYTONS ROAD, AMITY POINT

RPD: Lot 2 SP222080

- This site is located on state land currently in trusteeship of the Queensland Bulk Water Supply Authority (SEQWater). Trusteeship of this land was inadvertently transferred to SEQWater, however action is being taken to transfer trusteeship back to RCC. To enable this transfer, legal access is required to be provided to Lot 2 SP222080, therefore an access easement over the existing internal road within Lot 118 SL9795 is proposed to provide access from Beehive Road.
- Site to be transferred to the new water business once legal access has been obtained (currently land-locked).

#### SITE 2 – DONAHUE STREET, POINT LOOKOUT

RPD: Lot 124 SP170907

- This site is located on state land of which council has occupation as trustee.
- No survey is required as it is proposed to transfer the whole site to the new water business.

#### SITE 3 - LIGHTHOUSE HILL, POINT LOOKOUT

RPD: Lot 169 SL12239

- This site is located on state land of which council has occupation as trustee.
- It is proposed to undertake a survey of Lot 169 around the actual site of the water reservoir connecting to new road reserve on Lucinda Crescent for subdivision and future transfer to the new water business.

#### SITE 4 - RAINBOW CRESCENT, DUNWICH

RPD: Lot 9 USL20273  
Lot 89 SL5124

- Lot 9 is located on state land represented by the Department of Environment & Resource Management (DERM) and Lot 89 is on state land of which council has occupation as trustee.
- A survey is proposed on Lot 9 around the water reservoir for subdivision and amalgamation of Lot 89 ensuring access from Rainbow Crescent. Future transfer of amalgamated Lot 89 to the new water business.

SITE 5 – TAZI ROAD, DUNWICH

RPD: Lot 109 SL6685

- This site is located on state land of which council has occupation as trustee.
- Site to be transferred to the new water business.

SITE 6 ILLAWONG CRESCENT, DUNWICH

RPD: Lot 15 D90442

Lot 146 SL8698 (water main to Dunwich)

- These sites are located on state land of which council has occupation as trustee.
- Site to be transferred to the new water business.

SITES 7 & 8 - GILES ROAD, REDLAND BAY

RPD: Lot 1 SP120346

- This site is freehold in the ownership of Redland City Council/Redland Water.
- Site to be transferred to the new water business.

**WATER PUMP STATIONS**

RCC has control of 5 WPSs that will be transferred to the new water business, 2 of which are located on the mainland and 3 on NSI. Details of each site and proposed action required to transfer to WB3 are as follows:

SITE 1 – HOWLETT ROAD, CAPALABA

RPD: Lot 3 RP815725

- This site is freehold in the ownership of Redland City Council/Parks & Conservation.
- A statutory licence is proposed over the facility for the proposed new water business.

SITE 2 – TRAMICAN STREET, POINT LOOKOUT

RPD: Lot 13 PL85432

- This site is located on state land of which council has occupation as trustee.
- A statutory licence is proposed over the facility for the proposed new water business.

SITE 3 – RAINBOW CRESCENT, DUNWICH

RPD: Lot 9 USL20273

- This WPS is located on the same site as the Rainbow Crescent Reservoir. See above recommendation under water reservoirs for this site.

SITE 4 – DUNCAN ROAD, MT COTTON

RPD: Road reserve

- No action is required on this site as the WPS is situated on a road reserve.

SITE 5 – BOORAN STREET, POINT LOOKOUT

RPD: Road reserve

- No action is required on this site as the WPS is situated on a road reserve.

**RELATIONSHIP TO CORPORATE PLAN**

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

**FINANCIAL IMPLICATIONS**

Costs of survey and other expenses involved in this proposal are estimated to be \$55,000 (excluding GST) which has already been included in the current Water Retail & Distribution project budget for 2009/10. No further request for budget will be required.

**PLANNING SCHEME IMPLICATIONS**

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

**CONSULTATION**

Council's Water Retail & Distribution projects team has consulted with:

- RCC's Property Services Manager;
- General Manager Redland Water;
- Manager Treatment Operations, Redland Water;
- Manager Customer Service & Business Performance, Redland Water;
- Manager Environmental Management; and
- DERM who have agreed to an access easement over the existing internal road within Lot 118 SL9795 to provide access to water reservoir site 1 (Claytons Road, Amity Point – Lot 2 SP222080) from Beehive Road.

**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:

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1. Survey and reconfigure and/or amalgamate, as appropriate, and in accordance with the details of the report:

Water reservoirs:

- a. Site 1 – Claytons Road, Amity Point – Lot 2 SP222080;
- b. Site 2 – Donahue Street, Point Lookout – Lot 124 SP170907;
- c. Site 3 – Lighthouse Hill, Point Lookout – Lot 169 SL12239;
- d. Site 4 – Rainbow Crescent, Dunwich – Lot 9 USL20273 and Lot 89 SL5124;
- e. Site 5 – Tazi Road, Dunwich – Lot 109 SL6685;
- f. Site 6 – Illawong Crescent, Dunwich – Lot 15 D90442 and Lot 146 SL8698;
- g. Sites 7 & 8 – Giles Road, Redland Bay – Lot 1 SP120346.

Water pump stations

- a. Site 1 – Howlett Road, Capalaba – Lot 3 RP815725;
- b. Site 2 – Tramican Street, Point Lookout – Lot 13 PL85432;
- c. Site 3 – Rainbow Crescent, Dunwich – Lot 9 USL20273;
- d. Site 4 – Duncan Road, Mount Cotton – road reserve;
- e. Site 5 – Booran Street, Point Lookout – road reserve.

2. Make, vary, discharge and execute any relevant contracts in this matter; and
3. Make, vary and discharge an easement over the existing internal road within Lot 118 SL9795 to provide access to water reservoir site 1 (Claytons Road, Amity Point – Lot 2 SP222080) from Beehive Road, subject to DERM approval.

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

Moved by: Cr Henry  
Seconded by: Cr Boglary

**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 of the report:**

**Water reservoirs**

- a) **Site 1 – Claytons Road, Amity Point – Lot 2 SP222080;**
- b) **Site 2 – Donahue Street, Point Lookout – Lot 124 SP170907;**
- c) **Site 3 – Lighthouse Hill, Point Lookout – Lot 169 SL12239;**
- d) **Site 4 – Rainbow Crescent, Dunwich – Lot 9 USL20273 and Lot 89 SL5124;**

- e) Site 5 – Tazi Road, Dunwich – Lot 109 SL6685;
- f) Site 6 – Illawong Crescent, Dunwich – Lot 15 D90442 and Lot 146 SI8698;
- g) Sites 7 & 8 – Giles Road, Redland Bay – Lot 1 SP120346.

**Water pump stations**

- a) Site 1 – Howlett Road, Capalaba – Lot 3 RP815725;
  - b) Site 2 – Tramican Street, Point Lookout – Lot 13 PL85432;
  - c) Site 3 – Rainbow Crescent, Dunwich – Lot 9 USL20273;
  - d) Site 4 – Duncan Road, Mount Cotton – road reserve;
  - e) Site 5 – Booran Street, Point Lookout – road reserve.
2. Make, vary, discharge and execute any relevant contracts in this matter; and
3. Make, vary and discharge an easement over the existing internal road within Lot 118 SL9795 to provide access to water reservoir site 1 (Claytons Road, Amity Point – Lot 2 SP222080) from Beehive Road, subject to DERM approval.

**CARRIED**

## 11.2 REDLAND WATER

### 11.2.1 REDLAND WATER BUSINESS UNIT REPORT – OCTOBER 2009

<b>Datworks Filename:</b>	<b>WW Redland Water Committee WS Redland Water Committee</b>
<b>Attachments:</b>	<a href="#"><u>Business Unit Report – October 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 October 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 October 2009, as presented in the attachment.

#### **ALTERNATIVE**

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

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

Moved by: Cr Henry  
Seconded by: Cr Boglary

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

**CARRIED**

**11.2.2 DELEGATED AUTHORITY FOR REDLAND WATER PROJECTS**

**Dataworks Filename:** WW - Projects  
**Responsible Officer Name:** Bradley Taylor  
Manager Treatment Operations  
**Author Name:** Matthew Ingerman  
Planning Engineer

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**EXECUTIVE SUMMARY**

The 2009/10 approved capital works program consists of a number of projects with an estimated tender component over \$500,000 (including GST). These projects will either be:

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

To assist in expediting the contract award process and delivery of projects with the impending start-up date for Water Business 3 (WB3), Redland Water (RW) is requesting that authority be delegated to the Chief Executive Officer (CEO) to make, vary and discharge contracts for various tenders with a value over \$500,000 (including GST). This request is similar to requests made by the Project Delivery Group (PDG) for similar sized projects.

In the 2009/2010 financial year, RW has identified 2 projects with an estimated value over \$500,000 (including GST) that will require that tenders be sought.

This report recommends that the CEO be delegated authority to accept tenders and make, vary and discharge all contracts over \$500,000 (including GST) for the following listed projects from the 2009/2010 financial year approved budget:

- 63043 - PS6 – construction of new rising main and pump upgrade; and
- 63076 - PS86 – construction of new rising main.

This delegation will assist Council by reducing the timeframe for the tender process (awarding of the contract/s will not be dependent on Council meeting dates) thereby expediting the process in anticipation of the commencement of WB3 on 1 July 2010.

**PURPOSE**

The purpose of this report is to seek resolution from Council to delegate authority to the CEO to accept the tenders and make, vary and discharge all contracts over \$500,000 (including GST) for the following listed projects within in the 2009/2010 financial year approved budget:

- 63043 - PS6 – construction of new rising main and pump upgrade; and
- 63076 - PS86 – construction of new rising main.

## BACKGROUND

The 2009/2010 approved capital and operational works programs consist of a number of projects with an estimated tender component value over \$500,000 (including GST). These projects will be either be:

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

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

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

Over the last few financial years, PDG has been presenting reports to Council requesting that authority be delegated to the CEO to make, vary and discharge contracts for various tenders with a value over \$500,000 (including GST). This process has been used to assist with expediting the contract award process and delivery of the project.

RW is seeking to utilise this same process to expedite delivery of its works programs with the impending commencement of WB3. In the 2009/2010 financial year RW has identified 2 projects that will require tenders to be sought with an estimated value over \$500,000 (including GST).

## ISSUES

It is anticipated that in the 2009/2010 financial year, under the current process of seeking delegated authority for individual projects, that 2 individual reports on projects with tenders with estimated values over \$500,000 (including GST) would be presented to Council by RW seeking Council resolution to delegate authority to the CEO to make, vary and discharge the individual contracts.

Council resolution is being sought to delegate authority to the CEO to make, vary and discharge the contracts associated with the 2 projects listed below. This one resolution will cover all contracts over \$500,000 (including GST) that are to be awarded for the projects listed:

- 63043 - PS6 – construction of new rising main and pump upgrade – estimated value of tender for 2009/10 is \$3,640,175; and
- 63076 - PS86 – construction of new rising main – estimated value of tender for 2009/10 is \$834,720.

The delegation will assist Council by reducing the timing of the tender process so that the awarding of the contract is not dependent on Council meeting dates, thereby expediting the process. The projects listed are being managed by RW in the 2009/2010 financial year and have been approved as part of the 2009/2010 budget approval process for capital works projects.

Should Council decide not to delegate authority to the CEO, it may result in delays with the awarding of contracts and the construction of the projects which could lead to additional cost to Council, particularly given that contract periods will be set for completion of the works this financial year to avoid unnecessary carryover into the new WB3.

For Project No. 63043, agreement has been reached with Moreton Bay Regional Council (MBRC) to utilise their pipe supply contract (contract reference PWA06-006) with TYCO and Iplex, for the supply of pipeline components for this job. It is expected that a separate order of approximately \$900,000 (prior to the commencement of the construction contract) will be required in order to have the pipeline components manufactured and delivered ready for construction in early 2010. There are certain sections in this pipeline which will require special coating. If not available under the MBRC supply contract they will be sought through a quotation process directly to the supplier.

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

The recommendation primarily supports Council's strategic priority to provide and maintain water services and support the provision of infrastructure. It also supports Council's strategic priority to ensure the long term financial viability of the City and provide public accountability in financial management.

#### **FINANCIAL IMPLICATIONS**

All the listed projects in this report are approved projects for the 2009/2010 financial year and have been approved as part of the budget approval process.

#### **PLANNING SCHEME IMPLICATIONS**

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

#### **CONSULTATION**

The following officers have been consulted in the preparation of this report:

- General Manager Redland Water;
- Manager Treatment Operations;
- Manager Customer Service & Business Performance;
- Contracts Officer; and
- Contracts Manager.



**OPTIONS****PREFERRED**

That Council resolve to:

1. Delegate authority to the Chief Executive Officer to accept the tenders and make, vary and discharge all contracts over \$500,000 (including GST) for the following listed projects within the 2009/2010 financial year approved budget;
  - 63043 - PS6 – construction of new rising main and pump upgrade; and
  - 63076 - PS86 – construction of new rising main.
2. Delegate authority to the Chief Executive Officer to sign and amend all relevant documentation;
3. Appoint the Chief Executive Officer as Principal's Representative for these contracts; and
4. Authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.

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

Moved by: Cr Henry  
Seconded by: Cr Boglary

That Council resolve to:

1. **Delegate authority to the Chief Executive Officer to accept the tenders and make, vary and discharge all contracts over \$500,000 (including GST) for the following listed projects within the 2009/2010 financial year approved budget;**
  - **63043 - PS6 – construction of new rising main and pump upgrade; and**
  - **63076 - PS86 – construction of new rising main.**
2. **Delegate authority to the Chief Executive Officer to sign and amend all relevant documentation;**
3. **Appoint the Chief Executive Officer as Principal's Representative for these contracts; and**
4. **Authorise the Chief Executive Officer to delegate further the Principal's Representative role to an appropriate senior officer within Council.**

**CARRIED**

### 11.3 CLOSED SESSION AT COMMITTEE

That the meeting be closed to the public under Section 463(1) of the *Local Government Act 1993* to discuss the following item:

#### 11.3.1 Water Business Three Interim Participation Agreement

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 COMMITTEE MEETING

That the meeting be again opened to the public.

CARRIED

#### 11.3.1 WATER BUSINESS THREE INTERIM PARTICIPATION AGREEMENT

**Datworks Filename:** GOV WRAD WB3 Establishment Group  
**Responsible Officer Name:** Eleanor Bray  
Water Reform Manager  
**Author Name:** Taryn Davey  
Project Coordinator

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### EXECUTIVE SUMMARY

A confidential report from Manager Water Reform dated 13 November 2009 was discussed in closed session.

### COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Henry  
Seconded by: Cr Boglary

**That Council resolve as follows:**

1. That the report and attachment be deemed confidential documents and be treated as such in accordance with sections 250 (2) and 1143 (4) of the *Local Government Act 1993* and that the documents remain confidential until a simultaneous, joint communiqué to employees across all WB3 Councils is made;

2. To endorse the Interim Participation Agreement using the notional Participation Rights; and
3. To authorise the Chief Executive Officer to execute the Interim Participation Agreement on behalf of Council.

**CARRIED**

**12 PLANNING & POLICY COMMITTEE 18/11/09 - RECEIPT AND ADOPTION OF REPORT**

Moved by: Cr Ogilvie  
Seconded by: Cr Henry

That the Planning & Policy Committee Report of 18 November 2009 be received.

CARRIED

**12.1 PLANNING AND POLICY****12.1.1 TRIAL CLOSURE OF SOUTH STREET, THORNLANDS**

It was noted that officers were not currently in attendance at the Committee meeting to present this matter.

**PROCEDURAL MOTION AT COMMITTEE**

Moved by: Cr Williams  
Seconded by: Cr Reimers

That this item lie on the table to enable consideration of the remaining items on the agenda.

CARRIED

Committee considered item 2.1 (*previously listed on agenda as Item 1.1*)

**PROCEDURAL MOTION AT COMMITTEE**

Moved by: Cr Williams  
Seconded by: Cr Henry

That item 1.1 be removed from the table.

CARRIED

It was further noted that officers were not yet in attendance at the committee meeting to present item 1.1.

**PROCEDURAL MOTION AT COMMITTEE**

Moved by: Cr Hobson  
Seconded by: Cr Murray

That the item 1.1 lie on the table to enable consideration of the remaining items on the agenda.

CARRIED

Committee considered item 3.1 (*previously listed on agenda as item 2.1*)

### **MOTION TO ADJOURN COMMITTEE MEETING**

Moved by: Cr Murray  
Seconded by: Cr Reimers

That the proceedings of the meeting adjourn to permit the Mayor to present a petition containing over 4,000 signatures, demanding that the state government do more to protect koala habitat, to petition sponsor Mr Michael Choi, MP, Member for Capalaba.

CARRIED

### **MOTION TO RESUME COMMITTEE MEETING**

Moved by: Cr Williams  
Seconded by: Cr Boglary

That the proceedings of the meeting resume.

CARRIED

### **PROCEDURAL MOTION AT COMMITTEE**

Moved by: Cr Williams  
Seconded by: Cr Reimers

That the item 1.1 *Trial Closure of South Street, Thornlands* be removed from the table and discussed.

CARRIED

**Dataworks Filename:** RTT - Road Closures - Temporary  
**Attachments:** [Attachment A - Community Flyer](#)  
**Responsible Officer Name:** David Elliott  
Manager - Infrastructure Planning  
**Author Name:** Wal Lloyd  
Advisor Traffic Investigations

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### **EXECUTIVE SUMMARY**

This report is the result of a petition received from business owners/operators in the South/Enterprise Streets industrial precinct objecting to any proposed trial closure of South Street.

At the General Meeting on 29 July 2009, Council noted that a full community engagement process would be undertaken with a report to follow.

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The request for a trial closure resulted from a previous petition and representations from local residents expressing concerns over various issues including traffic and safety conditions in South Street.

The report summarises survey responses received from the community engagement process and recommends a preferred option.

## **PURPOSE**

The purpose of this report is to address the petition from local business operators and stakeholders in the Industrial Estate objecting to any trial closure of South Street and the issues previously raised by residents and stakeholders of the local residential area.

## **BACKGROUND**

Since at least 2005, residents from the residential area south of South Street have been expressing their concerns to Council about traffic conditions in South Street including safety issues at the Swallow Street and Lorikeet Drive intersections with South Street mainly in regard to vehicle speeds, heavy vehicle presence, visibility for safe turning movements, and also regarding the noise generated by the industrial traffic.

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

At the General Meeting 1 August 2007, Council in response to a report presented in conjunction with the then planned South Street Waste Transfer Station, requested that further detailed investigations be undertaken in consultation with property owners.

Subsequently at the General Meeting of 1 October 2008 Council amended the resolution to include that officers investigate how to implement a six month trial involving the temporary closure of South Street between Swallow Street and Industry Court, during which time the impacts could be monitored.

