

Redland
CITY COUNCIL

MINUTES

GENERAL MEETING

Wednesday, 27 April 2011

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

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1 DECLARATION OF OPENING

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

2 DEVOTIONAL SEGMENT

Pastor Bruce Warren, member of the Ministers' Fellowship, led Council in a brief devotional segment.

3 RECOGNITION OF ACHIEVEMENT

3.1 LGMA (QLD) AWARDS NIGHT

General Manager Governance outlined Redland City Council's participation in the Local Government Managers Australia (Queensland) Awards Night and advised that Council had two nominations in these inaugural awards.

Council's first nomination was for our Community Plan. RCC was a finalist and came runner up in that particular category.

Council also had a nomination for the way we look after our staff, through our WorkCover programme. Council had previously won awards in relation to the excellent support we give to our staff. That nomination also did very well.

The awards also gave the LGMA (Qld) the opportunity to recognise the excellent work that was done across local government more broadly and one of the special highlights of the evening was the announcement of the winners of the LGMA Management Challenge. The Redland team performed exceptionally well just missing a top three place.

3.2 IN APPRECIATION

The Mayor thanked Patrick Navin, Service Manager Waste Operations, who is leaving Council to commence his own business, for the contribution he had made to Council and wished him well for the future.

5.2 SPECIAL MEETING MINUTES 12 APRIL 2011

Moved by: Cr Townsend
Seconded by: Cr Boglary

That the minutes of the Special Meeting held on 12 April 2011 be confirmed.

CARRIED

6 MATTERS OUTSTANDING FROM PREVIOUS GENERAL MEETING MINUTES

6.1 REPORT FROM CHIEF EXECUTIVE OFFICER

The Chief Executive Officer presented the following items for noting:

6.1.1 DREDGING AT VICTORIA POINT JETTY

Datworks Filename: GOV Notice of Business/Urgent Business to General Meetings
Responsible Officer Name: Gary Stevenson
Chief Executive Officer
Author Name: Greg Underwood
General Manager Planning & Policy

EXECUTIVE SUMMARY

At the General Meeting on 20 October 2010 resolved that a report be prepared on the dredging at Victoria Point jetty affecting the landing of the Coochiemudlo Island ferries as this is affecting more than passenger ferries, it has to do with school children having to get home in a certain time and meet the school's duty of care.

OFFICER'S RECOMMENDATION

That it be noted that a report addressing this matter will be presented to the 8 June 2011 Planning & Policy Committee meeting.

6.1.2 STATUS REPORT ON CLOSURE OF REDLAND BAY ROAD, CAPALABA

At the General Meeting on 15 December 2010 Council resolved that the General Manager Planning & Policy bring forward a status report on the closure of Redland Bay Road, Capalaba to include information from discussions with Translink and Department of Main Roads, in relation to major intersections in this area.

OFFICER'S RECOMMENDATION

That it be noted that a report addressing this matter will be presented to the 4 May 2011 Planning & Policy Committee meeting.

6.1.3 PETITION (DIVISION 6) STORM WATER DRAINAGE PROBLEM AT PEAR STREET, REDLAND BAY

At the General Meeting on 27 January 2011, Council resolved that the petition regarding storm water drainage issues at Pear Street, Redland Bay be received and referred to the appropriate area of Council for consideration and a report back to Council.

OFFICER'S RECOMMENDATION

That it be noted that a report addressing this matter will be presented to the 4 May 2011 Planning & Policy Committee meeting.

7 PUBLIC PARTICIPATION

MOTION TO ADJOURN MEETING

Moved by: Cr Henry
Seconded by: Cr Boglary

That Council adjourn the meeting for a 15 minute public participation segment.

CARRIED

1. Mr D Burrows, Redland Bay, addressed Council in relation to a dog off-leash area at Point Talburpin, and tabled a letter from Alan Hill-Hartporter, Chairman of the Bengston Park Residents Action Group.

The following speakers addressed Council in relation to parking at Weinam Creek Ferry Terminal:

2. Ms C Molloy, Lamb Island
3. Ms G James, Macleay Island

Moved by: Cr Murray
Seconded by: Cr Reimers

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

CARRIED

4. Ms G Nemeth, Macleay Island and representative of Our Parking Spot.
5. Mr L Hackett, Macleay Island, Our Parking Spot Group.

MOTION TO RESUME MEETING

Moved by: Cr Elliott
Seconded by: Cr Murray

That the meeting proceedings resume.

CARRIED

8 PETITIONS/PRESENTATIONS**8.1 PETITION****8.1.1 PETITION (DIVISION 5) REQUEST BY MACLEAY ISLAND CRAFT GROUP FOR ASSISTANCE IN STORING TABLES AT MACLEAY ISLAND HALL AND ADVICE ON OBTAINING ACCIDENT REPORT FORMS**

Moved by: Cr Townsend
Seconded by: Cr Henry

That the petition, which reads as follows, be received and that it be referred to an officer of Customer and Community Services for consideration and response.

“Petition from residents of Macleay Island Craft Group requesting assistance in storing tables at Macleay Island Hall and advice on obtaining accident report forms.”

CARRIED

9 ORDER OF BUSINESS**MOTION TO WITHDRAW ITEM 20.1.1 (as listed on the agenda)**

Moved by: Cr Williams
Seconded by: Cr Reimers

That item 20.1.1 (*Notice of Motion to Amend Resolution of Council of 30 March 2011, Item 15.3.4 – Redland Bay Centre and foreshore Master Plan Implementation Strategy*) be withdrawn.

CARRIED

MOTION TO ALTER THE ORDER OF BUSINESS

Moved by: Cr Williams
Seconded by: Cr Reimers

That the order of business be altered to discuss the Mayoral Minute as Item 19 and that Item 13.5.2 be discussed as the last item of business.

CARRIED

10 DECLARATION OF MATERIAL PERSONAL INTEREST AND CONFLICT OF INTEREST ON ANY ITEMS OF BUSINESS

- **Item 13.3.1 – Runnymede Project Business Case: Land Dedicated at 377 Redland Bay Road, Capalaba**
Crs Henry and Bowler declared a conflict of interest in this item, or perceived conflict of interest, in this item – see item for details.
- **Item 19 – Mayoral Minute**
Crs Henry, Boglary, Reimers and Murray declared a conflict of interest, or perceived conflict of interest, in this item – see item for details.

COUNCILLOR ABSENCES DURING MEETING

Cr Elliott left the meeting at 6.20pm and returned at 6.22pm during discussion on item 19.

Crs Townsend, Elliott, Murray, Henry and Boglary left the meeting at 6.46pm and returned at 6.52pm after the meeting was closed to the public, but before the closed session item was discussed.

Cr Williams left the meeting at 7.14pm and returned at 7.16pm during closed session.

**11 DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE 5
APRIL 2011****11.1 DEVELOPMENT & COMMUNITY STANDARDS**

[Development & Community Standards Committee Minutes 5/4/2011](#)

Moved by: Cr Townsend
Seconded by: Cr Boglary

That the Development & Community Standards Committee Minutes of 5 April 2011 be received and resolutions noted on items resolved under delegated authority.

CARRIED

RESOLUTIONS FOR NOTING**11.1.1 CATEGORY 1 – MINOR COMPLYING CODE ASSESSMENT &
HOUSEKEEPING**

(This matter was resolved under delegated authority at Committee)

**11.1.2 CATEGORY 2 – COMPLYING CODE ASSESSMENTS AND MINOR
IMPACT ASSESSMENTS**

(This matter was resolved under delegated authority at Committee)

11.1.3 CURRENT APPEALS LIST AS AT 18 MARCH 2011

(This matter was resolved under delegated authority at Committee)

**11.1.4 REQUEST TO CHANGE FOR MIXED USE (SHOP, OFFICE,
REFRESHMENT ESTABLISHMENT, VET CLINIC, OUTDOOR DINING
AND HEALTH CARE CENTRE) AT 71-101 SCHOOL OF ARTS ROAD,
REDLAND BAY**

(This matter was resolved under delegated authority at Committee)

ITEM FOR CONSIDERATION**11.1.5 DELEGATION TO CHIEF EXECUTIVE OFFICER UNDER SUSTAINABLE PLANNING ACT 2009**

Dataworks Filename: GOV Delegations – Council Officers
Responsible Officer Name: Gary Kirby
Group Manager Community Standards
Author Name: Graham Simpson
Service Manager Development Control

EXECUTIVE SUMMARY

This report proposes that Council delegate powers under the *Sustainable Planning Act 2009* (SPA) to allow proceedings to be brought in the Magistrates' Court by the Chief Executive Officer, who may then delegate this power to a nominated and suitably qualified and experienced Council Officer.

PURPOSE

To recommend that Council delegate its authority under section 597 and 601 of the *Sustainable Planning Act 2009* (SPA) to the Chief Executive Officer.

BACKGROUND

The Development Control Unit is responsible for managing complaints relating to unlawful planning and building issues on private properties. An investigation of a complaint may result in an offence for unlawful building work or non compliance, with an Enforcement Notice being prosecuted in the Magistrates and/or Planning and Environment Courts.

Section 597 of SPA allows only the assessing authority (defined as Council) to bring a proceeding for an offence under:

1. Section 574 of SPA about the building assessment provisions (Self-assessable development must comply with codes);
2. Section 578 of SPA about the building assessment provisions (Carrying out assessable development without permit);
3. Section 580 of SPA about the building assessment provisions (Compliance with development approval);
4. Section 579 of SPA (particular assessable development must comply with codes);
5. Section 587 of SPA (false or misleading document or declaration);

6. Section 594 of SPA (offences relating to enforcement notices); and
7. Section 595 of SPA (processing application or request required by enforcement notice or show cause notice).

Section 601 of SPA allows only the assessing authority (defined as Council) to bring a proceeding for orders about offences under:

1. Section 574 of SPA about the building assessment provisions (Self-assessable development must comply with codes);
2. Section 578 of SPA about the building assessment provisions (Carrying out assessable development without permit);
3. Section 580 of SPA about the building assessment provisions (Compliance with development approval);

There is no current delegation for the CEO to bring proceedings on behalf of Council for the offences and orders listed above.

ISSUES

The purpose of the offence provisions of SPA is to allow Local Governments to take appropriate action in relation to development offences including prosecuting a person for an offence and/or seeking orders related to an offence.

Under subsection 597(3) of SPA, a proceeding for an offence under sections 574, 578 or 580 about building assessment provisions or section 579, 587 and 594 can only be made by the assessing authority.

Not having appropriate delegations in place under subsection 597(3) of SPA significantly restricts Council's ability to meet the legislative requirements for prosecuting offences under section 610 of SPA –

A proceeding for an offence against this Act must start—

(a) within 1 year after the commission of the offence; or

(b) within 6 months after the offence comes to the complainant's knowledge

Similarly, under subsection 601(2) of SPA a proceeding in the Court for an order to remedy or restrain a development offence under sections 574, 578 and 580 about building assessment provisions can only be made by the assessing authority.

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 direct financial implications as a result of this delegation.

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

Legal Services were consulted on this matter and agree that delegated authority to the Chief Executive Officer would be the preferred option.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Townsend
Seconded by: Cr Bowler

That Council resolve, under section 257 (1) (b) of the *Local Government Act 2009*, to delegate to the Chief Executive Officer:

- 1. The authority to exercise the powers and responsibilities relating to commencing proceedings under section 597 of the *Sustainable Planning Act 2009* for offences about building assessment provisions under section 574, 578 or 580; or offences under section 579, 587, 594 or 595; and**
- 2. The authority to exercise the powers and responsibilities relating to commencing proceedings under section 601 of the *Sustainable Planning Act 2009* for orders about building assessment provisions under section 574, 578 or 580.**

CARRIED

12 DEVELOPMENT AND COMMUNITY STANDARDS COMMITTEE 12 APRIL 2011**12.1 DEVELOPMENT & COMMUNITY STANDARDS**

[Development & Community Standards Committee Minutes 12/4/2011](#)

Moved by: Cr Townsend
Seconded by: Cr Boglary

That the Development & Community Standards Committee Minutes of 12 April 2011 be received and resolutions noted on items resolved under delegated authority.

CARRIED

RESOLUTIONS FOR NOTING**12.1.1 CATEGORY 1 – MINOR COMPLYING CODE ASSESSMENT & HOUSEKEEPING**

(This matter was resolved under delegated authority at Committee)

12.1.2 CATEGORY 2 – COMPLYING CODE ASSESSMENTS AND MINOR IMPACT ASSESSMENTS

(This matter was resolved under delegated authority at Committee)

12.1.3 CURRENT APPEALS LIST AS AT 25 MARCH 2011

(This matter was resolved under delegated authority at Committee)

13 PLANNING & POLICY COMMITTEE 6 APRIL 2011

Moved by: Cr Bowler
Seconded by: Cr Elliott

That the Planning & Policy Committee Minutes of 6 April 2011 be received.