Council received a petition with a covering letter dated 30 September 2008 with 298 signatures from property owners, business operators and stakeholders from South Street and Enterprise Street within the Industrial Precinct. The petition requested Council to reject the Committee Recommendation to investigate the trial closure of South Street.

At the General Meeting of 29 October 2008 Council referred the petition to the Planning and Policy Department for consideration and preparation of a further report to include the following:

1. Analysis of the available options for access and egress in and around South Street environs;
2. Proposal for community consultation to ascertain potential impacts and how these could be mitigated, monitored and reported; and
3. Concept plans and financial implications of options.

In September 2009 Council officers distributed a newsletter and response form [Refer Attachment A – South Street Traffic Precinct – Community engagement on traffic conditions] throughout the industrial and residential areas surrounding South Street. It presented four (4) options for consideration and included a survey response form by which property owners or tenants could indicate preferred or acceptable options. A second question asked for indication of support or otherwise for a proposal to open a direct link between Panorama Drive and the southern end of Lorikeet Drive.

An independent Road Safety Audit of the section of South Street under consideration was also completed in May 2009.

## **ISSUES**

South Street is classified as a local street in Council's road hierarchy and has a speed limit of 50km/h. It serves as the only feeder road to the residential estate to the south via Lorikeet Drive and Swallow Street. It also is used as a feeder by traffic accessing the industrial area in particular those premises fronting South Street.

Traffic count data tabulated in Attachment A indicates average speeds in South Street towards the Wellington Road end at the higher limit of acceptability for a local road. Also, as would be expected, there are higher than average commercial vehicle percentages in the average daily traffic volumes.

### **Community Engagement Survey**

In September Council officers distributed the Community Engagement newsletter and Survey Response Form to properties in the Residential area (147) and the Industrial Estate (71). Council received 88 responses from residential properties (59.9%) and 39 responses from industrial properties (54.9%).

**Survey Response Summary:**

Question(a)	Industrial (39)				Residential (88)				Total (127)							
	1	2	3	4	1	2	3	4	1		2		3		4	
Option number																
										%		%		%		%
1st Choice	28	6	5	0	19	19	9	41	47	37	25	19.7	14	11	41	32.3

**Survey responses - Question (a), Options 1 to 4 [Refer Attachment A for Options]:**

Industrial respondents have clearly indicated they do not want any disruption to the connectivity and free movement of traffic between South Street and Enterprise Street, with 71.8% of responses voting for Option 1 as first preference, ie the 'Business as usual' or 'do nothing' option. This reinforces the basis of the petition from industrial stakeholders objecting to any closure of South Street.

Residential respondents more readily distributed votes across the options, although 46.6% of first preferences were in favour of Option 4, ie the closure of South Street. With regard to the other options, 21.6% favoured each of Options 1 and 2, and 10.2% favoured Option 3. Here no option gained an outright majority.

In considering the total of all responses from residential and industrial stakeholders together, only 32.2% favoured Option 4, the closure of South Street. These results do not support any further consideration of a South Street closure.

Further analysis of the results indicate that 37.0% voted for Option 1, to do nothing, while 63.0% voted for one of Options 2, 3, or 4, indicating that the majority want at least something to be done in South Street in regard to traffic management.

Overall, another view of the results is that a majority 56.7% of first preferences were for either Option 1 or 2, ie to do nothing or the mildest form of treatment, while 43.3% were in favour of Options 3 or 4, ie the harshest treatments involving road closures.

Respondents were given the opportunity to submit a second preference from the options. In regard to those second preferences, 61.1% of respondents allotted that preference to Option 2, the minimal treatment incorporating thresholds in South Street.

The above results suggest there should be general acceptance of a proposed minimal treatment in line with Option 2, installation of threshold treatments along South Street to reduce average vehicle speeds without disrupting through movement of traffic, and maintaining connectivity between South and Enterprise Streets



### Survey Responses - Question (b):

Question (b) of the Survey Response Form asked recipients to indicate their support or otherwise for a proposal to open a direct link between Panorama Drive and the southern end of Lorikeet Drive via the Goddard Road road reserve immediately south of Nook Court. A total of 119 responses were received for this question, with 61.3% voting 'YES' supporting the road opening.

	Total Industrial Responses		Total Residential Responses		Total All Responses (119)	
YES	31	91.2%	42	49.4%	73	61.3%
NO	3	8.8%	43	50.6%	46	38.7%

Opening up the link to Panorama Drive would reduce residential traffic in South Street by up to 50% with the following benefits:

- Less potential conflict with industrial traffic particularly at the Swallow Street and Lorikeet Drive intersections.
- Provide safer and more direct access to the residential area when approaching from the south.
- Improve access to the residential area for emergency vehicles.
- Accords with the original planning layouts for the residential area.

### Road Safety Audit -

Further to this proposal consideration, an independent Road Safety Audit of South Street, dated 25 May 2009, recommended the installation of a threshold treatment in South Street between Wellington Street and Lorikeet Drive, with kerbside islands, coloured pavement and intersection warning signs at Swallow Street. This broadly aligns with the proposed Option 2.

### RELATIONSHIP TO CORPORATE PLAN

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

### FINANCIAL IMPLICATIONS

An estimate of cost for Option 2, including additional signage and pavement markings, is in the order of \$50,000.

### PLANNING SCHEME IMPLICATIONS

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

## **CONSULTATION**

The recommendations contained in this report have been discussed with and are supported by both Cr Craig Ogilvie (Division 2) and Cr Debra Henry (Division 3).

## **OPTIONS**

### **PREFERRED**

That Council resolve to:

1. Take no further action in regard to any proposed closure of South Street;
2. Adopt Option 2 as shown in Attachment A – South Street Traffic Precinct newsletter, for the purpose of further detailed design evaluation and costing and to list the works for consideration in the 2010/11 Local Area Traffic Management (LATM) program;
3. Note the community's majority support to link Panorama Drive and Lorikeet Drive via an existing road reserve and plan for its construction in conjunction with the signalisation of the Panorama Drive/Wellington Road Intersection; and
4. Advise the principal petitioner and distribute a further newsletter to all residents and business owners of Council's decision.

### **ALTERNATIVE**

No alternative recommended.

### **OFFICER'S RECOMMENDATION**

That Council resolve to:

1. Take no further action in regard to any proposed closure of South Street;
2. Adopt Option 2 as shown in Attachment A – South Street Traffic Precinct newsletter, for the purpose of further detailed design evaluation and costing and to list the works for consideration in the 2010/11 Local Area Traffic Management (LATM) program;
3. Note the community's majority support to link Panorama Drive and Lorikeet Drive via an existing road reserve and plan for its construction in conjunction with the signalisation of the Panorama Drive/Wellington Road Intersection; and
4. Advise the principal petitioner and distribute a further newsletter to all residents and business owners of Council's decision.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Henry  
Seconded by: Cr Townsend

That the Officer's Recommendation be adopted with the following amendments:

1. The word "*consideration*" in the third line of Recommendation. 2, be replaced with the word "*inclusion*";
2. Additions to the end of Recommendation 2 as follows:  
*"The works to include:*
  - a) *Installation of flush, coloured threshold treatment in South Street between Wellington Street and Lorikeet Drive; and Swallow Street and west of Swallow Street to include concrete traffic islands between the edge lines and the kerbs;*
  - b) *Removal of the centre white line in accordance with treatment for Local Streets:*
  - c) *Intersection improvements at junctions of both Lorikeet Drive and South Street and Swallow Street and South Street to include concrete build outs on South Street to improve visibility for exiting vehicles;*
  - d) *Installation of Koala/Wildlife Awareness Signs;*
  - e) *Installation of Advisory Signs on South Street approaches to Lorikeet Drive and Swallow Streets which indicate side access roads;*
  - f) *Maintenance of "No Right Turn" from Industry Court into South Street."*
3. The words "*and to include for consideration in the 2010/2011 budget*" be added to the end of Recommendation 3;

With the Council Resolution to now read as follows:

That Council resolve to:

1. Take no further action in regard to any proposed closure of South Street;
2. Adopt Option 2 as shown in Attachment A – South Street Traffic Precinct newsletter, for the purpose of further detailed design evaluation and costing; to list the works for inclusion in the 2010-11 Local Area Traffic Management (LATM). The works to include:

- a) Installation of flush, coloured threshold treatment in South Street between Wellington Street and Lorikeet Drive; and Swallow Street and west of Swallow Street to include concrete traffic islands between the edge lines and the kerbs;
  - b) Removal of the centre white line in accordance with treatment for Local Streets:
  - c) Intersection improvements at junctions of both Lorikeet Drive and South Street and Swallow Street and South Street to include concrete build outs on South Street to improve visibility for exiting vehicles;
  - d) Installation of Koala/Wildlife Awareness Signs;
  - e) Installation of Advisory Signs on South Street approaches to Lorikeet Drive and Swallow Streets which indicate side access roads;
  - f) Maintenance of “No Right Turn” from Industry Court into South Street.
3. Note the community’s majority support to link Panorama Drive and Lorikeet Drive via an existing road reserve and plan for its construction in conjunction with the signalisation of the Panorama Drive/Wellington Road Intersection; and to include for consideration in the 2010/2011 budget.

**CARRIED**

## 12.2 ITEM DELEGATED TO COMMITTEE FROM COUNCIL

### 12.2.1 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM - ROUND 2 FUNDING

<b>Datworks Filename:</b>	<b>Regional and Local Community Infrastructure Program – Round 2</b>
<b>Attachments:</b>	<a href="#">Proposed Project Funding Table</a>
<b>Responsible Officer Name:</b>	<b>Roberta Bonnin Manager Community and Social Planning</b>
<b>Author Name:</b>	<b>Lacey Brown Strategic Adviser Social Planning</b>

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#### EXECUTIVE SUMMARY

*Delegated authority to determine this matter was conferred to the Planning & Policy Committee at the General Meeting of 28 October 2009, and, therefore, is not subject to adoption by Council. This item is presented to Council for noting.*

At the General Meeting of 28 October 2009, Council resolved as follows:

*To delegate authority under section 472 of the Local Government Act 1993 to the Planning and Policy Committee on 18 November 2009 to approve the nomination of projects for the Australian Government funding under the Regional and Local Community Infrastructure Program.*

The Regional and Local Community Infrastructure Program (RLCIP) has allocated \$363,000 to Redland City Council. On fulfilling the requirements, Council will be undertaking several immediate community infrastructure projects and will apply for a Strategic Project under the \$120 million funding pool as outlined in Attachment 1 – Proposed Project Funding Table.

#### PURPOSE

To describe the outcomes and criteria of the Regional and Local Community Infrastructure Program – Round 2 funding announcement and to approve Redland City Council projects for submission.

#### BACKGROUND

On the 25 June 2009, the Australian Government made an additional \$220 million available to boost the Regional and Local Community Infrastructure Program (RLCIP). The guidelines and submission dates were released on 9 October 2009. This investment is intended to support local jobs during the global economic recession and provide long-term benefits to communities by assisting councils to build and upgrade local infrastructure.

## ISSUES

Under the RLCIP there are two components: a non-competitive, direct allocation (\$363,000 to Redland City Council) and a competitive component where \$120 million will be made available for a limited number of large strategic projects seeking a minimum Commonwealth contribution of \$1 million. The funding criteria and considerations are outlined below:

### Project eligibility

Funding will be provided for community infrastructure, including new construction and major renovations or refurbishments of assets such as:

- social and cultural infrastructure (e.g. art spaces, gardens)
- recreational facilities (e.g. swimming pools, sports stadiums)
- tourism infrastructure (e.g. walkways, tourism information centres)
- children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres)
- access facilities (e.g. boat ramps, footbridges)
- environmental initiatives (e.g. drain and sewerage upgrades, recycling plants)

### Ineligible projects and activities

- projects that support council operations (upgrades of Council offices) or make a direct contribution to private businesses, or those which benefit specific individuals
- funding will not be used for existing projects that have exceeded budget forecast
- funding cannot be used for:
  - artworks
  - information technology and communications hardware and software
  - ongoing costs (e.g. operational costs and maintenance)
  - roads or related infrastructure covered by the Roads to Recovery or Black Spots programs

### Funding arrangements

Progress reports will be required at set dates and the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) will monitor projects through reports received and may conduct site visits.

### Impacts on delivery

Project selection should give consideration of impacts on delivery and management by the Project Delivery Group given the last round of funding projects and the existing commitments under the current capital works program for 2009/10 and 2010/11. Costs for outsourcing may need to be considered depending on the project selection. Projects, particularly for the \$363,000 direct allocation, should be designed and ready to deliver.

## RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to build safe, strong and self reliant communities with access to community services, infrastructure

and opportunities for participation in community life. The economic development strategic priority to enhance employment participation and the community's standard of living through encouraging economic development opportunities also supports the funding allocation for these projects.

## **FINANCIAL IMPLICATIONS**

Part A - there are no additional funds required from Council to deliver the section of the Moreton Bay Cycleway and the two Physical Activity Stations as described in Attachment 1.

Part B – Council has already funded and completed the survey work and cultural heritage plan required to undertake the Gorge Walk project described in Attachment 1. Council will need to find funds of approximately \$100,000 for the detailed design required prior to the submission of the application. These funds will be sourced through the quarterly budget review 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 require any amendments to the Redlands Planning Scheme.

## **CONSULTATION**

Various consultation steps occurred for the purposes of compiling this report and included:

- Managers and Senior Advisers from Planning and Policy and the Project Delivery Group nominating projects that met the funding criteria
- Presentation of tabled projects to the Executive Leadership Group
- Workshop with Councillors

## **OPTIONS**

### **PREFERRED**

That Committee, under delegated authority, resolve to:

1. Note the criteria of the RLCIP – Round 2 funding announcement;
2. Approve the list of projects in Attachment 1 for the purposes of:
  - a) submitting applications for the \$363,000 allocation and returning documentation to the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) by 20 November, 2009 (Part A);
  - b) submitting an application for the Strategic Project by 15 January 2010 (Part B).

### **ALTERNATIVE**

That Committee, under delegated authority, resolve to:

1. Note the criteria of the RLCIP – Round 2 funding announcement;
-

2. Approve the list of projects in Attachment 1, with amendments, for the purposes of:
  - a) submitting applications for the \$363,000 allocation and returning documentation to the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) by 20 November, 2009 (Part A); and
  - b) submitting an application for the Strategic Project by 15 January 2010 (Part B).

### **COMMITTEE RESOLUTION**

Moved by: Cr Williams

Seconded by: Cr Henry

**That Committee, under delegated authority, resolve to:**

1. **Note the criteria of the RLCIP – Round 2 funding announcement;**
2. **Approve the list of projects in Attachment 1 for the purposes of:**
  - a) **submitting applications for the \$363,000 allocation and returning documentation to the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) by 20 November, 2009 (Part A); and**
  - b) **submitting an application for the Strategic Project by 15 January 2010 (Part B).**

**CARRIED**

### **COUNCIL RESOLUTION**

Moved by: Cr Ogilvie

Seconded by: Cr Boglary

**That the Committee Resolution be noted.**

**CARRIED**



Cr Ogilvie welcomed teachers and students from Birkdale State School who had come to view the proceedings of the Planning and Policy committee meeting.

## **12.3 GOVERNANCE**

### **12.3.1 DRAFT COUNCILLOR CODE OF CONTACT WITH DEVELOPERS - SUBMISSION**

<b>Datworks Filename:</b>	<b>GOV - LGAQ Submissions</b>
<b>Attachment:</b>	<a href="#"><u>Draft Councillor Code of Contact with Developers</u></a>
<b>Responsible Officer Name:</b>	<b>Nick Clarke General Manager Governance</b>
<b>Author Name:</b>	<b>Nick Clarke General Manager Governance</b>

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## **EXECUTIVE SUMMARY**

This report recommends to Council that it communicate to the Local Government Association of Queensland (LGAQ) its support (with or without amendments) for the Draft Councillor Code of Contact with Developers.

## **PURPOSE**

The purpose of this report is to provide an opportunity for councillors to determine what response, if any, is to be provided to the LGAQ following its request of 26 October 2009 for feedback on this draft code.

## **BACKGROUND**

The LGAQ has commissioned this draft code which has been prepared by King and Company Solicitors. The draft code aligns with the principles embedded in the Local Government Acts, 1993 and 2009 and the Model Code of Conduct for Councillors.

The draft code seeks to provide guidance as to how councillors interact with the development industry. This includes the extent of information that should be provided by councillors to developers and how councillors' opinions should be expressed.

## **ISSUES**

- The draft code does not recommend that meetings involving councillors and developers are recorded or documented.
  - The draft code could be expanded to deal with circumstances such as discussion about conditions of an approval.
  - The draft code only refers to contact between councillors and developers. It does not deal with councillor contact with other parties, e.g. submitters.
-

**RELATIONSHIP TO CORPORATE PLAN**

The recommendation supports Council's strategic priorities: Land Use and Governance and the corporate values and principles outlined in the Corporate Plan 2006-10.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications relating to this report.

**PLANNING SCHEME IMPLICATIONS**

The outcome of recommendations in this report will not require any amendments to the Redlands Planning Scheme.

**CONSULTATION**

Consultation on this matter was undertaken with councillors and the Executive Leadership Group.

**OPTIONS****PREFERRED**

That Council advises the LGAQ that it supports the Draft Councillor Code of Contact with developers with amendments:

1. The draft code to recommend that meetings involving councillors and developers are recorded and/or documented;
2. The draft code to be expanded to deal with discussions about conditions of an approval; and
3. The draft code to be expanded to deal with councillor contact with other parties to a development application (or proposed application), e.g. submitters.

**ALTERNATIVE**

That Council advises the LGAQ that it supports the Draft Councillor Code of Contact with developers without amendment.

**OFFICER'S RECOMMENDATION**

That Council advises the LGAQ that it supports the Draft Councillor Code of Contact with developers with amendments:

1. The draft code to recommend that meetings involving councillors and developers are recorded and/or documented;
2. The draft code to be expanded to deal with discussions about conditions of an approval; and
3. The draft code to be expanded to deal with councillor contact with other parties to a development application (or proposed application), e.g. submitters.

**COMMITTEE DISCUSSION**

Concerns were raised about the draft code including how this would be managed with respect to meetings with developers after an application had been lodged, telephone conversations etc. with the Mayor stating that all meetings with developers should be documented and filed.

**COMMITTEE RECOMMENDATION**

That consideration of this matter be deferred to allow for further discussions to take place with Local Government Association of Queensland in relation to issues raised by Council.

**COUNCIL RESOLUTION**

Moved by: Cr Murray  
Seconded by: Cr Boglary

1. That Council thanks the Local Government Association of Queensland (LGAQ) for inviting feedback regarding its Draft Councillor Code of Contact with Developers;
2. That Council provides feedback to the LGAQ that it suggests further consideration should be given to the following issues of concern from this Council:
  - a) The inclusion of other parties to a development, e.g. submitters;
  - b) How the Code will deal with unplanned meetings and conversations with developers and others, e.g. incoming telephone calls and 'chance' meetings;
  - c) How the Code will acknowledge that there are occasions when it is important for a councillor to be involved in a development-related matter, e.g when a party to a development application complains about the standard of service; and
  - d) The requirement for meetings between councillors and developers, with officer attendance, to be arranged through the CEO, or his/her delegate.

Following some debate and with permission of the meeting, the mover and seconder deleted Recommendation 2 d) from the motion, with the Council Resolution to now read as follows:

1. That Council thanks the Local Government Association of Queensland (LGAQ) for inviting feedback regarding its Draft Councillor Code of Contact with Developers;
2. That Council provides feedback to the LGAQ that it suggests further consideration should be given to the following issues of concern from this Council:
  - a) The inclusion of other parties to a development, e.g. submitters;

- b) How the Code will deal with unplanned meetings and conversations with developers and others, e.g. incoming telephone calls and 'chance' meetings; and
- c) How the Code will acknowledge that there are occasions when it is important for a councillor to be involved in a development-related matter, e.g. when a party to a development application complains about the standard of service.

**CARRIED**

A division was called for.

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

Crs Ogilvie, Henry, Bowler and Townsend voted in the negative.

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

## **12.4 REGULATORY SERVICES**

### **12.4.1 ADOPTION OF THE APPROVAL AND COMPLIANCE PROCESS FOR THE INSTALLATION OF SOLAR AND HEAT PUMP HOT WATER UNITS**

**Datworks Filename:** LUP Regulatory Services – Reports to Committee  
**Responsible Officer Name:** Toni Averay  
General Manager Regulatory Services  
**Author Name:** Toni Averay  
General Manager Regulatory Services

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#### **EXECUTIVE SUMMARY**

The Department of Infrastructure and Planning Building Codes Queensland Division has adopted subordinate legislation under the Plumbing and Drainage Act 2002 to Streamline the installation process for solar and heat pump hot water unit installations.

The legislation allows licensed plumbers with the appropriate endorsement on their licence to retrofit existing electric hot water units with solar or heat pump hot water units without the requirement to obtain a Compliance Permit from the local authority.

On completion of the installation, the plumber is required to submit a Form 4 accompanied by the set fee of \$25.00 to the local authority.

The legislation has given the local authorities an option to adopt the set fee of \$25.00 or waive the fee by resolution.

It is recommended in this report that Council adopts a full compliance inspection process for these installations over an initial three (3) month period. It is recommended that Council adopts the \$25.00 fee to assist with administration and inspection charges. This will enable sufficient information to be compiled and reviewed on the number of units installed and the number of compliant and non compliant installations. This will provide Council with some actual statistics so an informed decision can be made about the future approach to solar installation.

#### **PURPOSE**

The purpose of this report is to inform Council of the changes to plumbing legislation that affect the current approval and compliance inspection process for the replacement of existing electric hot water units with solar or heat pump hot water units.

#### **BACKGROUND**

The State Government, through the Queensland Solar Hot Water Program, has committed to facilitating the installation of up to 200,000 solar or heat pump hot water units over the next three (3) years to 2010.

Following a resolution adopted by Council at the General Meeting on 13 October 2004, the current process to replace an existing hot water unit with a solar hot water unit requires an applicant to fill out and lodge a hot water installation form and pay a Compliance Inspection Fee. The 2009/10 approved inspection fees are as follows:

- Mainland Inspection \$99.00,
- Southern Moreton Bay Islands \$125.00,
- Coochiemudlo Island \$125.00, and
- North Stradbroke Island \$156.00.

After the Compliance Inspection, a Compliance Certificate is issued to the licensed plumber who did the installation and the property owner. No Compliance Permit fees are charged.

The *Plumbing and Drainage Legislation Amendment Regulation (No 2) 2009* affects the current approval and inspection process for the replacement of existing electric hot water units with solar or heat pump hot water units.

The legislation has been amended to create a licence endorsement for the installation, repair and maintenance of solar and heat pump hot water units. The amendments also allow a licensed plumber with the endorsement to replace an existing electric hot water unit with a solar or heat pump hot water unit without a Compliance Permit. On completion of the installation, the plumber must lodge a Form 4, a "notifiable minor works form" with the local authority accompanied by a fee of \$25.00. The revenue collected by the local authority may be used to fund the administration and full or part auditing processes.

The local authority may decide by resolution, that no fee is required to accompany the Form 4.

Licensed plumbers without the endorsement may replace existing hot water units with solar and heat pump units until 31 December 2010, providing they follow the existing local authority process and pay the appropriate fees. After 31 December 2010, licensed plumbers without the endorsement will not be permitted to install these hot water units.

Full inspection fees are applied for reinspection of non complying installations.

## **ISSUES**

The following key issues should be noted:

- The State has determined that local authorities may only charge a fee of \$25.00.
- The Office of Clean Energy will require installers to provide proof of lodgement of the Form 4 (receipt etc.)
- The details of all copies of the Form 4 will then be forwarded to the State's Plumbing and Legislative Services Branch, which will provide a list of each

respective Council for cross checking purposes (separate to the audit undertaken by Councils).

- Council can determine whether to undertake full or partial audits, or not to undertake audits at all.
- However, Council has an obligation to ensure these installations comply with the legislation.
- Without a full monitoring program in place, not all non conforming installations can be identified and reported back to Building Codes Queensland.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

The fee of \$25.00 will not cover the costs associated with the administration and inspection processes.

The number of installations of these units will have a bearing on Council costs.

At this stage the number of applications that will be lodged cannot be estimated. However, there has been an increase in enquiries since the new program was announced, so it is expected that there will be a strong interest.

## **CONSULTATION**

In preparation of this report the Plumbing and Drainage Unit has consulted with Building Codes Queensland representatives and surrounding local authorities.

## **OPTIONS**

### **PREFERRED**

That Council adopts a full compliance inspection process for these installations over a three month period, and adopts the \$25.00 fee to assist with administration and inspection charges. At the completion of the three month trial a detailed report can then be generated for Council so an informed decision can be made on the future direction of this program.

### **ALTERNATIVES**

1. That Council adopts a partial compliance auditing process and imposes the \$25.00 fee; or
2. That council adopts a non auditing process and charges the \$25.00 fee to cover administration costs; or

3. That Council adopts a full compliance auditing process but does not charge the \$25.00 fee; or
4. That Council adopts a partial compliance auditing process but does not charge the \$25.00 fee; or
5. That Council adopts a non auditing process and does not charge the \$25.00 fee.

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

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

**That Council resolve as follows:**

1. That Council adopts a full compliance inspection process for these installations over a three month period, and adopts the \$25.00 fee to assist with administration and inspection charges. At the completion of the three month trial a detailed report can then be generated for Council so an informed decision can be made on the future direction of this program; and
2. That a further report to be prepared for Council on the completion of the first three months.

**CARRIED**



## **12.5 PLANNING AND POLICY**

### **12.5.1 FEASIBILITY OF UGRADING AND PROVIDING SOLAR LIGHTING - EDDIE SANTAGIULIANA WALKWAY, RABY BAY ESPLANADE**

**Datworks Filename:** RTT - Bikeways/Cycleway Planning General  
**Responsible Officer Name:** David Elliott  
Manager Infrastructure Planning  
**Author Name:** Matthew Specht  
Advisor Road Planning

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#### **EXECUTIVE SUMMARY**

This report responds to the Council Resolution from the General Meeting of 26 August 2009 regarding the feasibility and financial implications of providing solar lighting and upgrading of the Eddie Santagiuliana Walkway between the Cleveland CBD and Wharf Street.

This section of pathway is an important link in the Moreton Bay Cycleway and its upgrade/renewal will be considered in the next version of the 10 year Capital Program.

The upgrade/renewal of the existing asphalt pathway for the section, Masthead Drive to Wharf Street, to 3.0m width to accord with the minimum Moreton Bay Cycleway standard, is estimated to cost approximately \$780,000. Solar lighting for this section is estimated to cost an additional \$300,000 to \$350,000.

#### **PURPOSE**

The purpose is to report on the feasibility and financial implications of providing solar lighting, and upgrading of the Eddie Santagiuliana Walkway between the Cleveland CBD and Wharf Street.

#### **BACKGROUND**

A preliminary design and cost estimate was undertaken for the upgrade of Eddie Santagiuliana Walkway from Cleveland CBD to Wharf Street in 2005 by GHD. The scope of the design included the upgrade of the existing path to 3m wide as per the specifications of the Moreton Bay Cycleway.

The pathway construction cost in 2005 including the upgrade of the bridge which crosses the end of Ross Canal along Shore Street West was estimated at \$58,935.

#### **ISSUES**

The upgrade/renewal of this section of Moreton Bay Cycleway (Eddie Santagiuliana Way) from Masthead Drive to Wharf Street based on the preliminary design undertaken by GHD in 2005 is estimated to cost approximately \$780,000 in today's dollars.

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Inclusion of solar lighting to Australian Standards on this section of pathway would cost an additional \$300,000 to \$350,000 based on \$8,000 - \$10,000 per light.

Current research, however, indicates that low power consumption mains lighting is a more cost effective, environmentally friendly and sustainable option to solar powered lighting when power can readily be accessed as is the case in this location.

The priority would be to upgrade/renew the existing path, with lighting to follow at a subsequent stage.

### **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**

A section of this pathway is to be funded to the amount of \$263,000 by the Federal Government under the second round of the Regional & Local Community Infrastructure Program. The balance of \$517,000 required to complete the pathway component of the project has a high probability of 50/50 funding from the State Government, leaving Council's outlay at \$258,500. It is proposed to list the balance of the project for consideration in the early part of the revised 10 year Capital Program.

### **PLANNING SCHEME IMPLICATIONS**

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

### **CONSULTATION**

Council's Environmental Management Group, Project Delivery Group and the Divisional Councillor, have been consulted regarding the recommendation contained in this report and all support the recommendation.

### **OPTIONS**

#### **PREFERRED**

That Council resolve as follows to note the proposed listing of the upgrade/renewal of the section of the Moreton Bay Cycleway between Masthead Drive and Wharf Street in the 10 year Capital Program.

#### **ALTERNATIVE**

No alternative is recommended.

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

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

**That Council resolve to note the proposed listing of the upgrade/renewal of the section of the Moreton Bay Cycleway between Masthead Drive and Wharf Street in the 10 year Capital Program.**

**CARRIED**

## 12.5.2 SUBMISSION RE DRAFT STATE PLANNING POLICY FOR HEALTHY WATERS 2009

**Datworks Filename:** EM Draft State Planning Policy for Healthy Waters 2009

**Attachments:** [Redland City Council Submission](#)

**Responsible Officer Name:** Warren Mortlock  
Principal Adviser, Environmental Protection

**Author Name:** Mick Holland  
Adviser, Waterways Management

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### EXECUTIVE SUMMARY

The Queensland Department of Environment and Resource Management (DERM) has developed a draft State Planning Policy (SPP) for Healthy Waters 2009, SPP Guideline and several supporting documents that together form the SPP Healthy Waters package described in this report.

Following the consultation and amendment process, DERM will finalise the draft SPP and SPP Guideline by Cabinet approval. Once approved, both the SPP and SPP Guideline will become statutory instruments under the *Sustainable Planning Act, 2009*. The supporting documents provided in the SPP package will not have statutory effect. They provide information about interpretation and application of the draft SPP and SPP Guideline.

DERM are currently seeking submissions on the SPP package of documents until 30 November 2009. If the proposed submission is endorsed by Council the submission will become Council's submission to DERM.

The proposed submission will address the most significant impacts on Council responsibilities and operations arising from the requirements introduced by the draft SPP and SPP Guideline.

### PURPOSE

This report identifies issues raised by Council Officers in response to the State Government's draft State Planning Policy for Healthy Waters 2009 package. The SPP Healthy Waters package includes the State Planning Policy, an SPP Guideline and associated documents that inform implementation of the SPP. It is recommended that Council endorse the attached submission to the Department of Environment and Resource Management by the closing date of 30 November 2009. The submission will include the issues raised in this report and feedback provided by Council Officers.

### BACKGROUND

Redland City Council officers were first advised (informally) about the State Government's intention to develop a State Planning Policy about water quality and waterway health in September 2008.

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At that time State Government officers indicated that the SPP would be finalised and operational by mid-2009. That timeline was delayed due to priority given to new Environmental Protection legislation.

In lieu of a presentation on the draft SPP during the first round consultation in September (2009), Council officers were provided with an overview document showing the content and outcomes of the draft SPP.

The draft State Planning Policy package become available for public comment in mid-September 2009, with the closing date for submissions being 30 November 2009.

The State Planning Policy for Healthy Waters 2009 package includes the draft State Planning Policy (SPP) for Healthy Waters 2009, draft SPP Guideline, Environmental Protection (Water) Policy 2009 (previously enacted), *Draft Urban Stormwater Queensland Best Practice Environmental Management Guidelines 2009, Implementing Policies and Plans for Managing Nutrients of Concern for Coastal Algal Blooms in Queensland*; and *Urban Stormwater Queensland Best Practice Environmental Management Guidelines 2009 – Technical Note: Derivation of Design Objectives*.

Environmental Protection Unit has coordinated comments for a submission, and has actively sought comment from the following groups and teams in Council: Land Use Planning; Assessment Services; Infrastructure Planning; Redland Water; Environmental Assessment Team, Health and Environment Services; and Environmental Management.

## ISSUES

### What's proposed by the State Government (Department of Environment and Resource Management)?

The State Government is proposing to adopt a new State Planning Policy and State Planning Policy Guideline for Healthy Waters to improve water quality and waterway health outcomes from planning new urban development throughout Queensland. In South-east Queensland the SPP will be implemented through the SEQ Regional Plan, local planning instruments (planning schemes) and the development approval process. The SPP package also includes 3 support and information documents that would not be statutory instruments. Council's proposed submission will address each of the documents in the SPP package.

Significant issues for Council arising from the draft State Planning Policy and draft State Planning Policy Guideline are:

#### Draft State Planning Policy

1. The State Planning Policy for Healthy Waters 2009 (SPP) has the following purpose:

*to ensure that development is planned, designed, constructed, and operated to manage stormwater and waste water in ways that protect water environmental*

*values specified in the Environmental Protection (Water) Policy 1997 and its 2009 replacement (EPP Water).*

2. If adopted by the Government both the SPP and SPP Guideline will become statutory instruments under the *Sustainable Planning Act*. This Act has been passed by Parliament and is scheduled to commence in mid-December. The SPP will be applied through Regional and Local Planning Instruments.
3. The draft SPP creates a provision for the State Planning Minister to determine that the SPP provisions have been appropriately reflected in the local planning instrument. The default option is that the SPP prevails over the local planning instrument.
4. The draft SPP places statutory responsibility on Council to implement the policy through land use planning (via Council's planning scheme), development assessment and provision of community infrastructure. The water quality and best-practice requirements for stormwater apply to both private development and community infrastructure built by Council (e.g. roads, waste facilities etc).
5. Under the draft SPP DERM will act as advisory agency (not concurrence agency). Therefore, responsibility falls on Council's assessment manager for development applications to implement the SPP intent via planning scheme provisions.

#### Draft State Planning Policy Interpretation and Application

6. The draft SPP supports outcomes required to improve the poor health of Redlands creeks, wetlands and Moreton Bay identified by the annual ecosystem health report card.
7. The draft SPP is an improvement over the existing situation in that it coordinates many existing and non-statutory guidelines and procedures into one package, with statutory backing. Many of the planning principles and approaches in the draft SPP have been used by Council in the past, but not in a coordinated manner.
8. The draft SPP requirements are already being implemented through planning and investigations carried out by the Planning and Policy Department (e.g. Integrated Waterway Management Plans and investigation and mapping of high-nutrient property soils and landforms). Integrated Waterway Plans can be used to define waterway-specific targets and objectives for waterway health, stormwater and wastewater discharges.
9. A detailed review of the provisions of the Planning Scheme that correspond to the SPP outcomes will need to be undertaken, to ensure its compliance or fit with the draft SPP.
10. In the current format the Specific Provisions contained the SPP Development Assessment Code (Annex 1 of the SPP) are high-level policy oriented statements. Council's submission will identify a need for the Code provisions to be reviewed

and localised to suit Council's existing Planning Scheme and environmental conditions.

11. The draft SPP provisions will apply to new development under Council's Planning Scheme as well as Community Infrastructure. For example, Council's activities in wastewater management will be treated similarly to private development applications.
12. The draft SPP references existing maps of High Ecological Value (HEV) waters in the Environmental Protection (Water) Policy 2009. Council will need to review the scale and boundaries of the mapped areas to understand their implications for Council.
13. Measuring the effectiveness of the draft SPP provisions is left to Council to resource. Council will need to provide suitable compliance checking of development approvals and Council's own works, to monitor water quality outcomes, particularly where a development or project is carried out adjacent to HEV waters.
14. An indirect consequence of the adoption of the draft SPP is an increase over time in Water Sensitive Urban Design (WSUD) assets in open space areas that will require increased maintenance budget by Council via asset management planning processes.
15. Due in part to the complexity of the draft SPP package, and the fact that some requirements (for example methodology for nutrient hazard mapping) are yet to be completed, Council's submission will state that the package should be phased into operation over a period of time. This would allow for DERM to provide training and support for Council's to tailor the SPP package to local conditions.
16. Implementing the final SPP package will require Departments / Groups / Teams in Council take responsibility or ownership for implementing the components of the package. The Land Use Planning Group will be primarily responsible for implementation of the SPP through the Planning Scheme and development assessment. Infrastructure Planning Group is responsible for water infrastructure planning and management, whilst the Environmental Management Group will continue to provide advice on the environmental aspects of catchment and waterway management.

#### Draft State Planning Policy Guideline

17. The SPP Guideline document states that it has the status of 'extrinsic' material under State legislation. Therefore the SPP Guideline has the legal status of informing interpretation of the draft SPP. The SPP Guideline contains explanatory material about the draft SPP policy statements.

### Draft SPP Guideline Interpretation

18. The draft SPP Guideline details requirements for Council to undertake studies such as land capability assessments, groundwater, wetland buffers and nutrient hazard mapping (at an appropriate mapping scale). Council's capacity to resource this work will be identified as in issue in the submission to DERM.
19. The draft SPP Guideline states that land use allocations that cannot achieve design objectives or Water Quality Objectives for stormwater and waste water discharge are discouraged. The submission will suggest that the terminology used is both strengthened and enforceable to allow Council to reject new development in inappropriate locations.

### Supporting documents

20. The balance of the material in the SPP Healthy Waters package is supporting information that guides implementation of the legislative components and is therefore not binding on Council. Based on that status comments on these documents will be included in the submission but not within this report.

### Council's submission to DERM on draft SPP Healthy Waters package

21. The attached submission about the draft State Planning Policy package includes the issues raised in this report, in addition to specific matters raised by Council Officers as feedback, to improve the structure, format and content of the SPP package.