CARRIED

[Planning & Policy Committee Minutes 6/4/2011](#)

13.1 PLANNING AND POLICY**13.1.1 PETITION (DIVISION 9) - PRECINCT PLANNING TO ASSIST WITH
MANAGEMENT OF SAFETY ISSUES OF INTERSECTIONS ALONG AND
AROUND CROTONA ROAD ALEXANDRA HILLS AND CAPALABA**

Datworks Filename: RTT LATM'S (Local Area Traffic Management)

Attachments: [Attachment A - Traffic Count and Road Crash Locations](#)
[Attachment B - Example Modified T-Intersection](#)

Responsible Officer Name: Murray Erbs
Manager, Infrastructure Planning

Author Name: Wal Lloyd
Advisor, Traffic Investigations

EXECUTIVE SUMMARY

At the General Meeting of 25 August 2010, it was resolved that the petition that reads as follows, be referred to the Planning and Policy Department for investigation and a report back to Council :

"We the undersigned, request that Council undertake precinct traffic planning to assist with the management of safety issues, rat running and dangerous intersections along and around Crotona Road East, Alexandra Hills and Crotona Road, Capalaba."

Council Officers have carried out traffic surveys throughout the Crotona Road precinct, obtained road crash data from the State Government WebCrash database, and conducted site inspections. The traffic survey results for all precinct roads were generally within the Manual of Uniform Traffic Control Devices (MUTCD) acceptable speed distributions for a 50km/h speed zone, except for one road, namely Crotona Road East. The road crash data and site inspections also indicate that Crotona Road East is the road within the precinct with notable traffic management and safety issues.

This report recommends that Council support the implementation of physical traffic management measures along Crotona Road East between Draycott Street and Windemere Road to create a more controlled and safer road environment for all road users.

PURPOSE

The purpose of this report is to address the petition from local residents regarding their concerns with traffic issues in the local area precinct in and around Crotona Road, Capalaba, and responds to Council Resolution from 25 August 2010.

BACKGROUND

On 23 August 2010, a petition was received from 32 residents of 27 properties in Capalaba and Alexandra Hills, requesting that Council undertake traffic planning throughout the Crotona Road / Crotona Road East precinct. The specific concerns expressed in the petition relate to management of safety issues, rat running and dangerous intersections.

The petition was presented to the General Meeting of 25 August 2010 when it was resolved that a report be compiled in response to the petition.

The precinct under discussion and referred to as “The Crotona Road precinct” is shown on Attachment A – Traffic Count and Road Crash Locations.

All of the roads within the precinct are classified as Local Streets in Council’s road hierarchy, with the exceptions of Crotona Road and Crotona Road East which are classified as Local Collectors over their length between Windemere Road and Finucane Road. Note the section of Finucane Road referred to here is a separated service road under the control of the Department of Transport and Main Roads (DTMR). All of the roads have the general urban speed limit of 50km/h.

In 2009, traffic management devices were installed in Elmhurst Street. At that time no other street in the precinct was proposed for traffic calming. Elmhurst Street was considered to be part of a ‘rat-run’ between Finucane Road and Windemere Road and vehicle speeds were a particular concern. The installation of the devices in Elmhurst Street has resulted in reductions in average speeds of around 10kph.

ISSUES

1) Traffic Issues

Typical Local Street characteristics as defined in the Manual of Uniform Traffic Control Devices (MUTCD) include :

- (i) Speed limit of 50km/h, which is the default speed limit applied on local streets; (the mean or average speed should be below the speed limit).
- (ii) General limit of 59km/h for the 85th percentile speed.
- (iii) Maximum average daily traffic volume (ADT) of 3,000 vehicles per day.

Attachment 'A' shows traffic volume and speed data obtained from traffic surveys conducted throughout the Crotona Road precinct since 2009 and as recent as February 2011.

The traffic speed results for all precinct roads were generally within the MUTCD acceptable speed distributions for a 50km/h speed zone, except for one road, namely Crotona Road East for which the values of both the mean (or average) speeds and the 85th percentile speeds are well above the acceptable MUTCD limits.

The average daily traffic volumes (ADT) on all roads are well below the MUTCD maximum values for these roads.

2) Road crash data

Attachment 'A' shows locations of six precinct crashes that occurred during the last six years as recorded in the DTMR WebCrash database. Note that the database has at least 18 months delay for release of non-fatal crash data.

Table 1 - Summary of precinct road crash data dating from 2005

Site	Date	Description	Police comments
1	Aug 2005 7am	Vehicle proceeding east along Sutphin crashed into rear of parked vehicle at 7am	Sunlight glare obstructed vision of driver. No other contributing circumstances stated.
2	Sep 2006 6pm	Vehicle proceeding north along Merrick hit parked vehicle. Hit-run.	No contributing circumstances stated.
3	Jul 2006 2pm	Vehicle proceeding east along Crotona in single vehicle crash on to southern footpath outside 63 Crotona.	Violation - Undue care and attention.
4	Jun 2008 6pm	Vehicle proceeding west along Crotona hit 3 parked vehicles on southern side starting vicinity 91 Crotona.	Violation - Undue care and attention.
5	Jan 2007 8pm	Vehicle proceeding east along Crotona hit parked vehicle opposite side outside 93 Crotona.	Violation - Fail to keep left. Violation - over prescribed concentration of alcohol.
6	Jul 2007 1pm	Vehicle turning out of Trelleck right into Crotona crashes with 2nd vehicle proceeding south along Crotona. 2nd vehicle then crashes with 3rd vehicle proceeding north along Crotona.	Violation - Fail to give way. Driver condition - inexperienced/lack of expertise.

It is possible that excessive speed may have been a contributing factor in crashes at site locations 3, 4, 5, though not explicitly stated in reports.

In regard to crash site 3, intersection improvements have since been implemented at Elmhurst Street, including splitter islands on intersection approach, and some linemarking in Crotona Road, giving more control over vehicle movements. Average vehicle speeds near that location are well below the MUTCD limits, as already indicated.

Crashes at sites 1, 2, and 6 cannot readily be attributed to any speed factors.

In considering crash sites 4 and 5, the road crash data supports a proposal for traffic calming measures to be implemented in Crotona Road East on both of the approaches to the curve between Draycott Street and Wicks Court.

3) *Conclusions*

The traffic and road crash data as discussed above, and site inspections, do not support general concerns regarding traffic management issues, excessive rat-running, or dangerous intersections within the Crotona Road precinct. The exception to this observation is for Crotona Road East. The data indicates that it would be appropriate to reduce average vehicle speeds along Crotona Road East.

The implementation of traffic control devices such as Modified-T intersections at the Crotona Road East intersections with Draycott Street and Wicks Court would provide a more constrained driving environment to meet desired outcomes of reducing average vehicle speeds in that area. A Crotona Road East LATM project would need to be funded from future budgets, possibly staged over two years. An example Modified-T intersection is shown in Attachment 'B'.

This form of lateral-displacement device would be preferable in this situation where there is ample road pavement width to cater for the devices and there would be no adverse impacts on immediate residents in regard to driveway access or parking restrictions and there are no residences opposite the intersections, only Council park lands.

It is proposed that installation of enhanced linemarking with RRPMS along Crotona Road, and the installation of a Give Way sign at the Trelleck Court intersection with Crotona Road East, would improve road safety and also contribute to the effectiveness of the proposed traffic management measures. This work can commence immediately, funded from the current budget.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priorities:

5.11 - Provide for 'place making' throughout the city through creative and inclusive master planning, local area planning, public art and heritage planning and precinct character planning processes to manage development at a local level.

5.12 - Plan, provide and advocate for essential physical and social infrastructure that supports community well-being and manage Council's existing infrastructure assets to ensure current service standards are maintained or improved.

FINANCIAL IMPLICATIONS

Funding from current budget to commence installation of new linemarking, RRPMs, and signs along Crotona Road East.

Preferred option implications-

It is recommended that the LATM construction works be listed for consideration as follows:

- (i) Crotona Road East LATM Stage 1 at Draycott St to be funded from LATM 2011/12 at approximately \$40,000; and
- (ii) Crotona Road East LATM Stage 2 at Wicks Court to be funded from LATM 2012/13 at approximately \$45,000.

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 Councillor for Division 9, Cr Karen Williams, was consulted on the content of this report and supported the preferred recommendations.

OPTIONS

PREFERRED

That Council resolve as follows:

1. To approve the installation of traffic management devices in Crotona Road East, Capalaba at Draycott Street and Wicks Court intersections;
2. That funding for the traffic management devices, estimated to cost \$40,000 [Draycott] and \$45,000 [Wicks] be considered in the 2011/12 and 2012/13 capital programs;
3. Install new linemarkings and retro-reflective raised pavement markers (RRPMs) along Crotona Road East, and a Give Way sign in Trelleck Court at the intersection with Crotona Road East; and
4. That the principal petitioner be advised in writing of Council's resolution in this matter and be requested to advise all signatories to the petition of Council's decision.

ALTERNATIVE

That Council resolve as follows:

1. Install new linemarkings and retro-reflective raised pavement markers (RRPMs) along Crotona Road East, and a Give Way sign in Trelleck Court at the intersection with Crotona Road East; and
2. That the principal petitioner be advised in writing of Council's resolution in this matter and be requested to advise all signatories to the petition of Council's decision.

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

Moved by: Cr Bowler
Seconded by: Cr Elliott

That Council resolve as follows:

1. **To approve the installation of traffic management devices in Crotona Road East, Capalaba at Draycott Street and Wicks Court intersections;**
2. **That funding for the traffic management devices, estimated to cost \$40,000 [Draycott] and \$45,000 [Wicks] be considered in the 2011/12 and 2012/13 capital programs;**
3. **Install new linemarkings and retro-reflective raised pavement markers (RRPMs) along Crotona Road East, and a Give Way sign in Trelleck Court at the intersection with Crotona Road East; and**
4. **That the principal petitioner be advised in writing of Council's resolution in this matter and be requested to advise all signatories to the petition of Council's decision.**

CARRIED (en-bloc)

13.1.2 IMPLEMENTATION OF CAPALABA CENTRES MASTER PLAN: SALE OF COUNCIL CATALYST SITE

Dataworks Filename: LUP Planning - Capalaba Master Plan

Attachments: [Capalaba Centre Master Plan: Town Centre North Precinct Guidelines](#)
[Aerial Photographs](#)
[Land Use Zonings](#)

Responsible Officer Name: Greg Underwood
General Manager, Planning & Policy

Authors Names: Gary Photinos
Acting General Manager, Planning & Policy
Wayne Dawson
Manager, Land Use Planning

EXECUTIVE SUMMARY

In 1997 Council purchased land in Dollery Street Capalaba for road and planning purposes to ensure key elements of the Capalaba Development Control Plan were achieved. The road was subsequently constructed, surplus land and building/improvements to the north of the new road sold and Council retained the commercial building on the balance of the land.

Since that time, Council has completed significant planning documentation such as the Redlands planning Scheme (2006), Redlands 2030 Community Plan, Corporate Plan (2010) and most recently the Capalaba Centre Master Plan.

The Council owned land at 8 Dollery Road Capalaba was identified as a catalyst site as part of the implementation strategy associated with the Capalaba Centre Master Plan. The report identifies a number of land use, community and social planning and economic development issues which supports the recommendation to sell the land with tender conditions. In addition, there is several due diligence matters that need to be considered and administrative resolutions are being sought regarding outstanding road dedication matters.

PURPOSE

That Council resolves to:

1. To offer for sale by public tender, property situated at 8 Dollery Road Capalaba described as Lot 2 on SP 151955 subject to:
 - a. Current tenants are advised prior to the tender process commencing; and
 - b. Tenders submitted will only be considered if they include an acceptable development proposal for the land which is fully compliant with the Capalaba Centre Master Plan 2010.
-

1. Appoint a marketing agent to prepare all tendering documentation and undertake all associated marketing of the property;
2. Prepare and then lodge survey plan with road opening over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane with the Department of Environment and Resource Management; and
3. Surrender easements over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane and absorb them into the road opening survey plan as per resolution 3 above.

BACKGROUND

- Council resolved in 1997 to purchase property situated on the corner of Old Cleveland Road and Dollery Road Capalaba, described as Lot 1 on RP 178357, parish of Capalaba containing an area of 1.066 hectares for the sum of \$4m on conditions acceptable to the Chief Executive Officer and Mayor:
 - Following Purchase, action taken to re survey the property to allow for the road connection between Loraine Street and Dollery Road; and
 - Following construction of the roadway, approval granted for the sale of surplus land to the north of the new roadway.
- 1998 to 1999, a new road way was construction between Loraine Street and Dollery Road and described as Faccio Lane resulting in three new lots being created.
- In 1999 properties to the north of the new Faccio Lane were sold for \$1.1 million.
- The Capalaba Centre Master Plan was formally adopted by Council in December 2010 following extensive strategy development in consultation with the community and the state government. The Master Plan provides a planning framework to guide the revitalisation of Capalaba to 2031 and beyond as an attractive, liveable and sustainable centre that supports the needs of the City's and region's growing community.
- The redevelopment of the Dollery Road site is identified as a key catalyst project for this part of the centre where mixed use development is seen as important to the renewal of this area.