## **RELATIONSHIP TO CORPORATE PLAN**

The recommendation primarily supports Council's strategic priority to *protect, maintain and enhance the health of the City's waterways and coastal zones*.

## **FINANCIAL IMPLICATIONS**

Should the package be enacted without significant alteration Council would be required to invest in studies to identify and map nutrient source locations, groundwater areas, and land use hazards, to fulfil the SPP requirements. The results of these studies would be brought into Council's Planning Scheme. Council would also be required to budget for ongoing construction and maintenance of new water quality infrastructure.

The SPP is not retrospective and would not affect existing operations or development.

## **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, such as:



- Adoption of draft SPP Development Assessment Code provisions; and
- References to technical guidelines and standards.

Specific comments have been incorporated into the list of issues in this report.

## **CONSULTATION**

Environmental Protection Unit officers consulted with Council officers from the following groups and teams:

- Land Use Planning Group;
- Assessment Services Group;
- Infrastructure Planning Group;
- Redland Water;
- Health and Environment Services Group;
- Environmental Management Group; and
- Environmental Assessment Team.

Comments and feedback were received from the following Groups and Teams:

- Redland Water;
- Health and Environment Services Team;
- Environmental Assessment Team; and
- Land Use Planning Group.

## **OPTIONS**

### **PREFERRED**

That Council resolve to endorse the submission in the Attachment as Council's submission to the draft State Planning Policy for Healthy Waters 2009 package.

### **ALTERNATIVE**

That Council resolves not to send a submission to DERM about the draft State Planning Policy for Healthy Waters 2009 package.

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

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

**That Council resolve to endorse the submission in the Attachment as Council's submission to the Draft State Planning Policy for Healthy Waters 2009 package.**

## **CARRIED**

### 12.5.3 SMBI COMMITTEE REPORT 11 NOVEMBER 2009 – ITEMS FOR CONSIDERATION

**Dataworks Filename:** GOV SMBI Advisory Committee  
**Attachment:** [Committee Report](#)  
**Responsible Officer Name:** Greg Underwood  
General Manager Planning & Policy  
**Committee Manager:** Mark Conlan  
Principal Advisor – SMBI Strategies

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#### EXECUTIVE SUMMARY

The SMBI Communities Advisory Committee met on Wednesday, 11 November 2009 in Council Chambers, Cleveland. Attached is a copy of the Committee Report from this meeting.

The following reports were considered by the Advisory Committee:

**6.1 Presentation – SMBI ILTP Proposed Engagement Activities 2010:**

- A presentation was made to the Advisory Committee.

**7.1 Draft Redlands Social Infrastructure Strategy:**

Recommendation to Advisory Committee was -

- That the Advisory Committee confirm support for the *Building Strong Communities: Draft Redlands Social Infrastructure Strategy 2009*. The strategy and Newsletter were presented to the Advisory Committee.

**7.2 Update – Draft Queensland Coastal Plan:**

Recommendation to Advisory Committee was –

- That the Advisory Committee note the attached submission to the Department of Environment and Resource Management.

**7.3 Update – Draft State Southern Moreton Bay Marine Infrastructure Master Plan:**

Recommendation to Advisory Committee was -

- That the Advisory Committee note the Southern Moreton Bay Marine Infrastructure Master Plan's public consultation process will provide Council and the Advisory Committee with further opportunity of capturing future investigations into water based transport access points to Macleay and Russell Islands.

**7.4 Updates and Review of Actions from Previous Meetings:**

Recommendation to Advisory Committee was -

- That the Advisory Committee review and note the update of actions from previous meetings as presented in the attachment. The list of recommendations and actions, as noted by Council on 28 October 2009 was presented to the Advisory Committee.

**7.5 SMBI Communities Advisory Committee Meeting Schedule 2010-2011:**

Recommendation to Advisory Committee was -

- That the schedule of meetings of the Advisory Committee for January 2010 to May 2011 be adopted, with amended dates for meetings in January 2010 and January 2011, as attached.

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 of 11 November 2009;
2. That Council make a supplementary submission to the Department of Environment and Resource Management in relation to the Draft Queensland Coastal Plan (as resolved on 28 October 2009) as follows:

Section: *"Areas of high ecological significance and other ecological values"*

Endorse point (a) (attachment page 17 of 24) as an exception to the policy where economic, social and/or environmental benefits justify the ecological impact, e.g. more efficient, effective barge route facilities currently being investigated, which may demonstrate off-setting environmental benefits.

3. That the meeting schedule as attached to the Advisory Committee Report be adopted and incorporated into the Council's meeting schedule;
4. To note that the Chief Executive Officer will deal with any operational or administrative recommendations from this Advisory Committee Report and where necessary, report to an ensuing Planning & Policy Committee meeting with recommendations for consideration by that Committee.

**COUNCIL RESOLUTION**

Moved by: Cr Townsend

Seconded by: Cr Bowler

That the Committee Recommendation be adopted with an amendment to the Meeting Schedule referred to in Recommendation 3, to reflect an updated venue location for the first meeting of the SMBI Communities Advisory Committee scheduled for 21 January 2010, from the Russell Island Recreation Hall to St Peter's Parish Hall.

**CARRIED**

## **12.6 GENERAL BUSINESS**

Moved by: Cr Williams  
Seconded by: Cr Bowler

That permission be granted for the following item of general business to be raised.

**CARRIED**

### **12.6.1 VEGETATION TREE CLEARING OFFSET POLICY**

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

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

**That Council resolve that officers initiate a Vegetation Tree Clearing Offset Policy.**

**CARRIED**

Moved by: Cr Williams  
Seconded by: Cr Henry

That permission be granted for the following item of general business to be raised.

**CARRIED**

### **12.6.2 COMMITTEE GENERAL BUSINESS**

Cr Bowler moved that an audit be done on the maintenance and repair of stormwater outlets in the Bay and Creek and that a report be presented to Council on the outcome.

Following discussion, General Manager Planning and Policy advised that aspects of this program were already being undertaken and that further discussion should be undertaken with officers to clarify the Councillor's request.

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

Moved by: Cr Ogilvie  
Seconded by: Cr Boglary

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

**CARRIED**

### **13 FINANCE AND CORPORATE MANAGEMENT COMMITTEE 18/11/09 - RECEIPT AND ADOPTION OF REPORT**

Moved by: Cr Townsend  
Seconded by: Cr Reimers

That the Finance & Corporate Management Committee Report of 18 November 2009 be received.

CARRIED

#### **13.1 GOVERNANCE DEPARTMENT**

##### **13.1.1 REPORT ON THE AUDIT COMMITTEE MEETING - 13 OCTOBER 2009**

**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**

In line with the Audit Committee Charter, the Audit Committee meeting of 13 October 2009 was scheduled to enable discussion and consideration of the following:

- Receipt and Confirmation of Minutes of 23 June 2009;
- Business Arising from Previous Minutes;
- Local Government Finance Standard 2005 – Section 15 Requirements;
- Compliance Certificates;
- Internal Audit Plan Status;
- Internal Audit Recommendations Due for Implementation;
- QAO Recommendations Due for Implementation;
- Internal Audit Reports;
- Update from External Auditors;
- Emerging Issues; and
- Other Business.

#### **PURPOSE**

The authority for the establishment of an Audit Committee is provided for under Section 502 of the *Local Government Act 1993*. It operates in accordance with Part 2, Section 7 of the *Local Government Finance Standard 2005*.

The purpose of this report is to provide a summary of the issues discussed at the meeting on 13 October 2009.

## BACKGROUND

The primary objective of the Audit Committee is to assist Council in fulfilling its corporate governance role and oversight of financial measurement and reporting responsibilities imposed under the *Financial Accountability Act 2009*, the *Local Government Act 1993* and other relevant legislation.

To fulfil this objective, it is necessary that a report on discussions and deliberations of the Audit Committee be submitted to Council to enhance the ability of Councillors to discharge their legal responsibility.

## ISSUES

The following is a summary of the issues discussed at the meeting of 13 October 2009:

The Chair, Mr Scanlan, declared the meeting open (Item 1), with all members and invitees present (Item 2) with the exception of Mr Soutar (General Manager - Redland Water), Mr Photinos (Acting General Manager – Planning and Policy) and Mrs Averay (General Manager – Regulatory Services) who sent their apologies.

### 3 Receipt and Confirmation of Minutes

The minutes of the Audit Committee meeting of 23 June 2009 were confirmed as a true and accurate record of proceedings.

#### 3.1 Business Arising from Previous Minutes

The following business arising from the previous minutes were noted:

- Item 5 (Compliance Certificates) of the minutes of the Audit Committee meeting of 23 June 2009, the following update was provided by the General Manager Corporate Services regarding question no. 28 of the Compliance Certificate, namely:

“To the best of your knowledge, has there been full compliance with workplace health and safety requirements relevant to your work area, and if not, include details of where?”

Response: Audit has been concluded and there are some issues. IT staff to follow up with appropriate persons.”

- Item 5 (Compliance Certificates) of the minutes of the Audit Committee meeting of 23 June 2009, the following update was provided by the Manager Internal Audit regarding question no. 22 of the Compliance Certificate for Customer Services, namely:

“One staff member appears to have not been adhering to Council’s Purchasing Policy. The matter is being dealt with through appropriate channels.”

- Item 10 (Update from External Auditors) of the minutes of the Audit Committee meeting of 23 June 2009 – Mr Worrall tabled a letter addressed to the Mayor, dated 15 January 2009, regarding the appointment of external auditors.
- Item 13.1 (Development Application Fees) of the minutes of the Audit Committee meeting of 23 June 2009 – refer item 8 (Internal Audit Reports) of today’s minutes.
- Item 7.1 (Internal Audit Recommendations) of the minutes of 23 June 2009 – Mr Dua sought confirmation on the expected timeline in this matter. The Manager Internal Audit advised that Internal Audit was still in the process of review due to resourcing difficulties. It was noted by the Committee that an update will be presented to the next Audit Committee meeting.

#### **4 Local Government Finance Standard 2005 – Section 15 Requirements**

The Chief Executive Officer reported to the Audit Committee on the following significant changes since the last meeting of this Committee:

- Water Reform – a significant change in direction for Councils has occurred as a result of a State Government decision regarding the creation of new water distribution entities.
- Recent appointment of four new General Managers in line with the new organisational structure, which includes two new departments, Regulatory Services and Governance.
- Significant advancement and implementation of the Organisational Development Plan which was adopted in March 2009. The CEO advised that a progress report, which was provided to Councillors recently, had also been provided to External Audit Committee members for noting.
- Financial Strategy – this was recently presented to Council to seek direction on policy issues to drive the financial management for the future, which may have significant impact on the organisation.
- Committee Structure Review – in line with the Organisational Development Plan, a review of Council’s committee structure and operation is under-way, with briefings with Councillors to commence shortly, which may result in significant changes.
- Asset Management – impact on resources regarding work being undertaken as a result of the Organisational Development Plan proposals and due to changes in legislation regarding asset management planning.
- Risk Management – a critical review of the Risk Register is being undertaken and it is proposed to present this to Council for consideration in early 2010. The CEO advised that it would be appropriate to ensure that External Audit Committee members be given the opportunity to provide input prior to finalisation.

It was noted by the Committee that there will be some changes to Council's operations due to the effect of the new Local Government Act in December 2009. All proposed regulations associated with the legislation are not yet available, but Council has been advised by the State Government that this new legislation will be 'principles' based, rather than prescriptive, and that Council is well prepared in its planning for these changes.

The Committee noted the report.

## **5 Compliance Certificates**

Compliance Certificates for the Office of CEO, Customer Services, Planning and Policy, Corporate Services and Redland Water for the period 1 April 2009 to 30 June 2009 were presented to the Committee.

The Audit Committee noted the Compliance Certificates as presented.

## **6 Internal Audit Plan**

### **6.1 Audit Plan Status**

The Manager Internal Audit presented the Internal Audit Plan for 2009/2010 and it was noted that six reviews have been completed, with three in progress. Ms Fernon reported that she was experiencing resourcing issues, with one Senior Internal Auditor having resigned to work for another Council, a second Internal Auditor seeking part-time employment with Council, with one Senior Auditor and an external contractor remaining to complete planned reviews. As well as conducting the audits, Internal Audit has completed 17 Complaints Process investigations, with 10 in progress since 1 July 2009.

The Audit Committee noted the status of the Audit Plan as presented and that an update on progress will be provided to the next meeting of the Committee.

## **7 Audit Recommendations Due For Implementation**

### **7.1 Internal Audit Recommendations**

#### Background

Internal Audit takes an active role in following up recommendations agreed to and accepted by management.

The Manager Internal Audit provided the Audit Committee with a status summary of the progress of audit recommendations due for implementation and it was noted that all recommendations due in Quarter 1 were implemented, as provided in the report to the Committee.

It was further noted that Internal Audit is currently reviewing all outstanding recommendations, particularly longer-standing recommendations, and will seek



direction from management regarding the feasibility of addressing these. An update will be provided to the next Audit Committee meeting.

Mr Scanlan advised that he and Mr Dua would request a discussion out of session with the Manager Internal Audit regarding audit recommendations not implemented.

The Audit Committee noted the report and that an update will be provided to the next Audit Committee meeting.

## **7.2 QAO Recommendations**

### Background

Internal Audit takes an active role in following up recommendations reported by the QAO and ensuring that all matters are adequately addressed to prevent adverse reporting by the Auditor-General.

The Manager Internal Audit presented the Committee with an interim report on findings, recommendations, management comments and status of WHK Horwath audit recommendations for 2008-09.

The Audit Committee noted the reports as presented.

## **8 Internal Audit Reports**

The following reports were presented for Audit Committee consideration:

### **8.1 Customer Services**

- Internal Audit Report 11/08/09 – Review of the Financial Management and Procurement Practices within Operations and Maintenance – objective was to evaluate the financial management and procurement practices within the Asset Services team, which forms part of the Parks & Conservation unit to determine whether relevant Council policies, guidelines and procedures have been consistently complied with.

Discussion took place with respect to this matter and management assured the Committee that recommendations were being implemented and monitored.

- Internal Audit Report 05/10/09 – Review of Respite Services – this report was not presented due to the General Manager Customer Services not having approved its release at this time. This report will be presented to the next meeting of the Audit Committee.

### **8.2 Redland Water**

- Internal Audit Report 05/10/09 – Review of the Trade Waste Billing System – objectives of review were to provide reasonable assurance to management that Council is complying with Corporate Policy, procedures and relevant legislation

and to ensure that the billing process for trade waste is accurate, complete and undertaken in a timely manner.

### **8.3 Governance**

- Internal Audit Report 05/10/09 – Review of Delegations and Appointments by the CEO – the objectives of the review were to:
  - Identify the acts, regulations, local laws and policies under which Council officers perform their duties;
  - Identify, where required, whether Council has delegated its powers/functions to the CEO by resolution, which would require a report to Council, or whether the CEO has devolved powers under certain legislation; and
  - Determine whether appropriate/correct instruments of delegation or appointment to Council officers are in place.

### **8.4 Corporate Services**

- Internal Audit Report 01/09/09 – Review of Payroll – the objective of the review was to assess the efficiency and effectiveness of the internal control system applying to the payroll function, so as to ensure employee entitlements are being paid completely and accurately in accordance with applicable awards, agreements, and RCC policy.
- Internal Audit Report 05/10/09 – Review of Recoverable Private Works – the objective of the review was to ensure the financial transactions of recoverable private works are captured accurately and completely.

### **8.5 Regulatory Services**

- Internal Audit Report 05/10/09 – Review of the Management of Fee Waivers and Discounts Relating to Development Applications – the objective of the review was to evaluate the adequacy of current processes and controls relating to the approval, justification and documentation of fee waivers and discounts for the lodgement of development applications.

In view of the General Manager Regulatory Services being absent from today's meeting, the CEO advised that an update in this matter will be provided to the next meeting of the Audit Committee. It was further noted that members may avail themselves of the opportunity to develop some questions on notice, through the CEO, outside of the committee meeting, to be addressed by the General Manager in her response at that meeting.

The Audit Committee received and noted the findings, recommendations and management responses in the internal audit reports as presented.

## **9 Update from External Auditors**

Mr Worrall presented WHK Horwath's audit report for the year ended 30 June 2009, as follows:

- Audit field work completed in accordance with QAO Auditing Standards and Australian Auditing Standards;
- Audit opinion to be issued will be an unqualified audit opinion. The audit report provides an opinion on the view given by the financial report taken as a whole and does not provide opinions on individual account balances or portions of the financial report in isolation.

The audit report for the year ended June 2009 comprises:

- Independent Auditor's Report
- Reporting Framework
- Summary of significant issues
- Accounting systems and internal controls
- Reliance on Internal Audit
- Reliance on Experts
- Management Representation Letter
- Audit Adjustments and Unadjusted Differences.

The Audit Committee received and noted the report as presented and that Manager Internal Audit will report on status of audit recommendations.

## **10 Emerging Issues**

- Mr P Gould, Workplace Health & Safety Advisor, tabled a Safety Management Systems Audit report and Compliance Recommendation Action Plan on an audit conducted 5-7 August 2009. It was noted that this report will be presented to the next Audit Committee meeting, along with a progress report on implementation of the recommendations.

## **11 Other Business**

- Cr Bowler requested that an audit be conducted on the management of Council's caravan parks and camping grounds. It was noted that any decision to conduct an audit in this matter is subject to an imminent resolution of Council relating to an existing tender process.
- Cr Bowler requested that an audit be conducted on Council's process regarding Bonds on development approvals and compliance with Council policies. The Committee endorsed this request.

## **12 Meeting Closure**

There being no further business, the meeting closed at 3.46pm.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

The cost to Council for the attendance of the independent Committee Chair and independent external Committee member is \$10,000 per annum. This is provided for in the Internal Audit Group Budget.

## **CONSULTATION**

The Audit Committee minutes are presented for confirmation as true and accurate record of proceedings at its next meeting.

## **OPTIONS**

### **PREFERRED**

The Council accept this report, which summarises the issues discussed at the Audit Committee meeting of 13 October 2009.

### **ALTERNATIVES**

1. That Council accept this report and request additional information; or
2. That Council not accept this report and request an alternative method of reporting.

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

Moved by:           Cr Townsend  
Seconded by:       Cr Elliott

**That Council resolve to accept this report, which summarises the issues discussed at the Audit Committee Meeting of 13 October 2009.**

## **CARRIED**

### 13.1.2 COUNCIL MEETING DATES - JANUARY TO MARCH 2010 AND DEVELOPMENT ASSESSMENT DELEGATED AUTHORITY - DECEMBER 2009 TO JANUARY 2010

**Datworks Filename:** GOV Council Meetings Dates & Information  
**Attachment:** [Schedule of Meeting Dates](#)  
**Responsible Officer Name:** Nick Clarke  
General Manager Governance  
**Author Name:** Thorbjorg Dunn  
Team Leader - Corporate Meetings & Registers

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#### EXECUTIVE SUMMARY

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

In accordance with the Organisational Development Plan adopted by Council in March 2009, a review of the committee structure is currently being undertaken. It is proposed that Council adopt the attached meeting schedule for January to March 2010, or until further resolution if the review is completed prior to the end of March. This schedule is in line with the existing committee structure and timeframes.

It is further recommended that Council delegate the existing powers of the Development Assessment Committee to the Mayor and Chief Executive Officer, conjointly, for the period after the last Council meeting for 2009 and the first scheduled meeting of this Committee in 2010.

#### PURPOSE

The purpose of this report is to recommend that Council adopts the attached meeting schedule for January to March 2010 and appropriately delegates the existing powers of the Development Assessment Committee from 17 December 2009 to 18 January 2010, inclusive.

#### BACKGROUND

1. Council is required under the *Local Government Act 1993* to set its committee and council meeting dates;
2. The last General Meeting of Council for 2009 is scheduled for 16 December;
3. A meeting schedule for January to March 2010 has been prepared and is presented, as attached, to Council for consideration;
4. The last meeting in 2009 of the Development Assessment Committee is scheduled for 15 December 2009 – to comply with IDAS timeframes and ensure continuity within this decision-making process, Council is requested to delegate the existing powers of the Development Assessment Committee to the Mayor and Chief Executive Officer from 17 December 2009 to 18 January 2010, inclusive.

## ISSUES

### Meeting Schedule 2010

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

- 19 January at 10.00am, Development Assessment Committee;
- 19 January at 2.00pm, Redland Water Committee;
- 20 January at 9.00am, Planning & Policy Committee;
- 20 January at 2.00pm, Finance & Corporate Management Committee; and
- 27 January at 4.00pm, General Meeting.

It is proposed that until the committee structure review is finalised, Council continue in its current committee meeting format with similar timeframes as 2009 and adopt the schedule from January to March 2010. As outlined in the attached schedule, it is proposed that the Development Assessment Committee and Planning & Policy Committee continue to meet fortnightly and that the Redland Water Committee and Finance & Corporate Management Committee, along with the General Meeting, continue to meet on a monthly basis.

### DEVELOPMENT ASSESSMENT COMMITTEE DELEGATIONS

It is proposed that the first Development Assessment Committee meeting be held on Tuesday, 19 January 2009, leaving a gap of 5 weeks for any potential decisions under the *Integrated Planning Act 1997*.

The existing powers conferred to the Development Assessment Committee are to decide development applications under the *Integrated Planning Act 1997* and provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*.

To comply with the Integrated Development Assessment System (IDAS) timeframes and ensure continuity within this decision-making process, it is proposed that Council delegates, under section 472 of the *Local Government Act 1993*, the powers conferred to the Development Assessment Committee, to the Mayor and Chief Executive Officer (conjointly), for the period 17 December 2009 to 18 January 2010 (inclusive), subject to the condition that this delegation can only be exercised where the Chair of the Development Assessment Committee and the relevant divisional Councillor have been:

1. personally provided with a copy of each development report that would normally be determined by the Development Assessment Committee; and
2. granted a period of three (3) business days from the receipt of the report in which to comment prior to that application being determined.

It is intended that a report be presented to the Development Assessment Committee on or before 16 February 2010, detailing all matters determined under delegated authority during the subject period.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

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

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

Consultation has occurred with the Executive Leadership Group, who generally endorse the proposed schedule, subject to further discussion and review.

## **OPTIONS**

### **PREFERRED**

That Council resolve as follows:

1. That the attached Schedule of Meeting Dates and Times for the period January to March 2010, inclusive, be adopted, until further resolution in this matter;
2. That for the period 17 December 2009 to 18 January 2010 (inclusive), the Mayor and Chief Executive Officer (conjointly) be delegated the existing powers of the Development Assessment Committee to:
  - a. decide development applications under the *Integrated Planning Act 1997*; and
  - b. provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the *Integrated Planning Act 1997*;
3. That the powers conferred in No 2 above be subject to the condition that this delegation can only be exercised where the Chair of the Development Assessment Committee and the relevant divisional Councillor have been:
  - a. personally provided with a copy of each development report subject to approval by the delegates, which would normally have been determined by the Committee; and

- b. where the Chair and divisional Councillor have been granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined by the delegates.

#### **ALTERNATIVE**

That Council resolve to amend, or not adopt, the Officer's Recommendation and provide alternative resolution in this matter.

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

That Council resolve as follows:

1. That the attached Schedule of Meeting Dates and Times for the period January to March 2010, inclusive, be adopted, until further resolution in this matter;
2. That for the period 17 December 2009 to 18 January 2010 (inclusive), the Mayor and Chief Executive Officer (conjointly) be delegated the existing powers of the Development Assessment Committee to:
  - a) decide development applications under the Integrated Planning Act 1997; and
  - b) provide instructions to legal Counsel for appeal matters actioned under Chapter 4 of the Integrated Planning Act 1997;
3. That the powers conferred in No 2 above be subject to the condition that this delegation can only be exercised where the Chair of the Development Assessment Committee and the relevant divisional Councillor have been:
  - a) personally provided with a copy of each development report subject to approval by the delegates, which would normally have been determined by the Committee; and
  - b) where the Chair and divisional Councillor have been granted a period of three (3) business days from the receipt of the report in which to comment, prior to the application being determined by the delegates.

Discussion ensued regarding the date for the commencement of meetings in 2010, with several councillors supporting a commencement date of 2 February 2010 and not 19 January 2010 as presented in the Schedule of Meeting Dates.

#### **COUNCIL RESOLUTION**

Moved by: Cr Elliott  
Seconded by: Cr Burns

**That Council resolve as follows:**

- 1. That the Schedule of Meeting Dates and Times, for the period February to March 2010, inclusive, be adopted;**



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

**CARRIED**

A division was called for.

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

Crs Townsend, Henry, Boglary, Bowler and Hobson voted in the negative.

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

**13.1.3 CORPORATE BALANCED SCORECARD REPORT - OCTOBER 2009**

**Datworks Filename:** GOV Corporate BSC Monthly Reporting to Committee

**Attachment:** [Corporate Balanced Scorecard – October 2009](#)

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

**Author Name:** Jo Jones  
Service Manager, Corporate Planning & Performance

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**EXECUTIVE SUMMARY**

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

This report is an important component of 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 October 2009 is Above Standard, with a weighted score of 2.57.

**PURPOSE**

To provide Council with the Corporate Balanced Scorecard Report for October 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:

### People and Learning Perspective (page 5)

Progress against completing items identified in the Workplace Health and Safety Management Plan are underway. However, due to the current workload of the Workplace Health and Safety Unit, progress is behind target. It is anticipated that this will improve over coming months.

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

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

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

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

## **PLANNING SCHEME IMPLICATIONS**

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

## **CONSULTATION**

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

**OPTIONS**

**PREFERRED**

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

**ALTERNATIVE**

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

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

Moved by: Cr Townsend  
Seconded by: Cr Elliott

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

**CARRIED**

## 13.2 CORPORATE SERVICES DEPARTMENT

### 13.2.1 OCTOBER 2009 - MONTHLY FINANCIAL REPORTS

**Dataworks Filename:** Monthly Financial Reports to Committee  
**Attachment:** [Monthly EOM October 2009](#)  
**Responsible Officer Name:** Kerry Phillips  
Acting General Manager Corporate Services  
**Author Name:** Deborah Hall  
Acting Service Manager Financial Reporting

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#### EXECUTIVE SUMMARY

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

The attachments to this report present the October 2009 financial statement of accounts to Council and provide detailed analytical commentary.

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

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

Council's end of month operating financial result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of budget by \$3.5 million, with operating revenue favourable by \$0.7 million and operating expenditure favourable by \$2.8 million.

The cash flow position for the year is ahead of revised budget levels by \$0.8 million. The cash held is ahead of targeted levels at \$83.4 million, equal to 7.5 months cash capacity against an original target of three to four months.

#### PURPOSE

The purpose is to present the October 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 October 2009:

### **Dashboard and Key Performance Indicators (A)**

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

### **Operational Statement with headline commentary (B)**

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

Additionally, an **Operational Statement by Strategic Priority (C)**; **Balance Sheet and commentary (D)**; **Cash Flow Statement and commentary (E)**; and an **Investment Summary and Graphs (F)** have been included to provide the complete picture of Council's finances. Finally, an **Operational Statement with detailed commentary (G)** shows year to date actual results compared with annual and year to date budgets. This report has a brief commentary on all year to date variances greater than \$20,000 and variances are classified as timing or permanent. Timing variances are anticipated to disappear once 30 June 2010 figures are produced. Permanent variances imply the variance will remain into the next financial year.

## RELATIONSHIP TO CORPORATE PLAN

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

## FINANCIAL IMPLICATIONS

The overall financial position as at the end of October 2009 remains strong with EBITD of \$19.3 million (\$3.5 million ahead of budget). This result is due to total operating revenue of \$65.3 million (\$0.7 million ahead of budget) and total operating costs of \$46.0 million (favourable variance of \$2.8 million).

***Operating Revenue***

Rates Charges is under budget by \$268,000 due in the main to credits held \$339,000. Utility Charges has a favourable variance of \$882,000 as a result of favourable water consumption \$885,000. Pensioner Remissions is favourable against budget by a timing variance of \$30,000. Fees and Charges is under budget by \$112,000 in the main due to EPA licence fees \$170,000, slightly offset by favourable variances across the Customer Service Department. Operating Grants and Subsidies is over budget by \$92,000 due to the Community Safety Planning Grant \$267,000 which is reduced by the unfavourable variance relating to the Federal Assistance Grant being recorded in 08/09 financial year as per a direction from the external auditors – these will both be addressed in the budget review process.

***Operating Expenditure***

Employee Costs is under budget by \$470,000 predominantly due to \$493,000 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 the first quarterly Budget Review. Operational Goods and Services is under year to date budget by \$3.0 million and the majority of variances are expected to be timing at this stage. Of particular note, \$262,000 Waste tonnage is down resulting in reduced contract payments, \$280,000 is mainly underspends on contractors and consultants for Redland Water, \$233,000 Councillor Community Benefit Fund, \$130,000 Landfill Site Investigations programme, \$160,000 is underspends in relation to Waterways and \$158,000 is an underspend in Damages Settlements, timing at this stage. A permanent variance is \$100,000 contractor and consultant underspends in Regulatory Services.

***Capital Revenue***

Contributions and Donations is \$30,000 over budget as unbudgeted monies have been received in Customer Services. Grants and Subsidies is under budget by \$620,000 due to the recognition of RLCIP1(CI) monies in 08/09 following advice from WHK Horwath. These monies will be considered during the first quarter budget review.

***Capital Expenditure***

Capitalised Goods and Services is \$2.7 million under year to date budget as a result of significant underspends in Redland Water \$417,000, Planning and Policy \$424,000, Corporate Services \$1.4 million and Customer Services \$455,000. These underspends are due in the main to delays in receipt of fleet items, the Group is awaiting supply times to commence purchase. The main underspends in Redland Water are Wastewater Retic \$290K, and Wastewater ICS \$116K works not started. Roadworks behind schedule include 'Queen St and Government Rd' \$155,000 and 'German Church Rd' \$365,000. The capital underspends are expected to be timing variances at this stage.

Capitalised Employee Costs is \$109,000 below cumulative budget with the main underspend in Customer Services Department (RDQ Road Construction) and expected to be timing at this stage.

**Cash and Investments**

The investment of surplus funds for the month returned a weighted average rate of return of 3.43%, which is again ahead of the UBS Aust Bank Bill Index of 3.05%. The cumulative position for the year is a favourable return of 3.50% against the UBS Aust Bank Bill Index of 3.18%. These returns are reported on a monthly weighted average return and Council benchmarks the funds against the UBS Australian 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 increased by 0.25% to 3.25% on 7 October 2009.

The cash balance is \$83.4 million at the end of October 2009 which is equivalent to 7.5 months cash capacity. Council is intentionally maintaining a higher balance than target whilst it monitors the impact of the structural reforms to the water business.

**PLANNING SCHEME IMPLICATIONS**

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

**CONSULTATION**

Consultation has taken place amongst the Executive Leadership Group.

**OPTIONS****PREFERRED**

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

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

**ALTERNATIVE**

That Council requests additional information.



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

Moved by: Cr Townsend  
Seconded by: Cr Elliott

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

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

**CARRIED**

**13.2.2 2009/2010 FIRST QUARTER BUDGET REVIEW**

**Datworks Filename:** FM Budget Review Committee Reports  
**Attachments:** [2009/10 First Quarter Budget Review](#)  
**Responsible Officer Name:** Kerry Phillips  
Acting General Manager, Corporate Services  
**Author Name:** Katharine McCarthy  
Acting Services Manager, Budget, Financial  
Modelling and Group Support

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**EXECUTIVE SUMMARY**

This report outlines the budgeted financial position as at 30 September 2009 and provides a review of required and/or requested budget funds to Council's 2009/10 revised budget.

Attached to this report are the following details:

- Revised Key Performance Indicators (KPI's) for 2009/10,
- Revised 2009/10 Budgeted Statement of Cash Flows,
- Revised 2009/10 Budgeted Statement of Financial Position (Balance Sheet),
- Summary and Detailed listing of Budget Review Submissions,
- Revised 2009/10 Financial Statements by Strategic Priority, and
- Revised 2009/10 Operating Statements, Capital Funding and Other Items.

It is proposed that Council resolve to adopt the revised budget for 2009/10 at Redland City Council (RCC) consolidated level. In addition to this and in accordance with the *Local Government Act 1993*, it is proposed that Council resolve to adopt the Redland Water & Redland Waste financial statements that are presented in the attached documentation. The relevant pages are outlined within the Officer's Recommendation in this report.

**PURPOSE**

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

**BACKGROUND**

This report presents a review of the 2009/10 revised budget as at 30 September 2009. As part of Council's financial management framework, comprehensive quarterly budget reviews are undertaken by all departments. The September budget usually focuses on making any corrections to adopted budget figures and incorporating any new/changed programs or priorities for the financial year. Council previously revised the 2009/10 budget in August 2009 to include any carryover funding from 2008/09 to 2009/10 (General Committee Meeting held 26<sup>th</sup> August 2009).

## ISSUES

Budget review submissions included in this review have been categorised as:

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

A total of 149 submissions have been included within this budget review and a summary of these budget review submissions is provided in the attachments to this report.

## 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

Overall the proposed budget review reduces the forecast cash ending balance for the 2009/10 financial year by \$2.810m from \$55.128m to \$52.319m. This unfavourable movement in forecast is primarily made up of the following:

### **Operational Revenue – Increase of \$0.825m (favourable)**

Primarily attributable to:

- \$1.264m from inclusion of budget for Straddie Holiday Parks from October 2009 to March 2010 due to tender process delays (offset by \$0.674m in expenditure),
- \$0.500m grant received for Safer Suburbs – Youth Space (offset by \$0.500m in expenditure),
- \$0.250m increase in tradewaste revenue,
- \$0.205m in subsidy from Main Roads however an anticipated Streetlighting subsidy \$0.293m will now not be forthcoming from State Government,
- An adjustment/reduction in the Federal Assistance Grant of \$1.216m on advice from external auditors as this was recognised in 2008/09.

**Operational Expenditure – Increase of \$0.707m (unfavourable)**

The major contributors to this unfavourable movement are:

- \$0.370m in employee costs for Straddie Holiday Parks,
- \$0.218m in increased electricity charges at wastewater treatment plants.

**Capital Expenditure – Decrease of \$3.492m (favourable)**

This favourable movement is primarily attributable to:

- \$3.0m due to the revised completion date of the sustainable resources and waste project,
- \$0.350m for various capital projects where costs were less than anticipated.

**Capital Revenue – Decrease of \$7.279m (unfavourable)**

This movement is primarily due to the following:

- The reduction in forecast for 2009/10 capital grants and subsidies (\$2.097m) as a result of the recommendation from the external auditors regarding revenue received during 2008/09.
- In addition, there has been a trend towards lower developer contributions which accounts for approximately \$4.119m of the reduction.

The above are only the major items contributing to the cash movement. A more detailed listing can be found in the budget review submissions listing (pages 5 – 17) contained within the attachment.

With the exception of the operating performance key performance indicator (KPI), this budget review still results in all KPI's being favourable against their respective targets. The operating performance KPI has improved slightly as a result of this budget review moving from 14.1% to 14.3%.

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

**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**

All group managers in consultation with the Executive Leadership Group (ELG) undertook the development of this budget review. Councillors reviewed the budget submissions with ELG in a workshop held on Wednesday 4<sup>th</sup> November, 2009.

**OPTIONS****PREFERRED**

1. That Council adopt the Revised Budget for 2009/10 at Redland City Council consolidated level which refers to the following:
  - a) RCC Budgeted Statement of Cash flows – page 2 of attachment;
  - b) RCC Statement of Financial Position (Balance Sheet) – page 3 of attachment;
  - c) RCC Operating and Capital Funding Statement – page 19 of attachment;
  - d) RCC Strategic Priority Operating and Capital funding Statement – page 18 of attachment.
2. To meet the requirements of the *Local Government Act 1993*, to adopt the Redland Water and Redland Waste Operating and Capital Funding Statements – pages 22 and 26 respectively of the attachment.

**ALTERNATIVE**

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

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

Moved by: Cr Williams  
Seconded by: Cr Townsend

**That Council resolve to:**

1. **Adopt the Revised Budget for 2009/10 at Redland City Council consolidated level which refers to the following:**
  - a. **RCC Budgeted Statement of Cash flows – page 2 of attachment;**
  - b. **RCC Statement of Financial Position (Balance Sheet) – page 3 of attachment;**
  - c. **RCC Operating and Capital Funding Statement – page 19 of attachment;**
  - d. **RCC Strategic Priority Operating and Capital funding Statement – page 18 of attachment.**
2. **To meet the requirements of the *Local Government Act 1993*, adopt the Redland Water and Redland Waste Operating and Capital Funding Statements – pages 22 and 26 respectively of the attachment.**

**CARRIED**

**13.2.3 SURRENDER OF LEASE - MEISSNER STREET, REDLAND BAY**

**Dataworks Filename:** P.143126  
**Attachments:** [Site Plan](#)  
**Responsible Officer Name:** Brian Lewis  
Manager Corporate Acquisitions Fleet & Facilities  
**Author Name:** Merv Elliott  
Property Services Manager

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**EXECUTIVE SUMMARY**

The University of Queensland hold a lease over Council land described as Lot 143 on CP SL843 at Meissner Street, Redland Bay for the purposes of extracting water from an underground well located on the property and shown on the attached site plan.

The University now wish to surrender the lease as they are no longer in possession of adjacent property which was irrigated from the well.

**PURPOSE**

To recommend to Council that surrender of the lease be approved.