ISSUES

Historical Purposes for Acquisition of Dollery Road Property

The Dollery Road Property now described as 8 Dollery Road Capalaba (Lot 2 on SP 151955) was purchased to achieve outcomes outlined in the Capalaba Development Control Plan mainly to allocate part of the property for road purposes. The significance of the road is to facilitate necessary circulation around a town centre, and access to areas allocated for development.

It was also seen at the time that the purchase provided significant benefits from a planning perspective and in hindsight a very good decision. To take advantage of this decision in light of the new Capalaba Centres Master Plan, the redevelopment of this site will be a catalyst for the entire centre and should be pursued.

Description of Property

THE PROPERTY DETAILS

<u>Lot And Plan</u>	<u>Area</u>	<u>Address</u>	<u>Owner</u>	<u>Zoning</u>	<u>Overlay</u>	<u>Current Use</u>
2 SP151955	5659m ²	8 Dollery Road, Capalaba	Redland Shire Council Property Services	MC Major Centre Sub area MC1	Acid Sulfate Soils	Commercial Building
4 SP151955	17m ²	8A Dollery Road, Capalaba	Redland Shire Council As Trustee	CP - Community Purposes – Sub Area CP7	Acid Sulfate Soils	Access Restriction Strip
1 SP151955	222m ²	2 Noeleen Street, Capalaba	Redland Shire Council Infrastructure Development	MC - Major Centre – Sub Area MC1	Acid Sulfate Soils	Access Restriction Strip
Lot 11 SP 101323	439m ²	27 Loraine Street, Capalaba	Redland Shire Council Operations And Maintenance	CP - Community Purposes – Sub Area CP7	Acid Sulfate Soils	Road way
Lot 3 SP 151955 (Lot 3 SP151955 Streetscape Capalaba (near KFC))	1211m ²	6 Dollery Road, Capalaba	Redland City Council Parks & Conservation	MC - Major Centre – Sub Area MC1	Acid Sulfate Soils and Rail Noise Impact	Road way
Lot 34 RP126727	761.3m ²	15 Loraine Street, Capalaba	Redland Shire Council Operations And Maintenance	MC - Major Centre – SubArea MC1	Acid Sulfate Soils and Rail Noise Impact	Road Way

The following information is primarily in relation to Council owned land at 8 Dollery Road.

However, a number of smaller Council lots adjoin this property and should be considered in any sale. These adjoining lots accommodate Faccio Lane and access restriction strips that restrict access to 8 Dollery Road along the Dollery and Noeleen Street frontages. These lots are as follows:

- Lot 1 SP 151 955: 2 Noeleen Street – 222m² access restriction strip and streetscape works – whether this lot is maintained in Council ownership is dependent on whether access to 8 Dollery Road from Noeleen Street needs to be restricted. This lot also appears to contain public streetscape works as

well on the corner of Dollery and Noeleen Roads. Council may need to indicate its willingness to relinquish the need for this restriction strip subject to appropriate planning outcomes.

- Lot 3 SP 151 955: 6 Dollery Road – 1211m² – access road Faccio Lane – this lot appears to have not been formally dedicated as a road and remains in Council ownership as freehold land. This lot will need to remain in public ownership as it forms part of Faccio Lane and will need to be formalised as a dedicated road.
- Lot 4 SP151 955: 8a Dollery Road – 22m² access restriction strip – whether this lot is maintained in Council ownership is dependent on whether access to 8 Dollery Road from Noeleen Street needs to be restricted. Council may need to indicate its willingness to relinquish the need for this restriction strip.
- Lot 34 RP126727: 15 Loraine Street – 761m² access road – Faccio Lane – this lot appears to have not been formally dedicated as a road but remains in Council ownership as freehold land. This lot will need to remain in public ownership as it forms part of Faccio Lane and will need to be formalised as a dedicated road.

A recent title search reveals that there is “Right of Way” access easement that apply to the Lot 2 SP 151955 8 Dollery Road Capalaba via Faccio Lane.

The formalisation of the road (road opening) over Council owned land is a simple process of producing a survey plan and lodging the plan with the Department of Environment and Resource Management. In addition, the current easements over Council land will need to be surrendered and absorbed into the new road opening.

Details of Existing Leases

The property has three existing leases to various organizations which expire in 2012. It is proposed that the property will be sold subject to the existing leases.

Shop Number	Lease Expires	Leasee
Shop 8	5 th April 2012	Endeavour Foundation
Shop 9a	30 th June 2012	The Cage
Shop 9 & 10	31 st December 2012	Uniting Church

Community and Social Planning Issues

The Redlands Social Infrastructure Strategy

The Redlands Social Infrastructure Strategy 2009: Building Strong Communities proposes a city-wide approach to the development of social infrastructure (facilities, services and networks) to address the city’s current and future community needs. Those actions relevant to this proposal:

- Youth Enterprise Centre (one of five catalyst projects). Create a youth space in the Capalaba Business Precinct and facilitate partnerships with community organisations to deliver targeted youth services.
- Capalaba Community Precinct (local project 5). A community development program to support Capalaba's role as a community and services hub responding to local strengths and issues for young people, seniors and people with a disability.
- Capalaba Health Hub (local project 6). A centrally located health hub for community and allied health services that can provide outreach from the Redland Hospital.

Actions from the Redlands Social Infrastructure Strategy 2009 were integrated into the Capalaba Centre Master Plan (endorsed by Council in December 2010), which details a comprehensive approach to the development of a sustainable and economically vibrant activity centre.

Current and Future Community Needs

The *Capalaba Community Profile and Needs Analysis* (September 2006) identified a number of issues (which have informed the subsequent master planning and social infrastructure strategy processes):

- Poor functionality of Capalaba Town Centre as both a district and regional centre with reported low levels of personal safety, poor urban design and pedestrian access within the town centre, limited mix of facilities and services to meet current and future community needs and economic potential. Social isolation of older people in the project area.
- Lack of affordable and appropriate administration and office space for local community services
- Lack of cultural facilities and affordable activities within the project area
- The need to sustain and/or improve the supply of affordable private rental accommodation across the project area, with attention to the housing needs of the area's ageing population, and demand for smaller, more affordable dwellings.

Demographic analysis undertaken for the Redlands Community Profile 2008 (based on the 2006 Census of Population and Housing), indicated:

- Capalaba one of the youngest age profiles in the Redlands (35years for Capalaba compared with 38years for the City)
- A significant local Indigenous population
- Higher than average numbers of residents with a disability, living in the suburb. Capalaba had one of the city's highest rates of families with a child with a disability requiring support in the city.

- In 2006 an estimated 2,298 people (13.4% of the local population) could be considered to be experiencing significant socio-economic disadvantage – higher than the city average of 12.8%.
- The suburb has traditionally provided a significant proportion of the city's low cost/most affordable housing for both rental and purchase. In 2006 there were 316 public housing dwellings in the suburb.
- There were lower rates of car ownership (than Redland City).

Capalaba residential population is anticipated to increase steadily over the next 10-15 years to 20,685 people by 2026 (PIFU 2009).

Although the age profile of the suburb will continue to age (in line with city-wide trends), the numbers of children and young people will continue to increase.

The family formation co-hort (people aged 25-39 years) will increase by 69.44% (families are recognised to make a significant contribution to local economies).

The number and proportion of older people (people 65+ years) will increase significantly (333%) from 1799 people in 2006 to 5988 people in 2026. This will have significant implications for housing, local facilities and services.

Challenges for meeting current and future needs

There is limited access to well-located and appropriate land/buildings to establish the essential social infrastructure required to meet future community needs within Capalaba. Successful implementation of planned projects requires a shift from traditional planning approaches of 'separate facilities' to more innovative mixed-use approaches (eg. incorporating service delivery and community meeting spaces on the ground and lower floors, with mixed housing types and tenures above).

Experience from other local government areas is that opportunities to secure the government-private-community sector partnerships to deliver services in established centres is difficult to achieve without a supportive planning framework, access to suitable land and interested partners.

Safer Suburbs Capalaba Youth Space Project (The Cage Youth Space)

Operating out of Shop 9a, 8 Dollery Road, Capalaba for over 17 months, the Capalaba Youth Space project was established by Council and is funded by a \$500,000 grant from the Federal Government's Attorney General Department's Safer Suburbs Plan.

The work included leasing a space in Capalaba, establishing a community partnership, fitting out and equipping the space and the project acquittal. The space has now been operating for twelve months and facilitating a range of actions that strengthening and support young people and the reduction youth crime in the Redlands.

Both the *Redlands 2030 Community Plan* and the *Redlands Social Infrastructure Strategy 2009*, support the long-term operation of a youth enterprise space at Capalaba, acknowledging the short term nature of the lease at the Dollery Road site. There may be an opportunity as part of any redevelopment opportunity to accommodate a youth enterprise space.

Capalaba Centre Master Plan

Council's Capalaba Centre Master Plan formally adopted by Council in December 2010 identifies the opportunity to redevelop the subject Dollery Road site for mixed use development (retail at ground with residential above) up to 7-8 storeys in height.

Key features of the Capalaba Centre Master Plan include:

- clear vision for the future of the Capalaba Centre;
- a set of high level planning and design principles;
- a planning framework that includes an illustrative plan along with more detailed precinct plans; and
- An Implementation Strategy that details the range of actions required to implement the Master Plan including a range of catalyst projects to drive the revitalisation of the Capalaba Centre.

The redevelopment of the Dollery Road site is identified as a key catalyst project for this part of the centre where mixed use development is seen as important to the renewal of this area.

In particular, the implementation strategy of the Master Plan identifies the site within an area identified for a proposed health hub catalyst project (land between Loraine, Noeleen, Dollery and Faccio Streets). The subject Dollery Road site is critical to the achievement of this catalyst project recognising the balance area has insufficient area for a health hub facility.

Consideration could be given to either requiring this outcome through the sale of the land or developing the health hub, in partnership with the state government, through the re-development of Capalaba Place which could be part funded from the proceeds of the sale of the Dollery Road site.

Primary mechanisms for the delivery of catalyst projects include Council taking a proactive role through seeking joint ventures with the private sector on Council land, the Private Sector by taking up redevelopment opportunities and the State Government through the delivery of the Eastern Busway and commitment to new state facilities in health, education and administration in the centre. The proposed disposal of the subject site through sale provides another approach to the delivery of catalyst projects.

The Master Plan also provides more detailed precinct plans for the centre. The subject site is located within the Town Centre North Precinct. This precinct includes the following key planning and design concepts and guidelines relevant to the site:

- podium style building design is preferred;
- development abuts the street frontage and is orientated to face public streets and maximise views to the Town Centre or John Federicks Park;
- ground floor uses within buildings that abut streets in the precinct are to activate local streets. Uses that spill out on to the street such as cafes are encouraged;
- housing density to be maximised within the character and amenity constraints of the precinct to make the best use of amenity attributes without conflicting with incompatible land uses;
- energy use is minimised through natural lighting and ventilation and the use of roof mounted solar devices; and
- basement parking provided for tenants, customers and on-site residents.

A copy of the Town Centre North Precinct section of the Master Plan is attached for further details.

Redlands Planning Scheme

The Dollery Road site is currently included within the Major Centre Sub-area MC1 zone. This zone provides opportunity for a range of mixed use developments up to 29m in height (8storeys). This is generally consistent with the planning intent for the site under the Capalaba Centre Master Plan.

Economic Development

The Redland City Centres and Employment Strategy 2010 identifies the Capalaba Centre as a key location for future employment and economic growth in the City to 2031.

This recognises the centre's key economic and employment role recognised through its designation as a Principal Regional Activity Centre in the SEQ Regional Plan and as a Major Centre in the Redlands Planning Scheme. The Capalaba Centre Master Plan has been informed by this strategy and has provided sufficient opportunity to meet forecast employment and economic requirements to 2031 and beyond.

This site is one of the key catalysts for the redevelopment of Capalaba, providing both business opportunities as well as increasing population density. As such there needs to be some assurance from the developer, through a tender process, that they will produce an outcome which is closely aligned with the Capalaba master plan. It would be expected from tenderers to acquire this property must include reference to appropriate time frames for completion as well as optimising the potential use for the site.

If developed appropriately this site could set the standard for quality, sustainability and design for the centre and encourage the ongoing revitalisation of the centre.

Due Diligence Assessment

Lawful Access to the Site

Preliminary assessment of the site indicates that direct lawful road access to the property is restricted to Faccio Lane by means of "Right of Way Easement". Council owned access restriction lots currently prevent direct access to the site from Dollery and Noeleen Roads. The current access restrictions to the site should be reviewed prior to its proposed disposal to determine whether the Council access restriction lots should be maintained in public ownership or relinquished. It is proposed that a delegation be provided to the Chief Executive Office to make a determination on this matter during the tender and disposal process.