**BACKGROUND**

This lease over approximately 200m<sup>2</sup> of Council freehold land was issued in 1980 for a period of 99 years, expiring on 10 December 2079. The well had previously provided irrigation to farm land controlled by the University opposite the subject site, which has since been sold.

Accordingly the lease should now be surrendered and the University have requested same.

**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**

Council will not be involved in any expense in respect to the surrender.

**CONSULTATION**

Consultation has not been necessary.

**OPTIONS****PREFERRED**

That Council resolve as follows:

1. To accept the surrender of the lease between Council and the University of Queensland over Lot 143 on CP SL843; and
2. That the Chief Executive Officer be delegated authority to sign all documents relating to this matter.

**ALTERNATIVE**

No practical alternative option exists.

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

Moved by: Cr Townsend

Seconded by: Cr Elliott

That Council resolve as follows:

1. To accept the surrender of the lease between Council and the University of Queensland over Lot 143 on CP SL843; and
2. That the Chief Executive Officer be delegated authority to sign all documents relating to this matter.

**CARRIED**

### 13.3 CUSTOMER SERVICES DEPARTMENT

#### 13.3.1 APPOINTMENT OF EXECUTIVE OFFICER AND DEPUTY EXECUTIVE OFFICER TO LDMG

**Datworks Filename:** Gov Local Disaster Management Group  
**Responsible Officer Name:** Mike Hyde  
General Manager Customer Services  
**Author Name:** Mike Morrison  
Senior Consultant Emergency Management

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#### EXECUTIVE SUMMARY

Redland City's disaster management arrangements are based upon State legislation (*Disaster Management Act 2003*) and bind Council to perform a number of functions in accordance with that legislation, including the establishment of a Local Disaster Management Group (LDMG), determination of LDMG membership and the appointment of an Executive Officer to manage and coordinate the business of the LDMG.

This report recommends the appointment of a new Executive Officer and the appointment of the new position of Deputy Executive Officer.

#### PURPOSE

The matter is referred to Council for consideration and appointment of an Executive Officer and Deputy Executive Officer for the Local Disaster Management Group. The role of the Deputy Executive Officer is not obligatory under current legislation however it has been identified as a need so that continuity in the position is provided during periods of absence.

#### BACKGROUND

The position of Executive Officer of the LDMG has historically been held by General Manager, Customer Services. Following the resignation from Council in 2008 of the then General Manager, Customer Services, the role of Executive Officer was transferred as an interim measure to the General Manager Redland Water pending an organisational restructure.

With the appointment of a new Executive Leadership Group in mid-2009, this issue now needs to be finalized and the position filled on a permanent basis.

#### ISSUES

The role of the Executive Officer of the LDMG is to ensure the business of the group is managed and coordinated through the following:

- Advise the LDMG on all disaster management issues;



- Ensure that the LDMG has prepared a current plan for disaster management;
- Ensure disaster operations are coordinated effectively;
- Report at least annually to the Council on the local Group's performance;
- Ensure that all directions and functions of Council and the LDMG are carried out in accordance with the provisions of the Disaster Management Act 2003.

The position of Executive Officer is a requirement under State legislation and is an appointment made by Council under Section 35 of the Disaster Management Act 2003.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this appointment.

### **CONSULTATION**

Extensive discussion has occurred between the Chief Executive Officer, General Manager Customer Services, General Manager Governance and the Senior Consultant, Emergency Management.

### **OPTIONS**

#### **PREFERRED**

That Council resolve as follows:

1. To appoint the General Manager, Community Services to the role of Executive Officer, Local Disaster Management Group in accordance with Section 35 of the Disaster Management Act 2003; and
2. To appoint the General Manager, Governance to the role of Deputy Executive Officer, Local Disaster Management Group.

#### **ALTERNATIVE**

Select other officers for the roles of Executive Officer and Deputy Executive Officer.

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

Moved by: Cr Townsend  
Seconded by: Cr Elliott

**That Council resolve as follows:**

- 1. To appoint the General Manager, Customer Services to the position of Executive Officer to Redland City Council's Local Disaster Management Group; and**
- 2. To appoint the General Manager, Governance to the position of Deputy Executive Officer to Redland City Council's Local Disaster Management Group.**

**CARRIED**

## **13.4 CLOSED SESSION**

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

That the meeting be closed to the public under Section 463(1) of the *Local Government Act 1993* to discuss the following items:

#### **13.4.1 2010-2011 Budget Parameters and Timetable**

The reason that is applicable in this instance is as follows:

*"(c) the local government's budget."*

#### **13.4.2 Community Grants Program and RADF Round 1 Approval of Funds**

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."*

#### **13.4.3 Community Model for the Management of the Straddie Holiday Parks;**

#### **13.4.4 Provision of Lease for the North Stradbroke island Holiday Parks;**

#### **13.5.1 Tender 1223-2009 FNS Bank & Provision of Payment Processing Services.**

The reason that is applicable in these instances is as follows:

*"(e) contracts proposed to be made by it." (Council)*

CARRIED

### **MOTION TO REOPEN COMMITTEE MEETING**

That the meeting be again opened to the public.

CARRIED

**13.4.1 2010-2011 BUDGET PARAMETERS AND TIMETABLE**

**Dataworks Filename:** FM Corporate Budget  
**Responsible Officer Name:** Kerry Phillips  
Acting General Manager Corporate Services  
**Author Name:** Katharine McCarthy  
Acting Service Manager Budget Financial  
Modelling & Group Support

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**EXECUTIVE SUMMARY**

A confidential report from Acting Service Manager Budget Financial Modelling & Group Support dated 6 November 2009 was discussed in closed session at the Finance & Corporate Management meeting on 18 November 2009, with the Committee Recommendation presented at today's meeting for consideration.

**COMMITTEE RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Townsend  
Seconded by: Cr Elliott

**That Council resolve as follows:**

1. To adopt the budget parameters detailed in the attachment subject to subsequent advice during 2010/11 budget development; and
2. That the proposed timetable for production of the 2010/11 budget be noted.
3. That the report and associated attachment remain confidential until budget development is finalised.

**CARRIED**

The following Councillors declared a conflict of interest in the following item at the committee meeting stating they were members of organisations seeking funding. All Councillors remained in the chamber, voting in the community interest, and voted in the affirmative.

- Cr Henry -
  - Eprapah Scout Fellowship
  - Donald Simpson over 50 Leisure Centre Ltd
  - Koala Action Group Qld Inc.
- Cr Townsend -
  - Tingira Boat Club Inc
- Cr Murray -
  - Mooroondu Sports and Recreation Club
  - Chair of the RADF Committee
  - Koala Action Group Qld Inc
- Cr Ogilvie -
  - Redlands United Football Club Inc
  - Point Lookout Surf Life Saving Club
- Cr Williams -
  - The Corporate of the Trustees of the Roman Catholic Archdiocese of Brisbane
- Cr Reimers -
  - Capalaba Amateur Fishing Club
  - Redland Multi-Sports Club Inc
- Cr Hobson -
  - Rotary Club of Cleveland Inc
  - Redland Bayside Disability Services Inc
  - Point Lookout Surf Life Saving Club
  - Isle of Coochie Golf Club Inc
  - Redland District Committee on the Ageing Inc
  - Donald Simpson over 50 Leisure Centre
  - Cleveland Symphony Orchestra Inc

Prior to deliberation and resolution on this matter at today's meeting, Crs Henry, Townsend, Murray, Ogilvie, Williams, Reimers and Hobson declared a conflict of interest for the same reasons as above and remained in the meeting, voting in the community interest.

**13.4.2 COMMUNITY GRANTS PROGRAM AND RADF ROUND 1 APPROVAL OF FUNDS**

**Dataworks Filename:** G&S Community Grants Program - 2009/10 Round 1

**Responsible Officer Name:** Sue Collins  
A/Service Manager Human Services

**Author Name:** Tim Goward  
Community Grants Program Coordinator

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**EXECUTIVE SUMMARY**

The new Community Grants Program was established within Council on 1 July 2009 to provide financial assistance to local community organisations and individuals through grants to undertake projects for the benefit of the Redlands community.

Financial assistance to the Redlands community through the grants program includes:

- Mayor's Small Grants up to \$500 with a total pool of \$50,000;
- Organisational Support Grants up to \$3,000 with a total pool of \$90,000;
- Project Support Grants up to \$10,000 with a total pool of \$200,000;
- Capital Infrastructure Support Grants up to \$75,000 with a total pool of \$250,000; and
- Regional Arts Development Fund (RADF) with a total pool of \$100,000.

In addition a sub category of Koala Conservation and Koala Arts Support Grants was included as part of the Project Support Grants in which \$70,000 has been committed by the Environment Education Unit, Indigiscapes.

With the exception to the Mayor's Small Grants which can be submitted throughout the financial year all other categories have two funding rounds each financial year closing in September 2009 and March 2010.

A total of 76 applications requesting \$981,022.56 from Round 1 have been received including:

- 21 applications for Organisation Support requesting \$60,653;
- 32 applications for Project Support requesting \$230,503;
- 16 applications for Capital Infrastructure Support requesting \$645,367.06; and
- 7 applications for RADF requesting \$44,499.50.

Applications from the Organisational Support Grants have been assessed by Council staff and approved by the Group Manager of Customer and Community Services.

Applications for the Project Support, Capital Infrastructure Support and the RADF have been assessed by Council staff and approved and endorsed by the Community Grants Panel and, in the case of the RADF applications, the RADF Committee in accordance with State Government and Council Policies and Guidelines.

This report seeks approval from Council to fund successful applications, as well as successful applications with partial and conditional funding, from Round 1 of the Community Grants Program for the Project Support, Capital Support and RADF categories. Total funding of \$338,855.35 is sought to fund 26 applications that have been successful from Round 1. The successful applicants for each category are included at **Attachment 1**.

Successful and unsuccessful applicants for all categories – Organisational Support, Project Support, Capital Infrastructure Support and RADF – will be informed of an outcome of their application after the General Meeting on 25 November 2009.

To recognise the organisations that have been successful in their applications an event has been scheduled at the Redland Performing Arts Centre from 6.00pm to 7.30pm on 14 December 2009 in which the Mayor and Councillors will be invited to present cheques to successful applicants within their Division.

## **PURPOSE**

In accordance with Corporate Policy POL-3082 Financial Assistance to the Community Sector and Corporate Guidelines GL-3082-001 Financial Assistance to the Community Sector, this report seeks approval from Council to fund the successful applications under Round 1 of the Community Grants Program in 2009/10.

## **BACKGROUND**

Council's Corporate Policy POL-3082 Financial Assistance to the Community Sector and Corporate Guidelines GL-3082-001 Financial Assistance to the Community Sector provides for a range of grants to be available to the community. With the exception of the Mayor's Small Grants which runs continuously, all other grants have two (2) rounds of funding, Round 1 in September and Round 2 in March of each year. All grants excepting the Mayor's Small Grants are on a competitive basis and assessed against the Guidelines. The categories of grants available are:

- Mayor's Small Grants – up to \$500 for individuals demonstrating excellence at a high level and to organisations for unexpected costs and grant writing assistance.
- Organisational Support Grants – up to \$3,000 to provide assistance to organisations to support management, administration and planning costs;
- Project Support Grants – up to \$10,000 to provide assistance to organisations to provide specific projects that deliver long term positive outcomes to the

community. The projects can create improvements for people in a particular community or locality in the Redlands;

- Koala Conservation Support Grants – up to \$10,000 to assist organisations in specific projects or activities that provide positive outcomes for koala conservation in the community. Applications will be assessed as part of the Project Support Grants; and
- Koala Arts Support Grants – up to \$10,000 to assist professional or emerging professional artists or organisations to develop art projects along a koala conservation theme. Applications will be assessed as part of the Project Support Grants.
- Capital Infrastructure Support Grants – up to \$75,000 to assist organisations to build, renovate or refurbish facilities, including hard-wired technology upgrades; and
- Regional Arts Development Fund (existing grant) – this grant supports professional artists and arts workers to practice their art, for and with communities.

All applications are assessed for eligibility against the Guidelines for the Community Grants Program and against a set criteria that reflects the Council's strategic directions endorsed by the Corporate Plan, the Strong Communities Framework and the Cultural Plan. Key priorities are set each year for the following year based on recommendations gathered by the Grants Team from different program areas within Council. They are also assessed in accordance with Council's Corporate Policy and Guidelines.

The Mayor's Small Grants are assessed for eligibility and if successful approved by the Grants Team. Applications under the Organisational Support, Project Support and Capital Infrastructure Support grants are assessed by two relevant professional Council officers and moderated by the Community Grants Coordinator. Applications for the Organisational Support Grants are approved by the Group Manager of the Customer and Community Services.

Project Support and Capital Infrastructure Support Grants have been endorsed and approved by the Community Grants Panel. The panel is chaired by the Community Grants Coordinator with members consisting of three Council staff and three representing the community. The Council members were elected for their professionalism in the specific program areas and the community members are elected for their experience in grant funding programs and or experience in the not-for-profit sector. Membership on the panel is for one funding round with the membership being reviewed for future rounds in line with the review of the program.

In the case of applications for the RADF, there are two rounds of the RADF Grants with Council's annual budget allocation being matched by the State Government. Council is required to administer the RADF Grants under State Government Guidelines. The applications are assessed by the elected RADF Committee which is facilitated by the Director of the Redland Art Gallery (non-voting) and chaired by Councillor Helen Murray who has the casting vote. Councillor Craig Ogilvie is also



represented on the Committee. RADF Committee members are elected for two terms and represent a cross section of art forms and interests. They are assessed against criteria set by the State Government and the objectives of Council's Cultural Policy. The RADF Committee assesses and endorses applications.

Endorsed and approved applications under Project Support, Capital Infrastructure Support and RADF are submitted to Council for approval. This process ensures a consistent, fair, open process without bias.

## **ISSUES**

The applications to which this report is seeking funding for has been assessed by two Council officers, moderated by the Community Grants Coordinator and approved and endorsed by the Community Grants Panel and the RADF Committee.

Round 1 – Project Support Grant – 32 applications were assessed requesting total funding of \$230,503.00. Of these applications, 15 applications have been recommended for funding totalling \$114,734.85. This includes:

- \$14,805.90 for two projects is recommended from the Environmental Education Unit, Indigiscapes as part of the sub category to fund a Koala Art Project and a Koala Conservation Project received; and
- \$99,928.95 for 13 projects is recommended for funding under the Project Support Grant.

Round 1 – Capital Infrastructure Support Grant – 16 applications were assessed requesting total funding of \$645,367.06. Of these applications, six applications have been recommended for funding including:

- Three applications totalling \$91,746 to be funded the full recommended amount;
- \$65,000 to Mooroondu Sports and Recreation Club that applied for funding to upgrade the lighting. The Community and Social Planning Group has a legacy funding directed to upgrades for this Club and have provided funding towards this project.
- Two applications with partial and conditional funding totalling \$40,000 to sporting clubs requesting lighting upgrades have been recommended. Council will provide partial funding contingent to the organisation applying for funds under the Sport and Recreation Queensland's (SRQ) Minor Facilities Program. SRQ are currently reviewing all their funding programs with organisations able to apply for funding not before May 2010. Council will assist the applicants develop a submission with funding remaining committed for the two applicants pending an outcome of their submission. The committed funds if not required will be allocated back into the Capital Infrastructure Support Grant for future rounds. If the organisation is unsuccessful in receiving funding from SRQ, the

organisation will be eligible to apply for the balance of the funds required to complete the project in future rounds of the Community Grants Program.

Round 1 – Regional Arts Development Fund – 7 applications were assessed requesting total funding of \$44,499.50. Of these applications, 5 applications have been recommended for funding totalling \$27,374.50.

The applications that were unsuccessful either did not meet the eligibility criteria or were eligible projects but did not rank high enough to meet the funding threshold as a priority project.

### **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**

12 applications under the Organisational Support Grant have been approved for funding for the amount of \$34,373. The total budget for the Organisational Support Grant in 2009/10 is \$90,000 - \$45,000 each funding round. Funds available in Round 2 are \$55,627.

15 applications under the Project Support Grant are recommended for approval by Council for the amount of \$114,734.85. Approval is sought for:

- \$14,805.90 from the Environmental Education Unit, Indigiscapes to fund the successful Koala Art Project and a Koala Conservation Projects received under the sub category of the Project Support Grants. The funds available in Round 2 are \$55,194.10;and
- \$99,928.95 for successful applications under the Project Support Grant. The funds available in Round 2 are \$100,071.05.

Six applications under the Capital Infrastructure Support Grant are recommended for approval by Council for the amount of \$196,746. Approval is sought for:

- \$91,746 for three applications to fully fund successful projects from the Capital Infrastructure Support Grant;
- \$65,000 from the Community and Social Planning Group for the Mooroodu Sports and Recreation Club Project; and
- A commitment of \$40,000 to two applications subject to the conditions as previously indicated. The funds available in Round 2 are \$118,254.

Five applications under the Regional Arts Development Fund (RADF) are recommended for approval by Council for the amount of \$27,374.50. The total budget for the RADF in 2009/10 is \$100,000 with \$72,625.50 available in Round 2.

Total funding of \$338,828.35 is recommended for Round 1 including:

- \$99,928.95 for 13 Project Support applications;
- \$14,805.90 for two koala projects;
- \$91,746 for three Capital Infrastructure Support applications;
- \$65,000 to the Mooroondu Sports and Recreation Club project;
- \$40,000 commitment to two Capital Infrastructure Support applications subject to conditions as outlined above; and
- \$27,347.50 for five RADF applications.

After the September grants round is completed an assessment will be undertaken in relation to the proportion of funds available in each grant category. Categories that are underspent will be more actively promoted by staff to seek additional applications in time for Round 2 due to open on 25 January 2010.

After the closing of Round 2 in March 2010 and an assessment has been undertaken of the applications received, funds may be moved from one category to another to ensure that maximum expenditure occurs (eg. if all eligible projects have been funded in one category and funds remain, these funds may be transferred to a category that has more eligible applications than available funding). Uncommitted funds within the grants program cannot be rolled over from one financial year to another so any unspent funds will be returned to Council general revenue.

## **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**

Information on the Community Grants Program was provided to the community through four workshops held on the mainland and one each held on North Stradbroke Island and Russell Island. Approximately 80 organisations were represented at these workshops.

A training session was also held for Council staff and Councillors to provide information on the changes to the financial assistance to the community.

In the assessment of the applications, consultation occurred with Council staff, the Community Grants Panel and the RADF Committee.

Briefing on Round 1 of the Community Grants Program and a copy of all the applications received were provided to the Mayor and Councillors for comment on 30 September 2009.

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

Moved by: Cr Townsend  
Seconded by: Cr Elliott

**That Council resolve to:**

- 1. Approve funding for 13 applications totalling \$99,928.95 under Round 1 of the Project Support Grants – Community Grants Program; and**
- 2. Approve funding for two applications totalling \$14,805.90 from the Environmental Education Unit, Indigiscapes, to fund the Koala Arts project (PS-101-0030) and the Koala Conservation project (PS-101-0021) received under Round 1 of the Project Support Grants – Community Grants Program.**
- 3. Approve funding for three applications totalling \$91,746 under Round 1 of the Capital Infrastructure Support Grants – Community Grants Program;**
- 4. Approve a funding commitment of \$40,000 for two applications (CS-101-0004 and CS-101-0016) under Round 1 of the Capital Infrastructure Support Grants – Community Grants Program subject to the conditions outlined in their Funding Agreements and to be transferred to the 2010/2011 budget for Capital Infrastructure Support Grants if not spent in 2009/2010;**
- 5. Approve funding to Mooroondu Sports and Recreation Club application CS-101-0013 of \$65,000 from the Community and Social Planning Group under Round 1 of the Capital Infrastructure Support Grants – Community Grants Program; and**
- 6. Approve funding for five applications totalling \$27,374.50 under Round 1 of the Regional Arts Development Fund – Community Grants Program.**

**CARRIED**

Cr Townsend declared a material personal interest in Item 13.4.3 *Proposed Management Model for North Stradbroke Island Holiday Parks* and Item 13.4.4 *Provision of Lease for the North Stradbroke Island Holiday Parks* and left the committee 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. Cr Townsend vacated the chair and Cr Hobson presided.

Prior to deliberation and resolution on this matter at today's meeting, Cr Townsend declared a material personal interest for the same reasons as above and left the chamber.

### **13.4.3 COMMUNITY MODEL FOR THE MANAGEMENT OF THE STRADDIE HOLIDAY PARKS**

**Datworks Filename:** CP Straddie Holiday Parks - General  
**Responsible Officer Name:** Mike Hyde  
General Manager - Customer Services  
**Author Name:** Michael Tait  
Project Manager - Customer & Community Services

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#### **EXECUTIVE SUMMARY**

A confidential report from Project Manager – Customer & Community Services dated 16 November 2009 was discussed in closed session at the Finance & Corporate Management meeting on 18 November 2009, with the Committee Recommendation presented at today's meeting for consideration.

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

Moved by: Cr Williams  
Seconded by: Cr Ogilvie

**That Council resolve as follows:**

- 1. To note the report;**
- 2. To provide Minjerribah Camping with an extension of time until Monday 1 February 2010 to supply the additional information required to accurately assess their business plan and gain Indigenous Business Australia Investments' formal approval of their investment of working capital and commitment to their 50% equity in the joint venture structure;**
- 3. To request the parties to the tender extend the validity period of their tendered offers until 2 May 2010; and**

4. That this report remains confidential until a final resolution is made in this matter, and any 'commercial in confidence' information in this matter remains confidential.

**CARRIED**

A division was called for.

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

Cr Elliott voted in the negative.

Cr Townsend was absent from the meeting when the vote was taken.

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

Cr Townsend returned to the meeting.

Cr Townsend declared a material personal interest in Item 13.4.4 *Provision of Lease for the North Stradbroke Island Holiday Parks* and left the chamber prior to 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.

#### **13.4.4 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 5 November 2009 was discussed in closed session at the Finance & Corporate Management meeting on 18 November 2009, with the Committee Recommendation presented at today's meeting for consideration.

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

Moved by: Cr Williams  
Seconded by: Cr Boglary

**That Council resolve as follows:**

- 1. That the report be noted;**
- 2. That all tenders are still under active consideration;**
- 3. That this report remains confidential until a final resolution is made in this matter, and any 'commercial in confidence' information in this matter remains confidential.**

**CARRIED**

Cr Townsend returned to the meeting.

Crs Murray, Reimers and Bowler declared a material personal interest in this item as they have bank accounts with the ANZ Bank and remained in the chamber for the discussion and decision on this item, voting in the affirmative.

Prior to deliberation and resolution on this matter at today's meeting, Crs Murray, Reimers and Bowler declared a material personal interest for the same reason as above and remained in the meeting, voting in the affirmative.

### **13.5 TENDER FOR CONSIDERATION**

The following tender was presented for consideration:

#### **13.5.1 TENDER 1223-2009-FNS BANK & PROVISION OF PAYMENT PROCESSING SERVICES**

**Dataworks Filename:** FM Tendering  
**Responsible Officer Name:** Kerry Phillips  
Manager Finance Services  
**Author Name:** Don Carter  
Service Manager Accounts & Cash Management

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### **EXECUTIVE SUMMARY**

The provision of banking services and financial transaction services & payment processing services has been provided to Council under two (2) individual three (3) year contracts. These contractual arrangements ended on the 30 September 2009 and a two (2) month extension was exercised to the 30 November 2009 with each of the current service providers under the same terms and conditions of the original contract.

The purpose of this report is to seek Council approval for the awarding of a three (3) year contract with an option to extend for another two (2) one (1) year periods at the discretion of Council for banking and financial transaction services & payment processing services as recommended in this report.

### **PURPOSE**

To seek Council approval for the awarding of a three (3) year contract with an option to extend for another two (2) one (1) year periods at the discretion of Council for contracts for banking and financial transaction services & payment processing services as recommended in this report.

### **BACKGROUND**

The provision of banking services, financial transaction services and payment processing services are currently provided to Council under a three year contract with the following service providers:



- Australian and New Zealand Banking Group Limited (ANZ) - banking, financial transaction services (including merchant agreement for IVR services) and internet payment processing services ;
- Australia Post – over the counter rate payment processing services ( for both cash and cheque type payments excluding credit card payments);
- Australian and New Zealand Banking Group Limited (ANZ) – Interactive Voice Recognition (IVR) telephone payment services.

These contractual arrangements for the past three years expired on the 30 September 2009. A two (2) month extension was exercised to the 30 November 2009 with these organisations under the same terms and conditions of the original contract.

Financial Services have continued to align the expiry of these individual contract arrangements to allow for a composite tender arrangement with a view to maximising the potential so as to take advantage of economies of scale and the emerging issues and technology in the delivery of these services.

## **SUMMARY OF EVALUATION**

On Saturday 13 June 2009 Council advertised in the Courier Mail newspaper for suitable qualified service providers to submit tenders for the provision of banking and financial transaction services and the supply of payment processing services. Nine (9) documents were requested from suppliers interested in tendering for these services and at the closing time of 2pm 6 July 2009 at Council's tender box five (5) submissions were received.

Responses to the tender came from a combination of industry participants ranging from the four major banks to an individual payment processing service provider. The form and contents of submissions although generally compliant, provided a difficult environment for direct comparison. The tenders have been assessed on the following criteria:

1. Pricing- value for money
2. Referee reports
3. Quality Assurance/Certification
4. Implementation Plan
5. Australian Ratings
6. Service Functionality-quality and suitability

The tenders were assessed in line with weighted and non weighted criteria as specified in the tender document. Submissions were scored on a scale of 1-10 in line with evaluation criteria and by:

- Analysing and reviewing the tender document replies submitted by all tenderers,
- Contacting a number of nominated referees,
- Interviews with the short listed tenderers

Council Officers from Financial Services and Supply Services, evaluated and short listed the tender responses.

Based on the detailed evaluation tenderers were allocated the following overall scores:

Scoring	C.B.A	N.A.B	A.N.Z	Westpac
Financial	41.51	44.97	45.00	43.61
Non Financial	48.40	48.40	55.00	53.40
<b>TOTAL</b>	<b>89.91</b>	<b>93.37</b>	<b>100.00</b>	<b>97.01</b>

## ISSUES

The ANZ Bank has submitted a competitive tender which supported the quality of service that has been given to Council in prior years. Their tender reply and interview clearly demonstrated their knowledge of the business needs of this Council and commitment to ongoing technology development in the form of online web based technology. Incorporated in their tender reply is the option for the three services being offered in the original tender document. They are: Banking Services, IVR Services as a third party arrangement for the Optus system and Over the Counter Services as a third party arrangement for the Australia Post service.

The benefits or advantages of the ANZ Bank tender for **banking and financial transaction services including internet payment processing services** over their nearest competitors are as follows;

- a) They provide after hours night safe facilities. This service is not provided by the closest alternate tenderer.
- b) The tender price is calculated as only being \$1,200 below the closest alternative tenderer by value for money. Included in these calculations is estimated minimum change over costs of \$125,000 for Banking, Internet and IVR products and an adjustment back to the 1 November 2009 for a number of banking services should the tenderer be successful.
- c) They have agreed not to pass on any CPI increases to Council for the duration of the contract. CPI will only be considered if the two (2) year option is exercised by Council but the nearest competitor will not give this guarantee.
- d) There are indications in the market place that certain merchant interchange fees may change as a result of the Reserve Bank of Australia debit/credit card ongoing reform. The bank has agreed that these costs will remain unchanged providing the review is within a variation range of plus or minus 10%
- e) Their online web based technology is slightly more advanced than the nearest scored tenderer.
- f) The bank has accepted in full the Conditions of Contract of Council detailed in the tender document which forms the letter of offer and acceptance by both parties.

- g) Council will not incur change over costs as this bank is our current provider. There will be no impact to Council Staff and labour resources can be better utilised working on efficiency based improvement projects. If Council were to change, it is estimated that it would take a period of three to six months to fully complete a conversion of this nature due to the complexity of the various electronic technology based systems

The panel of Council officers conclusively agreed that the three (3) year contract with an option to extend for a another 2) one (1) year periods at the discretion of Council should be awarded to the existing provider: Australian and New Zealand Banking Group Ltd for **banking, financial transaction services including internet payment processing services.**

The tender replies for the **IVR telephone payment system** have been diverse and competitive.

The ANZ Bank has tendered for the IVR telephone payment system as agents of the Optus – Smart Pay system which is competitive with all the banks. They are the current provider for this service as agents of the Optus –Smart Pay IVR system. The third party agreement with this bank has worked extremely well over the past three (3) years.

This service has been extremely efficient over recent years and only minor issues have been experienced by Council. If any additional payment options are introduced into this service during the term of this agreement, then no additional establishment costs will be incurred by Council as under the current contract allowance has been made for such additions. The call back facilities to council have provided extremely good customer service to the users of the service which is not available with two of the competitors.

If the ANZ Bank IVR telephone solution is accepted by Council then there will be no change cost as the Bank is our current service provider.

The panel of Council Officers feel that there is a risk associated with changing from a system working efficiently, effectively and providing a high level of customer service to ratepayers when there is no real financial advantage to be gained. It is also felt that the Optus - Smart Pay IVR system has several enhanced capabilities, including call back facilities and easier to add payment options. The panel therefore agreed that a three year contract should be awarded to the ANZ Banking Group Ltd plus an option to extend for another two (2) one (1) year periods at the discretion of Council as part of a third party arrangement for the **Optus Smart Pay IVR telephone payment system.**

Australia Post is the current provider for **over the counter agency payments for rates.** Council have been extremely satisfied with their service with no problems being experienced in recent years. Council allows cash and cheque payment types to be made at these facilities. Credit cards have not been introduced to encourage these types of payments to be made through the less expensive online electronic

payment channels. This arrangement serves to reduce merchant fee costs to Council.

Australia Post has again tendered their services with two options included in their tender as available to Council. They are much more expensive than their competitors for this stand alone product/service as Option No 1 for their "Postbillpay Services ". Three (3) of the four (4) major banks have tendered this same product but as third part agreements for this exact same service and are less expensive than the supplier Australia Post. The Australia Post proposal is subject to annual CPI increases whereas each of these banks has agreed to hold their prices for the three (3) year duration of the tender.

The fourth major bank has tendered there own bank over the counter services but this has not been considered as the service is not popular with the ratepayers of Council. A check has been made with another Local Government in South East Queensland who has entered into a similar type banking third party agreement for Australia Post over the counter services and they report that their arrangement is working extremely efficiently.

Australia Post has tendered Option No 2 for their suite of products marketed as "Postbillpay". They are proposing a Local Government pooled pricing arrangement where it is mandatory to accept all three channels of this marketed products. There channels are as follows; Over the Counter, IVR and Internet Facilities payment facilities. There pricing for Over the Counter Services then becomes competitive with three of the banking offers.

However, their pricing in relation to their two other channel services is far in excess of all the banking offers and is subject to annual CPI increases. There is also a risk of pricing increases should volumes decrease as a result of other Local Authorities cancelling this pooled pricing arrangement. Australia Post indicated in their tender discussions that they would be prepared to accept non exclusive arrangements for IVR and Internet Payment facilities. This would in turn mean amending the rate notices and other payment option notices to incorporate this additional payment facility.

There is a pricing difference of approximately \$800 accepting the Australia Post Option No 2 proposal (as described above) as against awarding the whole of the tender to the ANZ Bank for the complete suite of services.

The panel of Council officers believe it would be more efficient and cost effective to enter into a third party agreement with the ANZ Bank for **Australia Post over the counter services for the payment of rates** by either cash or cheque. This will entail having a single contract with the one service provider for all three services listed in the tender document.

If this service is transferred to the ANZ bank then it will take a period of up to six (6) weeks after the contract has been signed to finalise the transfer including the amendment to the Australia Post barcode format. There will be insufficient time to

make the required changes to the quarterly rate notices due to issue in early January 2010.

It is anticipated that Council will be required to seek an extension of the current contract for these services with Australia Post until 12 April 2010 to provide continuity of service for ratepayers.

### **RELATIONSHIP TO CORPORATE PLAN**

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

### **FINANCIAL IMPLICATIONS**

Under the existing contractual arrangements the costs for the next 3 years are estimated to be \$1,849,500 based on the volumes developed for the tender document, the 2009/2010 adopted budget estimates and the 10 year financial model.

The anticipated combined cost of services for the full three years of the new impending contracts for the two options presented in this report and based on transaction volumes developed for the tender document are as follows:

Option No 1 – ANZ Bank for banking, financial transaction services and IVR telephone payment processing services and a third party agreement for the Australia Post Over the Counter Payment Services The cost for the next three years of the new contract is estimated at \$1,481,800, realising savings over this period of \$368,700

Option No 2 – ANZ Bank for banking, financial transaction services and IVR telephone payment processing services and Australia Post for over the counter payment processing services and non exclusive IVR and internet Services. The cost for the next three years of the new contract is estimated at \$1,481,600, realising savings for this period of \$367,900.

### **CONSULTATION**

Tender consultation, development and evaluation was coordinated by the following officers:

Service Manager - Accounts and Cash Management; Manager - Financial Services; Team Co-ordinator - Cash Management; Procurement Co-ordinator- Supply Services; Service Manager - IM Business Improvement; IM Technology - Architect Officer; Senior Procurement Officer – Supply Accounts; General Manager Corporate Services has also been consulted regarding the panel recommendations; Moreton Bay Regional Council.

**OPTIONS****PREFERRED**

1. To award a contract for the provision of services as follows;
  - a. Australian and New Zealand Banking Group Limited for banking and financial transaction services and internet payment processing services for a three (3) Year period with an option to extend another two (2) one (1) year periods at the discretion of Council;
  - b. Australian and New Zealand Banking Group Limited for IVR telephone payment services for a three (3) year period with an option to extend another two (2) one (1) year periods at the discretion of Council ; and
  - c. Australian and New Zealand Banking Group Limited for Australia Post over the counter payment services (for cash and cheque type payment services) as a third party agreement for a three (3) year period with an option to extend another two (2) one (1) year periods at the discretion of Council; and
2. That Council delegate authority to the Chief Executive Officer to enter into a short term agreement with Australia Post, subject to successful negotiations, for the payment of rates for over the counter services until the 12 April 2010 for the reasons as described above.

**ALTERNATIVE**

1. To award a contract for the provision of services as follows;
  - a. Australian and New Zealand Banking Group Limited for banking and financial transaction services and non exclusive internet payment processing services for a three (3) year period with an option to extend another two (2) one (1) year periods at the discretion of Council;
  - b. Australian and New Zealand Banking Group Limited for non exclusive IVR telephone payment services for a three (3) year period with an option to extend another two (2) one (1) year periods at the discretion of Council; and
  - c. Australia Post for over the counter payment services (for cash and cheque type payments) and non exclusive IVR telephone and internet payment processing for a three (3) year period with an option to extend another two (2) one (1) year periods at the discretion of Council :

The arrangement for non exclusive IVR telephone and internet payment services if accepted would not be operational until the 12 April 2010. Time will not permit this new arrangement to be in place in accordance with the schedule of the third quarterly rating.

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

Moved by: Cr Williams  
Seconded by: Cr Henry

**That Council resolve as follows:**

1. **To award contracts for provision of services for Banking and Financial Transactions & Provision of Payment Processing Services for a period of three (3) years with the option to extend for a further two (2) one (1) year periods commencing 1 December 2009 as follows:**
  - a. **Australian and New Zealand Banking Group Limited for banking and financial transaction services and internet payment services to support payment processing services;**
  - b. **Australian and New Zealand Banking Group Limited for IVR telephone payment services;**
  - c. **Australian and New Zealand Banking Group for Australia Post over the counter payment processing services for cash and cheque type payments; and**
2. **To authorise the Chief Executive Officer to enter into a short term arrangement with Australia Post, subject to successful negotiations, for the payment of rates for over the counter services until 12 April 2010; and**
3. **That the Chief Executive Officer be delegated authority to:**
  - a. **make, vary and discharge all contracts under Tender 1223-2009-FNS in accordance with the agreed contract terms; and**
  - b. **sign and amend all relevant documentation.**

**CARRIED**

## 13.6 REGULATORY SERVICES DEPARTMENT

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

**Dataworks Filename:** GOV Fees and Charges Documentation

**Attachments:** [Fact Sheet - Well made development application](#)  
[Fact Sheet - Accelerated DA SMBI Dwelling House](#)

**Responsible Officer Name:** Toni Averay  
General Manager, Regulatory Services

**Author Name:** Toni Averay  
General Manager, Regulatory Services

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#### EXECUTIVE SUMMARY

The 2009/10 Schedule of Fees and Charges incorporating both Regulatory and Commercial fees was adopted at a Special Meeting of Council on 26 June 2009. The schedule provided for a number of discounts for Regulatory Services fees to be decided by identified delegated officers within the Regulatory Services Department.

Subsequently, an internal audit review was conducted into the management of fee waivers and discounts relating to development applications in response to a request at Council's Audit Committee meeting of 23 June 2009. The objective of the review was to evaluate the adequacy of current processes and controls relating to the approval, justification and documentation of fee waivers and discounts of development applications.

The review found that there was insufficient policy, guidance and transparency surrounding the current processes and decisions relating to the granting of fee waivers and discounts for development applications and made a number of recommendations. These recommendations have been considered and accordingly a number of amendments are proposed to the 2009/10 approved fee schedule.

#### PURPOSE

The purpose of this report is to present recommendations regarding the current provisions for fee discounts and waivers for Council approval.

#### BACKGROUND

Section 1071A of the Queensland *Local Government Act 1993* provides that regulatory fees 'must not be more than the cost to the local government of providing the service or taking the action for which the fee is charged'. Council also has the discretion to charge less than this fee in appropriate circumstances; eg, as an incentive, in recognition of a community benefit, or on compassionate grounds.