It is proposed that the land tenure over which the road has been constructed, that is Faccio Lane, remains Council freehold until the land is formally dedicated as road through an application to the state government.

Environmental Site Assessment Report

An Asbestos Assessment Report was prepared by Simtars on 11 April 2008. The report identified that there are asbestos containing materials within the building and site. These are in the form of asbestos containing pipes used as pylons casings of loading dock, building supports, external fascia cladding materials at roof level and Telstra service pit.

A formal environmental site assessment will need to be undertaken prior to the proposed disposal of this property. This is to ensure that any potential investor is aware of any hazards associated with the site.

Compliance with Capalaba Centre Master Plan

The only motivation for Council to dispose of this property would be have it redeveloped to its full potential, consistent with the Capalaba Centre Master Plan. Under development or no development is significant risk should the sale proceed. To mitigate this risk a number of strategies can be considered such as:

1. Tender documents have a term that the successful tender will submit a development proposal consistent with the Master Plan; and
2. Sales contract to include a term that the settlement is conditional upon:
 - a. Our agreement to a development design;
 - b. The design being approved; and
 - c. Works starting.

Once Council has commenced a tender process, for the disposal of a valuable non current assets [section 176 Local Government (Finance, Plans and Reporting)]

Regulation 2010], it has the option to change the tender or not accept any tenders it receives.

Council also has the option to accept a tender that is most advantageous to it, having regard for sound contracting principles.

Dollery Road/ Faccio Lane Roundabout Design

Internal traffic modelling undertaken as part of the master planning process has identified the need for a roundabout by 2031 at the intersection of Dollery Road and Faccio Lane. The detailed planning and design work for this roundabout has not been undertaken as yet. This concept design work should be undertaken prior to the disposal of the site to clearly identify if any land is required for future road works.

RELATIONSHIP TO CORPORATE PLAN

The corporate plan states that Council will plan and develop a network of accessible centres that provide a wide range of retail, commercial, and community services along with local employment opportunities. As well as promoting housing diversity, choice and affordability to address the city's current and future needs, incorporating medium density housing within and around the city's centres and transport nodes.

Council's strategic intent for the subject site is detailed in the following key policy and planning documents including the Redlands 2030 Community Plan, the Redlands Social Infrastructure Strategy 2009, as well as the Capalaba Centre Master Plan.

The Redlands 2030 Community Plan identifies several goals specifically for Capalaba. More specifically, once master plans for redeveloped commercial centres of Cleveland and Capalaba are finalised in 2010, Council will take an entrepreneurial approach to invigorating these important regional centre. Council will proactively recruit businesses, education and service providers as well as encourage a range of housing options to position Cleveland and Capalaba hearts as thriving principal regional centres.

These two centres are our civic, commercial, and cultural hubs with good transport and the potential to boost our economy, and create local jobs, both important Redlands 2030 goals.

FINANCIAL IMPLICATIONS

The Corporate Acquisition, Fleet and Facilities Management Group as lead agent for the tender process will incur unbudgeted short term financial costs associated with the tender preparation and marketing estimated to be \$100000 as well as legal costs of \$5000, valuation costs of \$3000, and environmental (asbestos) site assessments costs of \$9000. The Infrastructure Planning Group via the Project Delivery Group would need to incur concept design costs for the Dollery Road roundabout of \$3 000, road opening survey plans costs of \$2000, survey plan lodgement fees \$300 and easement surrender lodgement fees of \$120. Total costs are estimated to be \$122 420.

Budget implications will also be associated with potential capital revenues from the sale of the property which would need to be realised in either a quarterly budget review the current financial year or budgeted in the 2011/2012 budget.

PLANNING SCHEME IMPLICATIONS

The Redlands Planning Scheme currently generally supports the development of the site in line with the Master Plan. For example, the Planning Scheme allows for a mixed use development of the site up to 29m (8 storeys) as a code assessable use. Some minor amendments to the Planning Scheme will nevertheless be required to fully reflect the intent of the Master Plan for the site.

CONSULTATION

There have been significant contributions made by the following groups in the preparation of this report within a very short time period:

- Land Use Planning have assisted in drafting this report and have provided all details pertaining to the Redlands Planning Scheme and in particular the Capalaba Centre Master Plan and Implementation Strategy.
- Community and Social Planning have assisted in drafting this report and have identified issues associated with the Social Infrastructure Strategy, current and future community needs and demographic analysis.
- Property Services Group have assisted in drafting this report and have provided details on the historical events resulting in the acquisition, the subsequent sale of surplus lands, information on access to the site and property management details relating to asbestos management. In addition, information has been provided on land tenure issues, marketing and valuations.
- Legal Services Group has provided general information regarding access and guidance on the preparation of the tender documentation.
- Infrastructure Planning Group has provided advice on the restriction access strips, future road planning layouts for possible roundabouts and road openings.
- Economic Development Group have provided advice on the economic development issues and assurances that should be sought
- Survey Services Unit has provided advice on the appropriate process for road openings, dealing with easements and associated costs.

OPTIONS

PREFERRED

That Council resolve to:

1. To offer for sale by public tender, property situated at 8 Dollery Road Capalaba described as Lot 2 on SP 151955 subject to:
 - Current tenants are advised prior to the tender process commencing;
 - and

- Tenders submitted will only be considered if they include an acceptable development proposal for the land which is fully compliant with the Capalaba Centre Master Plan 2010.
2. Appoint a marketing agent to prepare all tender documentation and undertake all associated marketing of the property;
 3. Prepare and then lodge survey plan with road opening over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane with the Department of Environment and Resource Management;
 4. Surrender easements over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane and absorb them into the road opening survey plan as per resolution 3 above; and
 5. Acknowledge that the following actions will also be required in the offering the property for tender, namely:
 - a. Complete an Environmental Site Assessment Report;
 - b. Detailed designs for a roundabout at the intersection of Dollery Road and Faccio lane; and
 - c. Willingness by Council to dispose and or relinquish access restriction strips on lots 1 and 4 SP151955 where it would assist in achieving development proposals through the tender process which are compliant with the Capalaba Centre Master Plan.
 6. Delegate authority to the Chief Executive Officer:
 - a. To negotiate, make, vary or discharge any contract related to the above resolutions; and
 - b. To make, sign and or execute all documentation associated with sale by tender, road opening and easement surrender applications, or other associated process, action or application.

ALTERNATIVE

That Council resolve to:

1. To offer for sale by public tender, property situated at 8 Dollery Road Capalaba described as Lot 2 on SP 151955 subject to:
 - Current tenants are advised prior to the tender process commencing;
 - Tenders submitted will only be considered if they include an acceptable development proposal for the land which is fully compliant with the Capalaba Centre Master Plan 2010.
- c. The sales contract to include a term that the settlement is conditional upon:
 - i. Our agreement to a development design;
 - ii. The design being approved; and
 - iii. Works starting within a reasonable timeframe.
2. Appoint a marketing agent to prepare all tender documentation and undertake all associated marketing of the property;
3. Prepare and then lodge survey plan with road opening over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane with the Department of Environment and Resource Management;

4. Surrender easements over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane and absorb them into the road opening survey plan as per resolution 3 above;
5. Acknowledge that the following actions will also be required in the offering the property for tender, namely:
 - a. Complete an Environmental Site Assessment Report;
 - b. Detailed designs for a roundabout at the intersection of Dollery Road and Faccio lane; and
 - c. Willingness by Council to dispose and or relinquish access restriction strips on lots 1 and 4 SP151955 where it would assist in achieving development proposals through the tender process which are compliant with the Capalaba Centre Master Plan.
6. Delegate authority to the Chief Executive Officer:
 - a. To negotiate, make, vary or discharge any contract related to the above resolutions; and
 - b. to make, sign and or execute all documentation associated with sale by tender, road opening and easement surrender applications, or other associated process, action or application.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Offer for sale by public tender, property situated at 8 Dollery Road Capalaba described as Lot 2 on SP 151955 subject to:
 - a) Current tenants being advised prior to the tender process commencing; and
 - b) Tenders submitted will only be considered if they include an acceptable development proposal for the land which is fully compliant with the Capalaba Centre Master Plan 2010.
2. Appoint a marketing agent to prepare all tender documentation and undertake all associated marketing of the property;
3. Prepare and then lodge survey plan with road opening over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane with the Department of Environment and Resource Management;
4. Surrender easements over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane and absorb them into the road opening survey plan as per recommendation 3 above;
5. Acknowledge that the following actions will also be required in offering the property for tender, namely:
 - a) Completion of an Environmental Site Assessment Report;
 - b) Detailed designs for a roundabout at the intersection of Dollery Road and Faccio lane; and
 - c) Willingness by Council to dispose and or relinquish access restriction strips on lots 1 and 4 SP151955 where it would assist in achieving development proposals through the tender process which are compliant with the Capalaba Centre Master Plan.
6. Delegate authority to the Chief Executive Officer:
 - a) To negotiate, make, vary or discharge any contract related to the above recommendations; and

- b) To make, sign and/or execute all documentation associated with sale by tender, road opening and easement surrender applications, or other associated process, action or application.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Williams
Seconded by: Cr Townsend

That Council resolve to:

1. Offer for sale by public tender, property situated at 8 Dollery Road Capalaba described as Lot 2 on SP 151955 subject to:
 - a) Current tenants being advised prior to the tender process commencing; and
 - b) Tenders submitted will only be considered if they include an acceptable development proposal for the land which is fully compliant with the Capalaba Centre Master Plan 2010.
2. Appoint a marketing agent to prepare all tender documentation and undertake all associated marketing of the property;
3. Prepare and then lodge survey plan with road opening over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane with the Department of Environment and Resource Management;
4. Surrender easements over lot 3 SP 151955 (6 Dollery Road) and lot 34 RP 126727 (15 Loraine Street) Capalaba, as known as Faccio Lane and absorb them into the road opening survey plan as per recommendation 3 above;
5. Acknowledge that the following actions will also be required in offering the property for tender, namely:
 - a) Completion of an Environmental Site Assessment Report;
 - b) Detailed designs at the intersection of Dollery Road and Faccio lane; and
 - c) Willingness by Council to dispose and or relinquish access restriction strips on lots 1 and 4 SP151955 where it would assist in achieving development proposals through the tender process which are compliant with the Capalaba Centre Master Plan.
6. Delegate authority to the Chief Executive Officer:

- a) To negotiate, make, vary or discharge any contract related to the above recommendations; and
- b) To make, sign and/or execute all documentation associated with sale by tender, road opening and easement surrender applications, or other associated process, action or application.

CARRIED

A division was called for.

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

Crs Reimers and Murray voted in the negative.

Cr Burns was absent from the meeting.

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

13.1.3 PETITION (DIVISION 5) - CHANGE OF STREET NAME – CUPHEA STREET, RUSSELL ISLAND TO ANZAC MEMORIAL DRIVE, RUSSELL ISLAND

Datworks Filename: RTT Naming – Roads
GOV - Petitions

Attachment: [Attachment A: Locality Plan](#)

Responsible Officer Name: Greg Underwood
General Manager, Planning & Policy

Author Name: Murray Erbs
Manager, Infrastructure Planning

EXECUTIVE SUMMARY

At the General Meeting of 17 November 2010, Council resolved as follows:

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

“We the undersigned, request that Council give all due consideration to and undertake to change the name of Cuphea Street, Russell Island to Anzac Memorial Drive. Our reasons for the petition request are that the name change will provide some small recognition for the services of and sacrifices made of all our armed services personnel on our behalf in the various arenas of conflict.””

This report recommends that the existing street name of Cuphea Street be retained.

PURPOSE

To respond to the Council resolution requesting consideration of the renaming of Cuphea Street to Anzac Memorial Drive.

BACKGROUND

At the General Meeting of 17 November 2010, Council resolved to refer the request for renaming of Cuphea Street, Russell Island as Anzac Memorial Drive, Russell Island to the appropriate area of Council for consideration and a report back to Council.

In regard to the road information in Council’s Red-e-map, the following points are noted:

- Cuphea Street is an access street that starts at 92 – 102 Canaipa Road in the northeast and finishes at the intersection of Fern Terrace, James Street and Virginia Parade in the southwest, a distance of approximately 390 metres.

- Cuphea Street terminates at Fern Terrace; James Street then continues southwest to Orme Drive where it crosses 23 Orme Drive before continuing as Inlet Avenue.
- The road is sealed between Carissa Street in the northeast and the Fern Terrace intersection.

ISSUES

Current street name

- 13 properties have legal access to Cuphea Street; 3 properties are identified by a street number on Cuphea Street. One of these properties is the RSL.
- 225 individuals signed the petition.
- At least 10 petitioners do not live on the island – 6 live on Lamb Island and another 3 listed addresses in Cleveland and the Gold Coast.
- 17 petitioners provided no address other than the suburb of Russell Island.
- 3 petitioners identified themselves as ex-service personnel.
- No official representative of the RSL is noted as a petitioner. See section under External Consultation.
- No owner or tenant of a property identified by a Cuphea Street address is noted as a petitioner. See section under External Consultation.

Street renaming

Council's Guideline Document GL-3012-003 "Assessment for Renaming of Streets" sets out the criteria for consideration of a street renaming proposal, and details the renaming process.

The guideline advises that streets may be renamed if they meet exceptional circumstances, including:

- Partial road closures or where roads are segmented by not being constructed in the first instance;
- Where unexpected development activity would otherwise require the renumbering of an existing street;
- Where similar street names cause confusion;
- Where house numbers are unable to be assigned due to incomplete development of an area or street;
- In cases where multiple or incorrect spelling has occurred over time and is causing confusion for the community.

An application may be made for renaming where it can be demonstrated that:

1. The proposed alteration is justified by the criteria listed above; and
2. All residents, businesses & owners of properties officially fronting the road in question consent to the alteration; or
3. If (1) is satisfied but full support is not available, Council may impose a street renaming that satisfies Guideline Document GL-3012-002 "Assessment for Street Names"

Guideline Document GL-3012-002 states that the appropriate designations for access streets are “Street”, “Crescent”, “Terrace”, “Vista” and “Circuit”. “Drive” is an appropriate designation for a collector or higher order street.

ASSESSMENT

The criteria listed in Guideline Document GL-3012-003 “Assessment for Renaming of Streets” to consider renaming of Cuphea Street have not been met.

No residents, businesses or owners, or their official representatives, of properties officially fronting Cuphea Street have been identified as giving consent to the name change. See section under External Consultation.

Although the proposed alteration is not strictly justified by the criteria contained in Guideline Document GL-3012-003 “Assessment for Renaming of Streets”, the request to rename Cuphea Street has considerable community support and is recommended for approval subject to the concurrence of residents, businesses and owners, or their official representative, of properties officially fronting Cuphea Street.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council’s Wise planning and design outcome:

5.12 Plan, provide and advocate for essential physical and social infrastructure that supports community well-being and manage Council’s existing infrastructure assets to ensure current service standards are maintained or improved.

FINANCIAL IMPLICATIONS

The recommendation to rename the street would require changing three (3) street name signs at an estimated cost of \$450.

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

External Consultation

Mr Malcolm Humphries, President of the Russell Island RSL Club advised that:

1. Mr John Coupe, the principal petitioner, is the accountant for the RSL club and started the petition on behalf of the club.
2. Two other property owners had no objection to the name change. He will arrange for written confirmation of the club’s and neighbouring property owners’ opinions to be forwarded to Council.

3. The club would like to undertake a project to beautify the street if it is renamed but would not be interested in doing so if the name is retained as Cuphea Street.
4. The head petitioner has received approval from the RSL state office for use of the term ANZAC in the proposed name of the street. On being advised that, under the guidelines, the designation of "Drive" is most appropriate to collector and higher order streets rather than access streets, Mr Humphries preferred "Vista" out of the options of "Street", "Crescent", "Terrace", "Vista" and "Circuit".

The length of the proposed name was also discussed. While council has approved multiple part names for streets, long names require long name plates, which are at greater risk of damage from vandals. Mr Humphries understood this and advised that if the name change were approved provided only "Anzac" or "Memorial" were used, then "Anzac" would be preferred.

Internal Consultation

Councillor Barbara Townsend, Division 5 councillor, was consulted and advised her support to rename the street.

Council's spatial information group, advised that multiple part names have been approved in the past and that there were no similar names on Russell Island that could cause confusion.

OPTIONS

PREFERRED

That Council resolve as follows:

1. Rename Cuphea Street, Russell Island as Anzac Vista, Russell Island subject to no written objection being received from any of the residents, businesses and owners of properties officially fronting the road in question; and
2. Advise the principal petitioner of this decision.

ALTERNATIVE

That Council resolve to:

1. Retain the existing street name of Cuphea Street, Russell Island; and
2. Advise the principal petitioner of this decision.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Rename Cuphea Street, Russell Island as Anzac Vista, Russell Island subject to no written objection being received from any of the residents, businesses and owners of properties officially fronting the road in question; and
2. Advise the principal petitioner of this decision.

COMMITTEE RECOMMENDATION

That Council resolve to:

1. Rename Cuphea Street, Russell Island as Anzac Vista, or Anzac Avenue, Russell Island subject to no written objection being received from any of the residents, businesses and owners of properties officially fronting the road in question; and
2. Advise the principal petitioner of this decision.

COUNCIL RESOLUTION

Moved by: Cr Townsend

Seconded by: Cr Reimers

That Council resolve to:

1. **Rename Cuphea Street, Russell Island as Anzac Memorial Drive, Russell Island subject to no written objection being received from any of the residents, businesses and owners of properties officially fronting the road in question; and**
2. **Advise the principal petitioner of this decision.**

CARRIED

13.1.4 REVIEW OF INFRASTRUCTURE CHARGES TASKFORCE FINAL REPORT

Dataworks Filename: RTT PIPS General

Attachments: [Annexure A – Final Report Infrastructure Charges Taskforce March 2011](#)
[Annexure B – Comparison of Simplified Charges for Non-Residential Development](#)

Responsible Officer Name: Murray Erbs
Manager, Infrastructure Planning

Author Name: Giles Tyler
Senior Advisor, Infrastructure Projects

EXECUTIVE SUMMARY

The Infrastructure Charges Taskforce was appointed by the State Government to review the current infrastructure charging regime in Queensland and to prepare a report for the government's consideration. Feedback was sought on recommendations contained in an interim consultation report, to which Council made a submission opposing the imposition of a capped standard charge. At its General Meeting of 15 December 2010 (Item No. 15.5.2) Council resolved:

1. To not support the State Government setting maximum standard infrastructure charges for any type of development, the capping of residential development to a range between \$20,000 - \$30,000 for 3 years, or deferral of payment of charges to settlement of lot;
2. To forward the submission to the Infrastructure Charges Taskforce's *Interim Consultation Report - Proposed reform of Local Government development infrastructure charges arrangements (November 2010) as set out in an Annexure*; and
3. That owing to the potential impacts on Council's financial sustainability, Council will be taking other measures to ensure its views on this proposal are made clear to both the Government and the community.

Council has since made various representations to the State at Mayoral and senior officer levels, as well as the release of media commentaries. A further resolution (General Meeting of 23 February 2011) has reaffirmed Council's policy stance on the proposals, which is supported by these lobbying measures.

No significant change of intent has occurred in the new recommendations but some clarity around the application of charges for residential and non-residential land uses has occurred, along with more detail on transitional arrangements. The report also confirms that Urban Land Development Areas (ULDAs) and declared Master Plan Areas (MPAs) should continue to be subject to site specific infrastructure charging regimes. Importantly, the Taskforce lists non-residential charge rates for 3 years and includes a new sub-recommendation to accommodate circumstances where a

council may have a financial case to apply charges outside the maximum range suggested.

The final report is now with the Queensland Government for its consideration.

PURPOSE

The purpose of this report is to provide a review of the Infrastructure Charges Taskforce's final report findings in light of Council's policy position, and to explore opportunities to opt-out of capped charges. The final report is set out in Annexure A and a comparison of proposed non-residential simplified charges are included in Annexure B.

BACKGROUND

One of the State Government's responses to the 2010 Queensland Growth Management Summit objective 'Promoting Liveable and Affordable Communities' and its own growth management reform agenda, was to establish the Infrastructure Charges Taskforce. The taskforce was charged with the following terms of reference:

- identify current issues relating to the infrastructure planning and funding framework for Local Government infrastructure in Queensland;
- establish a set of principles that will provide the basis for proposing improvements to current arrangements; and
- consider improvements to the current arrangements and other approaches including streamlining processes, simplifying and standardising charging arrangements where possible.

Those terms of reference excluded:

- abolishing infrastructure charges;
- reviewing infrastructure planning;
- reviewing grants and subsidy arrangements; and
- reviewing development conditions.

The final report states that the taskforce recommendations aim at *"...identifying opportunities to simplify charges and to provide greater certainty, as well as to consider viable alternative trunk infrastructure funding arrangements such as third party financing"* in order to overcome the "potential impediments" of the current infrastructure charging regime to achieving development growth.

The taskforce considers that the ten recommendations presented in the report provide a strong platform for reform of infrastructure charging necessary to *"...stimulate development activity in the short term and not seek to inhibit development"*. At the same time the taskforce states that it acknowledges that *infrastructure charges only partially meet the total cost of delivering necessary infrastructure and that it was "...mindful that the matter of funding infrastructure will remain a challenge despite revisions to infrastructure charging arrangements"*. The

report also notes that infrastructure charges comprise one of a number of options for funding infrastructure available to local governments; these funding options including:

- rates, benefited area arrangements and utility charging.
- funding through state and national grants and funding programs.
- financing options.

The Taskforce does note the limited application of alternative financing mechanisms available to local governments.

In arriving at these recommendations, the taskforce (interim report) was of the opinion that *“...making the infrastructure charging system more efficient will help to reduce uncertainty and costs associated with the time taken to determine and agree upon charges, which has hindered development of new homes, shops and commercial facilities”*.

The report states that the taskforce considered 73 submissions to its interim consultation recommendation with the overall feedback being “generally supportive”. Key issues raised related to the level of the set charge for residential development and an appropriate methodology for a standard charging arrangement for non-residential development.

The final report includes 10 recommendations for infrastructure charges reform, proposing:

- adoption of key principles as a guide to improving the current system
- implementation of a maximum standard charges framework for residential and non-residential development
- establishment of arrangements for managing payment, distribution and apportionment of standard charges
- maximum standard charges to be applied in a standard planning regime
- the introduction of maximum standard charges as soon as possible and set for three years from commencement
- annual escalation of maximum standard charges by specified index
- standard charges to be monitored and an ex-post evaluation conducted
- longer term reforms to infrastructure planning and charging
- a moratorium on the collection of local function charges for 3 years
- exploration of improvements in the administration of charges.

The final report also highlights other findings that have arisen during the taskforce’s deliberations. These issues are addressed in Part 5 of the Final Report. Appendix 6 maps old recommendations to new ones.

ISSUES

1. Maximum standard charge

As the recommendation proposing a maximum standard charge range for development is unchanged, it would appear that none of Council's representations have been given weight. The Taskforce states that it has considered equity and reasonableness in arriving at its recommendations, including how the sharing of costs is funded through the various revenue sources available to local governments. To this end it states that a proportional residential charge above \$30,000 is not 'suitable'. However, there's no reference to the quantum of RCC charge rates in the analysis, nor a judgement on how the maximum standard charge will impact on the financial sustainability of Council's trunk delivery program. It would seem RCC's current charges remain what the Taskforce terms an 'outlier' or a non-representative example of charge rates applied by Queensland local governments. This interpretation does not recognise the maturity of RCC's charging policies which, unlike the application of external works type methodologies employed by some local governments, more closely seek to achieve full cost recovery and fair apportionment of charges.

The capped charge will inevitably require Council rate revenues to fund a greater proportion of infrastructure needed to meet current service standards. Council cannot rely on the diminishing grant funding pool to offset the reduced income stream. Council's only other options to making-up the potential revenue shortfall are to:

- borrow the funds required for the new infrastructure with interest and redemption costs added to rates and charges; and/or
- pass on the additional costs to new lot purchasers by way of a special rate.

Alternatively or concurrently, Council may need to reduce infrastructure service levels to better match a potentially reduced financial capacity.

Further still, Council may need to put a moratorium on development that necessitates new or upgraded trunk infrastructure that cannot be sustainably funded through existing revenue sources.

2. Affordability Impact

Importantly, the final report fails to propose a mechanism to ensure that any subsidy gained by the development industry from capped charges will be passed on to the purchaser. It is considered likely that the standard charges will have little or no effect on the issue of housing affordability and, as such, longer term development activity.

3. Opting-out

The final report reiterates the distinction between standard and special purpose planning regimes. It confirms the interim recommendation that the most appropriate

application for those areas declared as master planned areas (MPA) under the Sustainable Planning Act, is to continue to be subject to site specific infrastructure charges. This in part recognises the generally higher infrastructure costs associated with greenfield development.

If the State accepts this advice, the continuing development of a priority infrastructure plan and charges schedule can continue for the recently declared Kinross Road MPA. However, the integration of the SE Thornlands structure plan area into the planning scheme has effectively put that site into the standard planning regime, and therefore subject to the capped charges for residential and non-residential development. Estimates of current policy and draft PIP charges in SE Thornlands are appreciably higher than the maximum standard charge being proposed. In this situation, Council would be best placed to negotiate Infrastructure Agreements with all proponents of development at the site in order to limit its exposure to the delivery of planned infrastructure and charges offsets sought by developers for supplying the infrastructure. The lower the cost recovered from charges (ie. capped charges) the greater the amount Council will need to refund the developer for supplying trunk infrastructure. Alternatively, a special rate may be considered to meet the unanticipated gap.