The current fee schedule provides for the Manager Assessment Services to allow a fee relaxation of up to 30% on the basis of applications meeting certain criteria. This

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provision relates back to a decision made by on 4 February 2005 when it was agreed that the Manager Assessment Services may grant up to a 30% relaxation and amounts above this may be granted by the General Manager Customer Services.

The 2009/10 fee schedule provides as follows:

A 30% rebate may apply to complete applications and supporting information that use Council's published format (template) and comply with current policy on making an application under the Redlands Planning Scheme. This will be determined through a written request to the Manager Assessment Services.

The 2009/10 fee schedule also provides for 'fees on application' (FOA) to be determined by the Service Manager Development Assessment (up to \$20,000 or the Manager Assessment Services (over \$20,000). FOA fees will be calculated on the nature, scale and complexity of the application, taking into account all required resources.

Council's Internal Audit Manager made the following recommendations in her report dated 15 September 2009:

*Further work is required to ensure that adequate policy and supporting guidance exists to support the appropriate, consistent and transparent approval of relaxations within a clearly defined framework of approved circumstances and financial limits/tolerances. The delegation of authority to approve fee relaxations should also be revised to ensure that this power is appropriately delegated in accordance with the defined policy, approved circumstances and financial limits/tolerances.*

*The informal nature of the current request, approval, response and recording processes also provides little assurance that all relaxations are appropriately captured, considered and reported in the Relaxation and Fee Waiver Register.*

## **Discussion**

In accordance with the recommendations of the Internal Audit report of 15 September, the following changes to the 2009/10 approved Fees and Charges Schedule are proposed to provide clearer guidelines and criteria for delegated officers. It is proposed to delete the current provisions relating to 30% refunds and replace them with the following provisions:

- **Delegated approval for requests for reduction of development application fees**

It is recommended the General Manager Regulatory Services be delegated authority to approve requests to reduce the development application fee when a strict application of the scheduled fee is unreasonable or inappropriate considering the work required to carry out the assessment of the application, or where an appropriate fee has not been set. Requests for fee reduction are required to be made in writing and accompanied by relevant supporting documentation. Should the delegated officer be unable or unwilling to

determined a reduced fee at the time of lodgement (for example, in the case of impact assessable applications where the potential for submissions is a factor in consideration of any discount), the applicant is to pay the scheduled fee and any discount will be determined when the application is decided, at which time any part-refund will be paid.

In determining requests for fee discounts, the delegated officer is to consider and document the following factors:

- Level of assessment – including applicable zones and overlays;
- Likelihood of submissions objecting to the proposal;
- Intensity, scope and scale of proposed development;
- Number of referral agencies and complexity of referral triggers;
- Complexity of technical reports required in support of application;
- Anticipated workload;
- Political and community interest and sensitivity; and
- Other relevant factors.

It is proposed that a template be developed to provide for consistent recording of all decisions relating to fee discounts and waivers. The template will document the relevant criteria applied and will record the scheduled fee and the amount of discount approved. Decisions will then be recorded in Council's Register of Fee Discounts and Waivers.

- **Well made application rebate of 25% (up to a maximum of \$5,000)**

It is proposed to introduce a well made application rebate of 25% in an effort to improve the quality of applications lodged and to encourage applicants to submit all necessary supporting documentation and reports at lodgement instead of waiting for an Information Request. While this would appear to be reducing the potential revenue stream, in reality it will save Council money if the quality of applications improves and officers spend less time chasing up outstanding information. Presently, about 75% of applications require an Information Request, which consumes a lot of officer time and delays the assessment process. Further, officers are often involved in follow-up meetings, the preparation of further correspondence, telephone calls and sometimes disputes with the applicant in respect of the issues raised in Information Requests. If applications were 'Well Made' at lodgement, the assessment process would be far more efficient.

The rebate will apply to:

- material change of use applications (excluding single dwelling)
- reconfiguration of a lot application fees for standard format with or without common property or boundary realignment
- operational works (excluding domestic driveway crossover and placing an advertising device).

The rebate will not apply to:

- dwelling house and small lot house material change of use applications
- building works assessable against the planning scheme;
- overlay charges for reconfiguration of a lot
- operational works for domestic driveway crossover and advertising devices.

A number of other Councils currently already offer a well-made application fee discount eg Gold Coast City Council has a 50% discount; Logan has a 25% discount capped at \$5,000.

A 'Fact Sheet' for applicants for well made applications has been drafted for Council consideration and is attached as Annex A to this report. Checklists are currently being finalised and will be ready for release on 4<sup>th</sup> January 2010.

All well made application discounts are to be recorded in Council's Register of Discounts and Waivers.

- **Revised fee discount policy for bonafide charities and not for profit organisations.**

It is proposed to formalise the provisions for discounts for charities and not for profit organisations and to cap these at 25% of the scheduled fee. The workload associated with applications from charitable groups is still significant, and often greater as many of these applicants have limited funds to spend on consultants. Additionally, it is also noted that some fee reductions are sought from private schools, and while these are not-for-profit organisations, their profits are directed to the school community rather than to meet a broader need within the wider community.

It is considered that a 25% discount is appropriate for all bona fide charities and not for profit organisations; ie the discounted fee should be 75% of the scheduled fee.

It is proposed to apply the following definition to define bonafide charities and not for profit organisations:

The applicant is—

- endorsed as a charity by the Australian Taxation Office; or
- an incorporated association under the Associations Incorporations Act 1981 which is not a club licensed under the Liquor Act 1992; or
- an incorporated association under the Associations Incorporation Act 1981 which is a club licensed under the Liquor Act 1992, if the applicant—
- does not have an existing management agreement with another licensed club; and
- has no more than 20 gaming machines licensed in accordance with the Gaming Machines Act 1991; and
- the applicant is the owner of the premises the subject of the development application.

All discounts for not for profit organisations and bonafide charities are to be recorded in Council's Register of Discounts and Waivers.

- **Accelerated DA applications rebate of 25% (up to a maximum of \$5,000)**  
Council's Accelerated DA application process has now been launched for SMBI dwelling houses. Further Accelerated DA uses are currently being developed.

A rebate of 25% is proposed for Accelerated DA applications in recognition of the reduced workload associated with these applications.

The accelerated process is for simple, complying applications, whilst the well made process is for more complex applications; therefore it is proposed that an applicant will be eligible for either the Accelerated rebate or the Well Made rebate, but not both for the same application.

Decisions are to be recorded in Council's Register of Fee Discounts and Waivers.

- **SmarteDA applications discount of 10% (up to a maximum of \$5,000)**  
Currently there is no specified discount for applications lodged electronically utilising Council's Smart eDA function. It is proposed to provide a 10% discount for applications lodged via Smart eDA, up to a maximum of \$5,000. This recognises the reduced workload for Council that electronic applications represent.

Decisions are to be recorded in Council's Register of Fee Discounts and Waivers.

### **Policy and administration**

The following administrative provisions are proposed:

- **Multiple discounts**  
Where applicants meet the criteria for multiple discounts, it is proposed discounts be applied in the following order:
  - Multiplier for level of assessment (ie 0.7 for code, 1.0 for impact consistent, 1.5 impact inconsistent);
  - Smart eDA; and
  - Charity/not for profit organisation; and
  - Well made application OR Accelerated eDA.

It is proposed discounts be applied to the fee calculated progressively on the basis of the amount calculated following the application of the previous discount. For example, an Accelerated DA for an SMBI dwelling house lodged by a not for profit organisation using Smart eDA would be calculated as follows:

- Scheduled application fee of \$1,426
- Multiplier for code x0.7 = \$998.20

- Less Smart eDA discount = \$898.38
- Less not for profit discount = \$673.79
- Less Accelerated DA discount = \$505.39

Therefore the relevant fee would be \$505.39 for the application in the example if all the above criteria were satisfied.

- **Register of Fee Discounts and Waivers**

More discipline is required in the maintenance of the Register of Fee Discounts and Waivers. The Internal Audit report of 15 September 2009 identified that 'the current register does not provide a complete and accurate audit trail of all requests for fee relaxations, waivers and discounts relating to development applications'. Further, the Internal Audit report also identified that there is currently 'no regular management reporting of requested relaxations, approved relaxations, fee waivers, discounts, and refunds relating to development application lodgement fees.'

Accordingly, it is proposed that a quarterly report on all fee discounts and waivers be prepared by the General Manager Regulatory Services and presented for the information of Council.

### **Fees on Application for applications for building certification**

It is noted that there is also provision within the 2009/10 Schedule for calculation of 'fees on application' (FOA) in relation to applications for building certification as follows:

In determining the Fee on Application (FOA), the delegated officer will make an informed judgement and estimate of the resources required to carry out the necessary administration and assessments of the particular proposal or service requested. This will include the consideration of such things as:

- the number of properties,
- the development and associated works applications,
- the number and duration of attendances to gather and interpret information, to inspect, to collate records and
- the degree of complexity and contention in the material involved, of any decision to be made and of any reports to be written,
- the number of Council personnel concerned and time spent travelling, and
- the cost of any consultants, experts or professionals that may be required to assist Redland Shire Council in determining the application.

The fee determination is to be based on a fee for service principle.

The following positions shall be delegated the authority through the CEO to determine fees, calculated fees (FOA), determine variations to the prescribed fees as and when required, and to determine any reimbursements for fees paid up to and including the stated limits. Note that these limits and fee requirements are only applicable for works within City boundaries:

- Up to \$10,000 – Integrated Development Services Team Leaders;
- Up to \$20,000 – Integrated Development Services Manager; and
- All other instances – Manager Assessment Services and General Manager Regulatory Services.

It is proposed that the current provisions as detailed above will continue to apply while a detailed review of fees is undertaken. A further report recommending new scheduled fees will be presented to Council within three months.

In the interim, all FOA decisions will be documented and recorded in an appendix to the Register of Fee Discounts and Waivers.

### **Conclusion**

The report into the recent internal audit, Review of the Management of Fee Waivers and Discounts relating to Development Applications dated 15 September 2009 has evaluated the adequacy of current processes and controls relating to the approval, justification and documentation of fee waivers and discounts for the lodgement of development applications. The review found insufficient policy, guidance and transparency surrounding the current processes and decisions relating to the granting of fee waivers and discounts on development applications and made a number of recommendations discussed in this report. The changes to Council's 2009/10 Fees and Charges Schedule recommended in this report are the first steps in addressing the Internal Audit recommendations. Council's endorsement is sought for the proposed changes and further actions identified in this report.

It is proposed the new provisions detailed in this report will commence on 4th January 2010.

### **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**

Minor financial implications are expected as a result of the anticipated relatively small number of fee relaxation requests. The Well Made fee will result in cost savings to Council through reduced assessment times for applications and will improve the community's access to development information. It is expected that the minor reduction in revenue will not significantly impact on the Department's budget.

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

Moved by: Cr Townsend  
Seconded by: Cr Elliott

**That Council resolve as follows:**

- 1. To delete the current provisions in the 2009/10 Fees and Charges Schedule for a 30% rebate and for 'fees on application' to be determined by the Manager Assessment Services;**
- 2. That the General Manager Regulatory Services be authorised to approve requests to reduce the development application fee when a strict application of the scheduled fee is considered unreasonable or inappropriate considering the work required to carry out the assessment of the application, or where an appropriate fee has not been set.**

Requests for fee reduction are required to be made in writing and accompanied by relevant supporting documentation. Should the delegated officer be unable or unwilling to determine a reduced fee at the time of lodgement (for example, in the case of impact assessable applications where the potential for submissions is a factor in consideration of any discount), the applicant is to pay the scheduled fee and any discount will be determined when the application is decided, at which time any part-refund will be paid. In determining requests for fee discounts, the delegated officers are to consider and document the following factors:

- a. Level of assessment – including applicable zones and overlays;
  - b. Likelihood of submissions objecting to the proposal;
  - c. Intensity, scope and scale of proposed development;
  - d. Number of referral agencies and complexity of referral triggers;
  - e. Complexity of technical reports required in support of application;
  - f. Anticipated workload;
  - g. Political and community interest and sensitivity; and
  - h. Other relevant factors.
- 3. That a discount of 25% be introduced for 'well made applications' in accordance with the criteria detailed in the Well Made Application Fact Sheet;**
  - 4. That a discount of 25% be introduced for bonafide charities and not for profit organisations which meet the following criteria:**

- a. endorsed as a charity by the Australian Taxation Office; or
  - b. an incorporated association under the Associations Incorporations Act 1981 which is not a club licensed under the Liquor Act 1992; or
  - c. an incorporated association under the Associations Incorporation Act 1981 which is a club licensed under the Liquor Act 1992, if the applicant—
    - i. does not have an existing management agreement with another licensed club; and
    - ii. has no more than 20 gaming machines licensed in accordance with the Gaming Machines Act 1991; and
    - iii. the applicant is the owner of the premises the subject of the development application;
5. That a rebate of 25% be applied for Accelerated DA applications for SMBI dwelling house applications complying with the criteria detailed in the Accelerated DA fact sheet;
  6. That a discount of 10% for applications lodged using Council's Smart eDA system, EXCLUDING Accelerated DA applications;
  7. That the General Manager Regulatory Services implement the necessary administration processes to support the introduction of the new discounts and rebates with effect from 4 January 2010; and
  8. That all discount, waivers and fees determined through an FOA basis be recorded in Council's Register of Fee Discounts and Waivers.

**CARRIED**



## **13.7 GENERAL BUSINESS**

### **13.7.1 RATING INFORMATION SESSION**

Committee was updated by Acting General Manager Corporate Services on the Rating Information Session to be held Friday 4 December 2009 and the proposed advertisement.

Councillors were requested to submit any changes to the advertisement to Acting General Manager Corporate Services by close of business Thursday 19 November 2009.

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

Moved by:           Cr Townsend  
Seconded by:       Cr Elliott

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

**CARRIED**

## 14 DIRECT TO COUNCIL REPORTS

### 14.1 GOVERNANCE

#### 14.1.1 ADOPTION OF 2008-09 ANNUAL REPORT

**Datworks Filename:** CR Annual Report  
**Attachment:** [Annual Report 2008-09](#)  
**Responsible Officer Name:** Nick Clarke  
General Manager - Governance  
**Author Name:** Paula Weston  
Principal Adviser, Media and Marketing

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### EXECUTIVE SUMMARY

Redland City Council is required to adopt its Annual Report for 2008-09 by 30 November 2009 under the terms of the *Local Government Act 1993* Section 531.

An annual report must contain information on the local government's financial position, an assessment of its performance in implementing its corporate and operational plans, as well as other issues of public interest as specified in section 534 of the Act.

A copy of the annual report is presented to Council before being printed for distribution.

It is recommended that Council resolve to adopt the 2008-2009 Redland City Council Annual Report.

### PURPOSE

This report is presented to Council for approval to meet our legislative requirements under the *Local Government Act 1993* Section 531, which requires our Annual Report to be adopted by 30 November.

### BACKGROUND

Redland City Council has prepared its 2008-09 Annual Report, which reviews in detail its financial and operational performance for the year against the goals of the Corporate Plan.

The report includes Council's audited financial statements, the status of projects budgeted during the 2008-09 financial year and a review of some of the projects budgeted for in the 2009-10 financial year.

Printed copies of the annual report will then be made available to the public and contents will be uploaded to Council's website.

In addition, a summary document will be produced that includes a CD containing the annual report text and images.

## ISSUES

In accordance with section 531 of the *Local Government Act 1993*, a local government must prepare an annual report for each financial year.

Under Part 8, it must contain the following:

Section 532:

An annual report must contain:

- (a) the financial statements for the year as audited by the auditor-general; and
- (b) the auditor-general's report on the financial statements.

Section 533:

A local government's annual report also must contain an assessment of its performance in implementing its corporate and operational plans.

In addition, in accordance with section 534, a local government's annual report must contain:

- a) details of action taken in relation to, and expenditure on, a service, facility or activity:
  - i. for which the local government made and levied a special rate or charge for the financial year; and
  - ii. supplied by another local government under arrangements entered into under section 59; and
- b) a list of all action taken under section 488(2) during the year;
- c) a list of all resolutions made during the year under section 489(1);
- d) a list of the registers kept by it and open to inspection;
- e) a summary of all rebates and concessions allowed by the local government in relation to rates;
- ea) a copy of the local government's expenses and reimbursement policy;
- f) a copy of any resolution made during the year under section 236A, 236B or 237
- g) particulars of:
  - i. the total remuneration paid or by it to each of its councillors under the remuneration schedule during the year;
  - ii. the expenses incurred by, and the facilities provided to, each of its councillors under the local government's expenses and reimbursement policy during the year;
  - iii. the total superannuation contributions paid by it for each of its councillors during the year;
- h) details of the number of meetings attended by each councillor during the year;

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- i) a statement including the information prescribed under a regulation about its activities during the year to implement its plan for equal opportunity in employment;
  - j) particulars of other issues relevant to making an informed assessment of its operations and performance in the financial year;
  - k) particulars of issues required by the Local Government Finance Standards;
  - l) names of shareholder's delegates of the local government for its local government owned corporations for the year under section 643;
  - m) particulars required to be included under section 847;
  - n) each of the following details for a financial year starting on 1 July 2005 or later –
    - i. the total number of breaches of the local government's code of conduct committed by councillors as decided during the year by the local government;
    - ii. the name of each councillor decided during the year by the local government to have breached the code, a description of how the councillor breached the code, and details of any penalty imposed by the local government on the councillor;
    - iii. the number of complaints about alleged code of conduct breaches by councillors, other than frivolous or vexatious complaints, that were referred to the conduct review panel during the year by the local government or the chief executive officer under chapter 4, part 3A;
    - iv. the number of recommendations made to the local government by the conduct review panel during the year that were adopted, or not adopted, by the local government;
    - v. the number of complaints resolved under the local government's general complaints process during the year and the number of those complaints that related to an alleged breach by a councillor of the local government's code of conduct;
    - vi. the number of complaints made to the ombudsman, and notified to the local government, during the year about decisions made by the local government in relation to enforcement of its code of conduct.

It is considered that the report presented to Council is in accordance with the above.

## **RELATIONSHIP TO CORPORATE PLAN**

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

## **FINANCIAL IMPLICATIONS**

Funds for printing the annual report and summary brochure have been allocated in the current budget.

**CONSULTATION**

Consultation has been undertaken across the organisation to ensure the accuracy and content of the annual report.

**OFFICER'S RECOMMENDATION/  
COUNCIL RESOLUTION**

Moved by: Cr Hobson  
Seconded by: Cr Elliott

**That Council adopt the 2008-09 Redland City Council Annual Report.**

**CARRIED**

**15 MEETING CLOSURE**

There being no further business, the Mayor declared the meeting closed at 5.31 pm.

Signature of Chairperson: \_\_\_\_\_

Confirmation date: \_\_\_\_\_