A further potential variation to the standard charges is proposed where a local government can demonstrate that the unique infrastructure requirements of a particular non-residential development justifies a charge above the maximum standard charge. The only criteria would appear to be the ability for a council to convince the State Government that the variation is warranted for financial sustainability reasons. As previously recognised, RCC would meet this criteria given existing planning scheme policy and draft PIP charge rates, but this would seem to go against the intent of the Taskforce recommendations.

4. Non-residential development

As with the proposed capped charge on residential development, the Taskforce recommendation for non-residential development simplified charges will result in a revenue shortfall as compared with Council's. Typically Council charges (using the simplified headworks methodology) are in the order of \$237 (inc stormwater) per m² GFA for commercial uses, and \$91/m² GFA (inc stormwater) for industrial uses as compared to the Taskforce's applicable maximum charges of around \$140-200 and \$50-70 respectively.

5. Deferred payment for standard charges

The Taskforce suggests that infrastructure charges add significantly to the financing costs of development projects and that removing these up-front costs would provide cash flow certainty to the development industry in uncertain financial times. Council has recognised this last point and currently offers an on-application deferral of charges to approved MCUs to plumbing final inspection rather than at operational works approval. It does not provide a deferral for approved subdivisions, which is ordinarily settled at time of plan sealing.

A number of other councils provide for limited progressive and deferred payments for infrastructure charges aimed at the extenuating circumstances of the development industry through the GFC. Both Gold Coast and Logan apply specific eligibility criteria, an application fee and security in determining a request to defer payment. However, the limiting issue is whether an appropriate form of security can be provided. In the case of Logan, deferral is subject to payment of a security bond equal to 1.15 times the value of the infrastructure contributions. Given the difficulty of developers in securing institutional finance including guarantees, the effectiveness of such schemes is questionable when Council needs security of payment.

Gold Coast deferral criteria include:

- evidence to Council that they are experiencing extenuating circumstances
- suitable security to Council
- all costs to be covered, including Council's, that are associated with the deferral of the charges
- enter into an agreement with council that will be tailored to suit the individual circumstances

Logan's deferral of payment for selected residential development for up to six (6) months, or upon the sale of all or part of the development, subject to the development satisfying the following criteria:

- (a) residential development;
 - (b) existing external infrastructure is in place and adequately sized to serve the existing and proposed development;
 - (c) no major earthworks required;
 - (d) no major trunk drainage issues or downstream approval requirements;
- and
- (e) purchasers must be advised that buildings cannot be used or occupied until services are approved by Council and connected.

There is some merit to the argument that removing up-front financing costs of development projects would provide cash flow certainty to the development industry. However, the Taskforce's suggestion that deferral of payment to the time of settlement of a lot is not practical if security is to be offered in the form of a bank guarantee or similar instrument. The only practical solution is that the deferred charges be included as a statutory duty tied to the transfer of the newly created lot. In most cases, transfer duty is paid by the purchaser which in itself raises issues. In particular, there is no guarantee that developers will pass on any savings from reductions in up-front charges (deferred to purchaser) to home buyers, and this Interim Report does not include any measures to require that.

Alternatively, like other circumstances where the vendor is required to pay duties at settlement (eg. certain transfers of options to purchase), a statutory mechanism could be developed to guarantee payment of outstanding charges at this trigger point.

While the Taskforce maintains its view that deferral of payments is beneficial it does not provide local governments with the mechanics of implementing a deferred cash flow subject to appropriate security. The taskforce has recommended at final recommendation 10 that local governments are to explore appropriate improvements to administrative arrangements.

6. Other

There a number of statutory, regulatory, administrative, technical, and financial matters that still need to be clarified, including:

- who is to pay for any gap in revenues created by the regulated charge?
- expectations created for a regulated charge to continue beyond 3 years;
- implications for lowering of standards;
- implications for current development applications (eg. developers may wish to defer until regulated charges come into effect;
- issue of de-coupling plans for trunk infrastructure (PFTI) from standard charges (eg. likely to be an increase in negotiated decisions if there is a disconnect with adopted network infrastructure plans or PFTI and these plans still have to be shown in published works programs);
- implications for current and future infrastructure agreements;
- why should the same level of detailed strategic planning need to be undertaken with a standard charge rate?
- selective use of charge rate data in report;
- no reference to the level of current cost recovery;
- no reference to differences in network components between states and between councils (ie. water supply and wastewater excluded from capped NSW charge), as well as the problems experienced by caps in other states.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority 5.12 Plan, provide and advocate for essential physical and social infrastructure that supports community well-being and manage Council's existing infrastructure assets to ensure current service standards are maintained or improved.

FINANCIAL IMPLICATIONS

If the State introduces the proposed cap on charges, this will place an additional financial burden on Council's general revenues for the delivery of the planned trunk infrastructure. As it is, Council's does not recover the full cost of supplying this infrastructure from PSP charges. Any further shortfall between the actual cost of providing infrastructure and the amount recovered in infrastructure charges must be funded by alternative means.

In the longer term, Council may need to lower its service standards with a view to better matching service levels to its income streams. However, Council will not be in a position to complete this work prior to the cap coming into effect as proposed on 1 July 2011.

CONSULTATION

Internal consultation has been undertaken with affected infrastructure providers.

The Sustainable Assessment Group is aware that 2011/12 fees and Charges may need to include any direction by the State Government.

It is noted that the Taskforce proposes that 50% of the standard charge will be attributed to the water/sewer networks. At an equivalent \$12,500 per lot, Allconnex would have a shortfall in average per lot cost recovery under both policy (approximately \$4,000 per lot) and draft PIP, but to a much lesser extent than Council's additional cost exposure for its trunk networks (around \$12,000 per lot averaged under current policy).

OPTIONS

PREFERRED

That Council resolve to:

1. Not support the State Government setting maximum standard infrastructure charges for any type of development, the capping of residential and non-residential development for 3 years, or deferral of payment of charges to settlement of lot; and
2. Reiterate to the State Government and the community its opposition to the recommendations being put forward by the Infrastructure Charges Taskforce.

ALTERNATIVE

None proposed.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Not support the State Government setting maximum standard infrastructure charges for any type of development, the capping of residential and non-residential development for 3 years, or deferral of payment of charges to settlement of lot; and
2. Reiterate to the State Government, the opposition and the community its opposition to the recommendations being put forward by the Infrastructure Charges Taskforce.

COMMITTEE RECOMMENDATION

That Council resolve to:

1. Not support the State Government setting maximum standard infrastructure charges for any type of development, the capping of residential and non-residential development for 3 years, or deferral of payment of charges to settlement of lot;

2. Reiterate to the State Government, the opposition and the community its opposition to the recommendations being put forward by the Infrastructure Charges Taskforce; and
3. Advise the State Government and the opposition that the proposed capping of infrastructure charges is contrary to the recommendations of the 2004 Hawker Report and 2008 Productivity Commission Report.

COUNCIL RESOLUTION

Moved by: Cr Henry
Seconded by: Cr Boglary

That Council resolve to:

1. **Not support the State Government setting maximum standard infrastructure charges for any type of development, the capping of residential and non-residential development for 3 years, or deferral of payment of charges to settlement of lot;**
2. **Reiterate to the State Government, the opposition and the community its opposition to the recommendations being put forward by the Infrastructure Charges Taskforce;**
3. **Advise the State Government and the opposition that the proposed capping of infrastructure charges is contrary to the recommendations of the 2004 Hawker Report and 2008 Productivity Commission Report; and**
4. **Request that the State Government demonstrate that the Taskforce was formed on good governance principles; that decision-making was not compromised by Material Personal Interests; and that the appointment of Taskforce members complies with the provisions of the Lobbyist Code of Conduct, as per *the Integrity Act 2009*.**

CARRIED

13.1.5 PROVISION OF FUNDING FOR PATHWAYS/FOOTPATHS IN THE REDLAND BAY AREA

Dataworks Filename: RTT Bikeways/Cycleway Planning General

Attachments: [Paths Redland Bay North Redland Bay Area Paths Trails and Cycleways Report](#)

Responsible Officer Name: Murray Erbs
Manager, Infrastructure Planning

Author Name: Jonathan Lamb
Advisor Cycling & Public Transport

EXECUTIVE SUMMARY

At the Council General Meeting held on 15 December 2010, a resolution was passed requesting that: "Council Officers prepare a report with regard to the provision of funding for pathways/footpaths in the Redland Bay area" (Item 18.3, General Meeting Minutes).

The report outlines the proposed and indicative capital works for the next three years in the Redland Bay area through the Paths & Trails and Cycleway Trunk Infrastructure Programs. Further detailed planning of the paths and trails network across Redland Bay and the whole of Redland City will alter some of the priority projects and indicative costing noted in this report.

The report makes a brief comment on the associated expenditure for paths and cycleways incurred through the operational work of Council. Along with other infrastructure management issues raised in the report, these comments can be applied in general to footpath and cycleway provision across Redland City.

PURPOSE

The purpose of this report is to provide Council with relevant information regarding the provision of funding for pathways/footpaths in the suburb of Redland Bay. Redland Bay overlaps Division 5 and Division 6 and is the southern most portion of Redland City.

BACKGROUND

Over 90 percent of the trunk and local path network in Redland Bay is located in the developed coastal strip extending north from Oakland Ave to North St, bordered by Cleveland-Redland Bay Rd and the foreshore. A significant component of the trunk and local network has been delivered over the last decade through Council's capital works program, road works conducted by the Department of Transport and Main Roads (DTMR) and through subdivision development.

Completion of the gaps and missing links in the trunk and local network will involve a combination of internal and external funding sources. The full extent of the network

to be delivered and the associated funding requirements will be determined by further detailed network planning and analysis in accordance with the *Redland Pedestrian and Cycling Strategy*(RCPS) and other strategic planning policies and documents.

Trunk and Local Path Network in Redland Bay

There is approximately 9.2km of trunk path network in Redland Bay. Around 5.4km (57%) of the trunk network is the foreshore path system which makes up part of the regional Moreton Bay Cycleway. There is approximately 6 to 8km of trunk network to be completed.

In the local collector network of paths, the total existing network equates to approximately 16.8 km. The extent of the missing local network is more difficult to quantify than the trunk network. It would not be unreasonable to assume a minimum increase of 10 -12% (1.6 – 2km) on the existing network over the next decade to meet minimum provision of service standards and community expectations.

In total, some 8 – 10km of trunk and local network path is yet to be constructed. This equates to approximately \$6 million in current 2011 construction dollars.

Attachment A provides a preliminary assessment on the existing trunk and local network, including proposed and potential path links to be delivered. Forecast estimates and delivery timeframe are indicative and subject to detailed planning and design processes.

ISSUES

Funding for footpaths and cycleways

Funding for the provision of footpaths and cycleways can be divided into two categories: internal and external funding sources.

Internal Funding

The primary internal source of funding provision for the recurrent paths and cycleways budget includes:

- General revenue derived through Council rates
- Divisional infrastructure program (DIF)

External Funding

There is a range of external revenue streams that have been available to Council to assist with the funding of footpaths and cycleways. This includes those offered through State and Federal infrastructure funding programs:

State funded programs include:

- DTMR Transport Infrastructure Development Scheme (TIDS) – Safe School Transport (SafeST Program). For paths associated with connections to schools.
- DTMR Principal Cycle Network Program. For cycleway infrastructure and planning on trunk routes and strategic links.
- Department of Communities Sport and Recreation Grants Program. For cycleway infrastructure on trunk routes and strategic links.

Federal funded programs include:

- Regional and Local Community Infrastructure Program (RLCIP). For cycleway and path infrastructure, primarily trunk routes and strategic links.
- Jobs Fund – National Bike Path Projects. A Department of Regional Australia, Regional Development and Local Government fund. This fund (for projects delivered between 1 July 2009 and 30 June 2011) is an example of a one-off Federal funding program.
- Nation Building Program - Roads to Recovery Program. Administered by the Department of Infrastructure and Transport

Other network contributions

- *DTMR*

Throughout Redland City, roads under DTMR control are subject to the State's road upgrade and construction program. Through these works additional cycling and pedestrian infrastructure is contributed in accordance with DTMR policy, primarily to the trunk network.

- *Developer Contributions*

Developer contributions to paths and cycleways in any given year can form a substantial component of new infrastructure. Developer contributions can be divided in to two categories. The first is direct construction of path or cycleway as a condition of development approval. The second is the funds derived through the application of the Transport Infrastructure Charge (RPS: Part 11 – Policy 3 – Chapter 4 and 4a Transport and Cycleway).

In both cases the rate and delivery of the contribution is determined by broader development and housing market conditions and fluctuations. A slow down or increase in development can have further implications for whole of network planning and delivery.

Financial Summary Paths & Trails

Attachment B to this report provides a breakdown of city-wide path expenditure over the paths and trails program, as well as a breakdown of that portion of the network funded by external revenue.

Pedestrian and Cycling Network Planning

Within the *RCPS*, the *Redlands Transport Plan 2016* and the *Redlands Planning Scheme* there are guidelines which shape network planning and implementation. One of the key planning tools in the *RCPS* is the development of local area or catchment plans for the trunk and local cycling and pedestrian movement network. A network plan assesses existing and future trip attractors and generators for a given catchment and the extent of paths and cycleways required to meet minimum standards and level of service.

At the State level, the draft *Connecting SEQ 2031 – An integrated Regional Transport Plan for South East Queensland* places heavy emphasis on increasing the share of active transport (walking and cycling) from 10% to 20% of all trips in SEQ by 2031. To achieve this goal the priority is to develop and upgrade walking and cycling routes that connect to major transport hubs and trip generators such as commercial and retail centres, residential areas, education/cultural institutions and other community precincts.

With respect to the Redland Bay area, the key trip attractors and generators include:

- Weinam Creek Transport Terminal
- Victoria Point Shopping Centre and Bus Terminal
- Redland Bay village precinct.
- Redland Bay foreshore Open Space network
- Redland Bay Integrated Employment Centre.
- Secondary and primary schools, including Redland Bay Primary, Victoria Point High and faith Lutheran Secondary College.

The current review of the Southern Moreton Bay Integrated local Transport Plan (SMBI-ILTP) will also assist Council with better planning for active transport infrastructure requirements and connections on the mainland, especially the Redland Bay area.

Community and Social Planning Implications

The review process and planning associated with key Council social and community strategies and plans such as the *Open Space Plan*, the draft *Physical Activities Strategy* and the draft *Seven C's Connection Strategy* highlight the importance of cycling and walking. It is not unreasonable to expect that community concerns and expectations for improved pedestrian and cycling infrastructure over the next decade will increase.

Infrastructure Management Implications

This report is primarily focused on the provision of funding for paths and cycleways under the capital works program. There are also other expenditure considerations for Council regarding the whole of life management for trunk and local path networks. This includes:

- Recurrent operational expenditure for maintenance, rehabilitation and replacement.
- Detailed audits and network mapping / GIS requirements.

RELATIONSHIP TO CORPORATE PLAN

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

FINANCIAL IMPLICATIONS

The estimated cost for paths and trails and cycleway construction over the next 3 years in the Redland Bay area is \$470,000. To complete the trunk and local network by 2021 will cost in the vicinity of \$6,000,000.

There are additional financial implications for Council with respect to asset renewal and maintenance.

CONSULTATION

Consultation has been conducted internally with relevant P&P officers and Cr Barbara Townsend and Cr Toni Bowler.

OPTIONS

PREFERRED

That Council resolve to:

1. Note the various sources of funding available to Council for the delivery of footpaths and cycleways;
2. Note the projected indicative 3 year program for paths and trails and trunk cycleway infrastructure in the Redland Bay area; and
3. Endorse the development of trunk and local area pedestrian and cycling network plans for Redland City as part of the review of the Redlands Pedestrian and Cycling Strategy.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Note the various sources of funding available to Council for the delivery of footpaths and cycleways;
2. Note the projected indicative 3 year program for paths and trails and trunk cycleway infrastructure in the Redland Bay area; and
3. Endorse the development of trunk and local area pedestrian and cycling network plans for Redland City as part of the review of the Redlands Pedestrian and Cycling Strategy.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Bowler
Seconded by: Cr Townsend

That Council resolve to:

- 1. Note the various sources of funding available to Council for the delivery of footpaths and cycleways;**
- 2. Note the projected indicative 3 year program for paths and trails and trunk cycleway infrastructure in the Redland Bay area;**
- 3. Endorse the development of trunk and local area pedestrian and cycling network plans for Redland City as part of the review of the Redlands Pedestrian and Cycling Strategy; and**
- 4. Acknowledge that expenditure increases should be considered as part of the budget process to assist in accelerating pathway construction throughout the city.**

CARRIED

13.1.6 PROPOSED SMBI LAND EXCHANGE PROGRAM

Datworks Filename: LUP SMBI Land Exchange
Responsible Officer Name: Wayne Dawson
Manager, Land Use Planning
Author Name: Brett Hookway
Strategic Planning Officer

EXECUTIVE SUMMARY

At the General Meeting on 15 December 2010, Council resolved to adopt Redlands Planning Scheme [RPS] Amendment 1C as a minor amendment to the RPS. In accordance with the *Sustainable Planning Act 09* and *Statutory Guideline - 'Making or amending Local Planning Instruments'* the necessary steps to complete this amendment have now been completed and RPS Amendment 1C has been incorporated into the RPS as version 3.1.

The purpose of RPS Amendment 1C was to amend the zoning of Council owned freehold lots located on Southern Russell Island included in the Community Purposes zone Sub-Area CP10 [CP10]. Lots identified as surplus to Council's requirements and suitable for residential purposes have been included within the SMBI Residential zone [362 lots] for use in a future SMBI land exchange program. Lots identified to be retained in Council ownership for conservation and open space purposes have been included within the Conservation zone Sub-Area CN1 zone [29 lots] or Open Space zone [19 lots]

Undertaking land exchanges on the SMBI's provides a valuable contribution to achieving a more sustainable settlement pattern and land use on the SMBI's consistent with the Southern Moreton Bay Islands Planning and Land Use Strategy. On this basis and in previous land exchanges, Council has borne the cost of undertaking approved land exchanges and advice from Property Services indicates that each land exchange can cost in the order of \$4000 plus GST.

Recognising that the fees and charges associated with undertaking land exchanges are not insignificant and that the land exchange program is essentially attempting to address long standing issues directly related to the inappropriate subdivision of the SMBI's while under the administrative control of the State Government, it is recommended that prior to commencing the next land exchange program, Council seeks both Federal and State Government financial assistance in the form of exemption or waiver of Federal and State Government fees and charges associated with undertaking land exchanges.

PURPOSE

The purpose of this report is to:

- Advise that in accordance with the Sustainable Planning Act 2009 and Statutory Guideline 02/09 – ‘Making or amending Local Planning Instruments’ RPS Amendment 1C has been completed and incorporated in the RPS as version 3.1; and
- Seek Council endorsement to write to both the Federal and State Government seeking exemption or waiver of fees and charges associated with undertaking land exchanges on the SMBI’s.

BACKGROUND

The following recent background information is relevant to the former CP10 zoned lots and RPS Amendment 1C:

- In August 2010, RPS Amendment 1C was submitted to the Minister for Infrastructure and Planning as a minor amendment to the RPS under the Sustainable Planning Act 09. In October 2010, Council received correspondence from the Minister for Infrastructure and Planning advising that Council could proceed to adopt RPS Amendment 1C as a minor amendment without conditions.
- Public notices informing of Council’s decision to adopt RPS Amendment 1C were placed in local newspaper and Queensland Government Gazette in December 2010 and RPS Amendment 1C was incorporated in the RPS and updated to Version 3.1. Relevant documentation to complete the amendment process was forwarded to the Department of Infrastructure and Planning in January 2011.

ISSUES

Land exchange program

The inclusion of the 362 Council owned lots identified as suitable for residential purposes within the SMBI Residential zone provides further opportunity for land exchanges with an expanded pool of Council land exchange properties. The proposed land exchange program will provide opportunity to secure public ownership of privately owned lots identified as having merit in public ownership for conservation purposes, stormwater and bushfire management, open space and recreation, infrastructure savings or land consolidation purposes. As the Council owned land available for land exchange purposes is located in closer proximity to the privately owned lots previously targeted for acquisition through voluntary land exchange it is anticipated that there will be greater take up of land exchange offers. Undertaking land exchanges on the SMBI’s provides a valuable contribution to achieving a more sustainable settlement pattern and land use on the SMBI’s.

While considerable benefits are provided to the planning outcomes for the SMBI’s in undertaking land exchanges, there are a range of fees and charges associated with undertaking land exchanges. To date with previous exchanges Council has borne the costs of undertaking approved land exchanges. Advice from Property Services

indicates that each land exchange can costs in order of \$4000. This cost includes State Government transfer fees and legal costs. The Australian Taxation Office has also advised that GST is payable on land exchange transactions. The amount of GST payable by Council is 1/11th or approximately 9% of the market value of the Council lot being exchanged. For example, if a Council lot valued at \$45,000 is exchanged the amount of GST payable equals 1/11th or approximately \$4,000. This is a financial burden or penalty that should not be placed on the local authority and local community in its strategic endeavours to rectify a planning problem to bring privately owned land identified as significant for conservation, bushfire management, infrastructure savings, stormwater management and urban consolidation purposes into public ownership for long term protection

Many of the long standing issues that the land exchange program is attempting to address are directly related to the inappropriate subdivision of the SMBI's approved by the State Government while under their administrative control in the 60's and 70's. Recognising the State Governments involvement and the positive contribution land exchanges can provide, it is considered appropriate that the State Government be requested to provide support for the land exchange program by waiving all State Government fees and charges associated with undertaking land exchanges on the SMBI's. As part of the conservation acquisition strategy the State Government supported a similar request by Council in 2003. In addition, it is recommended that the State Government be requested to support and advocate to the Federal Government the removal of GST requirements on SMBI's land exchanges. The waiving of State Government fees and removal of GST requirements on voluntary land exchanges would remove some of the costs associated with land exchanges and allow public funds to be used for more beneficial purposes.

Responses received from the Federal and State Government will be reported to Council as part of the proposed next land exchange program currently timetabled to be undertaken in the 2011/2012 financial year subject to budget allocation.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's 'Wise Planning and Design' Outcome Area 5 – we will carefully manage population pressure and use land sustainably while advocating and taking steps to determine limits of growth and carrying capacity of local and national basis, recognising environmental sensitivities and the distinctive character, heritage and atmosphere of local communities. A well planned network of urban, rural and bushland areas and responsive infrastructure and transport systems will support strong, healthy communities.

FINANCIAL IMPLICATIONS

There are no financial costs associated with writing to the Federal and State Government on an exemption to fees and charges associated with undertaking land exchanges. There are potentially significant savings should the Federal and State Government support Council's request.

A future land exchange program for the SMBI's will be considered as part of the current budget deliberations for the 2011/2012 financial year.

PLANNING SCHEME IMPLICATIONS

The outcomes of this report will not result in any amendments to the Redlands Planning Scheme.

Should a further land exchange program be undertaken an amendment to the RPS as part of future amendment packages to the RPS may be necessary to reflect the conservation or open space values of privately owned lots exchanged with Council lots.

CONSULTATION

The following consultation has been undertaken:

- Council's Financial Control Group and Property Services Unit has been consulted regarding Federal and State Government fees associated with undertaking land exchanges;
 - During the amendment process, officers from Land Use Planning Group consulted with officers from the Department of Infrastructure and Planning and the matter has been raised with direction provided by the SMBI Senior Officers Working Group [State Agency and Council partnership forum
- RPS amendment 1C was publicly notified between 28 April 2009 and 11 June 2009.

OPTIONS

PREFERRED

Council resolve to:

1. Seek State Government support for Council's on-going land exchange program through:
 - the waiver of all State Government fees and charges associated with undertaking land exchanges on the Southern Moreton Bay Islands; and
 - advocating to the Federal Government its support to Redland City Council for the removal of current GST requirements on SMBI land exchanges.
2. Apply to the Federal Government for the removal of current GST requirements on SMBI land exchanges where privately owned land identified with or as providing conservation merit, stormwater management function, bushfire management purpose, infrastructure savings or land consolidation are transferred into public ownership for long term protection; and
3. Write to all local State and Federal Government members and request their support to these requests.

ALTERNATIVE

That Council resolve not to write to the Federal and State Governments seeking an exemption to fees and charges associated with undertaking land exchanges.

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Seek State Government support for Council's on-going land exchange program through:
 - a. The waiver of all State Government fees and charges associated with undertaking land exchanges on the Southern Moreton Bay Islands; and
 - b. Advocating to the Federal Government its support to Redland City Council for the removal of current GST requirements on SMBI land exchanges.
2. Apply to the Federal Government for the removal of current GST requirements on SMBI land exchanges where privately owned land identified with or as providing conservation merit, stormwater management function, bushfire management purpose, infrastructure savings or land consolidation are transferred into public ownership for long term protection; and
3. Write to all local State and Federal Government members and request their support to these requests.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Townsend
Seconded by: Cr Boglary

That Council resolve to:

1. **Seek State Government support for Council's on-going land exchange program through:**
 - a. **The waiver of all State Government fees and charges associated with undertaking land exchanges on the Southern Moreton Bay Islands; and**
 - b. **Advocating to the Federal Government its support to Redland City Council for the removal of current GST requirements on SMBI land exchanges.**
2. **Apply to the Federal Government for the removal of current GST requirements on SMBI land exchanges where privately owned land identified with or as providing conservation merit, stormwater management function, bushfire management purpose, infrastructure savings or land consolidation are transferred into public ownership for long term protection; and**

3. Write to all local, State and Federal Government members, the Premier and Leader of the Opposition requesting their support to these requests.

CARRIED

13.2 CLOSED SESSION

The Committee was closed to the public under section 72 (1) of the *Local Government (Operations) Regulation 2010* to discuss the following item, and following deliberation on this matter, the Committee meeting was again opened to the public.

13.2.1 Presentation by John Bradley – North Stradbroke Island Issues

13.2.1 PRESENTATION BY JOHN BRADLEY ON NORTH STRADBROKE ISLAND ISSUES

John Bradley (Director General of Department of Environmental Resource Management) addressed Council with a Presentation on North Stradbroke Island Issues in closed session.

COUNCIL RESOLUTION

Moved by: Cr Bowler
Seconded by: Cr Elliott

That the presentation by John Bradley on North Stradbroke Island Issues be noted.

CARRIED (en-bloc)

Cr Henry declared a conflict of interest, or a perceived conflict of interest, in the following item stating she was Deputy Chair of the Runnymede Community Advisory Group.

The Mayor asked the Councillors to decide whether Cr Henry had a conflict of interest, or could reasonably be taken to have a conflict of interest in the matter.

Councillors decided that Cr Henry did not have a conflict of interest and that she be allowed to remain in the Chamber.

Cr Bowler declared a conflict of interest, or a perceived conflict of interest, in the following item stating she was Chair of the Runnymede Community Advisory Group.

The Mayor asked the Councillors to decide whether Cr Bowler had a conflict of interest, or could reasonably be taken to have a conflict of interest in the matter.

Councillors decided that Cr Bowler did not have a conflict of interest and that she be allowed to remain in the Chamber.

Crs Henry & Bowler remained in the Chamber, voting in the affirmative.

13.3 PLANNING & POLICY

13.3.1 RUNNYMEDE PROJECT BUSINESS CASE: LAND DEDICATED AT 377 REDLAND BAY RD CAPALABA

Dataworks Filename: P&R Indigiscapes – The Runnymede Project
Responsible Officer Name: Gary Photinos
Manager, Environmental Management Group
Author Name: Angela Wright
Principal Advisor, Open Space Planning

EXECUTIVE SUMMARY

The Council owned land on Runnymede Road, Capalaba have been the subject to ongoing investigations and site establishment processes over the last 12 months.

Investigations have been undertaken into hazardous material on site and the structural soundness of the chicken sheds under current building codes. The findings of these technical assessments in outlined in the report and serves to assist Council to determine a course of action for the lands.

A range of options are now open to Council for consideration notwithstanding that the land was dedicated to Council, by the Court, for Town Planning (Community) Purposes TCP2.

IndigiScapes future needs have been taken into consideration and the role of the Community Visioning exercise and the Community Advisory Group is acknowledged.

Council should examine a range of possibilities for development of the land for community purposes including innovative ways of funding projects or enabling the community to access funding through security of tenure (leasehold).

PURPOSE

The purpose of the report to recommend to Council a preferred methodology for the continued site establishment, planning, development and activation of the Council owned lands on Runnymede Road Capalaba. This includes the preparation of a business case that examines a range of options including retaining the land in Council ownership for use by IndigiScapes and the community, leasing the land to one or more community organisations following a tender process or sale and development of a portion of the land to fund the construction and operation of a community purpose facility.

The report also provides for information purposes, the findings resulting from the technical assessments relating to hazardous materials and the structural integrity of the chicken sheds.

BACKGROUND

- The Runnymede Project is based on land dedicated to Council at 377-385 Redland Bay Road, Capalaba, on the corner of Runnymede Road, and described as Lot 1 on Registered Plan 154965.
 - a. The site is adjacent to the Redland's Indigiscapes Centre. The aim of the project has been to look at the future potential of the site for a range of community based activities.
 - b. The land was transferred to Council, by way of Court Imposed conditions, free of costs for Town Planning (Community) purposes.
- Council has been previously advised of intentions to retrofit a cottage associated with the Runnymede Project, however, issues associated with asbestos and lead based paints were not known at the time. In addition, Council resolved to develop a governance model, business development plan for the land where the Runnymede Project is based, pending consideration of the 2010/2011 budget.(Planning and Policy Committee Meeting June 2010)
- Council has subsequently undertaken demolition of the cottage and decontaminated the asbestos from the site. (General Meeting July 2010)
- Council has resolved to confirm/acknowledge the role of the Community Advisory Group in developing and progressing the vision of the Runnymede Project based on extensive community engagement for a further 12 months finishing in June 2011.

- The Community Advisory Group were formally notified that its activities were placed on hold until Council has completed its due diligence assessment and structural assessment of the buildings.
- The full due diligence/environmental assessment has now been completed for the site as well as full structural assessment of the remaining chicken sheds.

ISSUES

INTRODUCTION

The Runnymede Project was formed out the “Re – Futuring the Chicken Farm”, a creative visioning workshop undertaken as part of the Redland 2030 Community Plan engagement process.

Subsequent to this process, an advisory group was formed to maintain momentum created from this initial workshop and has evolved into a Council and Community based project being developed. More recent due diligence requirements have necessitate a hold to the community engagement process to allow thorough site cleanup and establishment works to be completed.

Due Diligence Assessment and Structural Engineer’s Executive Summaries and Findings

1. Parsons Brinkerhoff (PB) Hazardous materials report - RPT018Abg Hazardous materials survey of 17 Runnymede Road, Capalaba - Redland City Council. (Lot 1 RP154965)

A hazardous materials survey was undertaken across the entire site and all buildings.

Asbestos was encountered in various forms throughout the weatherboard house and the soils in the immediate vicinity of the house. No asbestos containing materials were encountered within the former chicken sheds present on the site.

Lead paint was encountered on the weather boards of the house.

Asbestos Containing Materials and Impacted soils have been removed by licensed contractors. On completion of the removal works a total of two soil validation samples were collected and reported no asbestos detected. It was therefore considered that all asbestos had been removed from within this area.

2. Parsons Brinkerhoff (PB) Limited Stage 1 RPT001-A-sb Environmental Site Assessment (ESA) of 377 – 385 Redland Bay Road, Capalaba, Queensland (Lot 1 RP154965)

The desktop review and site walkover undertaken concluded that based on the past activities and the proposed use of the site as public use it is considered that the past activities conducted on the site do not pose a human

health risk to site users. It is considered however, that should the proposed use to the site change, then a reassessment of the site will be required.

3. Parsons Brinkerhoff (PB) Structural Engineer's Report- RPT002AJR Runnymede Road – Poultry Shed Structural Assessment (Lot 1 RP154965)

The three poultry sheds were built at different times from circa 1960s through to 1989. Because of the original use of the buildings, they were designed with the relaxed designed standards that are present in the Australian Standard (AS 2867 – Farms Structures). This standard allows a reduction in loads (including wind loads), due to the low probability of people being present in the structure during a high load event such as a severe tropical storm and the lower property damage consequences of such failure. The deflection requirements under day to day conditions are also relaxed for farm buildings designed to AS 2867. This could mean that no consideration was put into how the building sways and moves under common wind events.

If the buildings were required to be classified as buildings where members of the public can gather, such as a gallery, they would generally be considered a Class 8 or 9B under the current Building Code of Australia (BCA). These classes result in higher loading and in particular wind loading. A Class 10A such as farm building must withstand a wind event that has a 1 in 100 chance of occurring in any one year. Whereas a Class 8 or 9B would have to withstand a wind event that has a 1 in 1000 chance of occurring in any one year due to the probability of large numbers of people being in the buildings. This results in an increase of wind loading of approximately one and half times that of which the building was originally designed for. To increase the strength of a building of this construction up to such levels would incur significant costs.

In addition to the structural requirements Class 8 or 9B buildings have several other specifications that need to be achieved, such as (but not limited to), fire safety, equitable access, amenities and storm water collection. This was not specifically considered in this report but they have the potential to add further significant costs to the building rectification. For example, the current buildings have no gutters or down pipes to collect and dissipate storm water and there is only a single door on the ends of the building allowing for poor access and emergency exit. This coupled with the structural ramifications above, will likely result in rectification works exceeding the cost of a new development.

Based on the available information PB recommends that only a restricted-use option, with a Class 10a specification to BCA, be pursued. Overall the condition of the buildings on a whole is fair, but due to their age there are numerous defects that would have to be rectified regardless of class. Also when checked to current design standards there is a need for improving the strength of certain members which is detailed in the PB report. Further work would have to be undertaken to determine the cost of rectification and maintenance to achieve Class 10a, however, it is still expected to reach a

significant proportion of the complete replacement costs. In PB's past experience, as a 'rule of thumb', any building upgrade or refurbishment that requires modifications to more than 25 percent of the structure will usually cost more than the construction of a comparable size new building.

4. Parsons Brinckerhoff (PB) Runnymede –Structural Assessment and Cost Estimate of upgrading three sheds – Stage 2 Report 2171002A

This report contains a cost estimation of the potential upgrade of the three existing chicken sheds standing at the Runnymede site located at 377-378 Redland Bay Road, Capalaba, Queensland (Lot 1 on RP154965). This investigation is a supplement to Stage 1 report already provided by PB. In particular, it focuses on estimating the cost involved in strengthening the shed/s to a Class 10a standard described in the Building Code of Australia (BCA). The cost of these upgrades is also compared to the estimated cost of a similar new building for completeness.

A Class 10a building is a "non-habitable building being a private garage, carport, shed, or the like" as defined in the BCA. It shall not be used a muster or shelter point during an emergency or high wind event and as a guide should be occupied by no more than one person per 30m² during normal operation.

The cost estimate investigation included a detailed bill of quantities shows that the cost of rectification for 1 building is \$245 701 in comparison to supply and erection of 1 new building with similar dimensions at \$307 420. The cost estimates report recommends that additional costs of \$40 000 be added to Sheds 1 and 2 due more corrosion damage to steel members and water damage to purlins.

The total cost to rectify all three buildings would be in the vicinity of \$777 103. The consultants further recommend that rectification of the existing buildings should be considered with caution. There is a risk of finding more defects as the building is rectified. Finally, the benefits of installing a new building should be considered and include:

- The ability to choose a more appropriate class and use of the building with less impact on total cost (note that only Class 10a was considered for costing)
- The ability to modify the dimensions of the building to the desired function.
- Reduced maintenance and increased design life.

5. Due Diligence Assessment Conclusions

On completion of the removal works for the cottage, a total of two soil validation samples were collected and reported no asbestos detected. It was therefore considered that all asbestos containing materials had been removed from within this area. No asbestos containing materials were encountered within the former chicken sheds present on the site.

Based on the past activities and the proposed use of the site as public use it is considered that the past activities conducted on the site do not pose a human health risk to site users.

Based the structural assessment of the buildings and the on the available information PB recommends that only a restricted-use option, with a Class 10a specification to BCA, be pursued. The use of or the upgrade of the buildings to a higher classification is not recommended as the cost of upgrade and rectification would exceed the cost of a new building.

The costs presented to rectify the chicken sheds to a class 10a structure is not viable due to the restricted use potential and is cost prohibitive to upgrade the sheds to any other use. The conclusions are that it far more cost effective to demolition all chicken sheds estimated at \$120 000.

Community Visioning and Community Advisory Group (CAG)

Community visioning for this land commenced at the same time as the community engagement on the Redland 2030 Community Plan.

A community visioning workshop held at IndigiScapes on 13 June 2009 endorsed the potential use of the site as a creative, sustainable, cultural community hub for environmental/sustainability education and business with a connection to IndigiScapes and the indigenous and agricultural heritage of the Redlands.

A CAG, which was formed after the Redlands 2030 Community Plan have been discussing and researching a number of options which centred on the key areas.

The CAG was endorsed by Council to continue to provide advice until June 2011. However the group were notified that until Council has concluded all due diligence assessments and completed the structural assessment of the buildings that the group activities would be placed on hold.

Policy Positions

Listed below are a range of policy positions that Council has in terms of service and facility provision that could inform and direct the future of the Runnymede Land. Many of these policies underpin strategic plans adopted by Council.

Environmental Education Policy (in development)

Council currently delivers a range of environmental and sustainability education programs and initiatives for the local community. These include, but are not limited to, extension programs, information provision, community workshops, interpretation, and local laws enforcement, partnerships with other organisations and schools programs. The programs are delivered using a range of educational methods including mass media, print material, school visits, tours, specialist advice and partnering arrangements, interpretation and festivals.

The main 'vehicles' for environmental education delivery in the Redlands is through Indigiscapes (Council's environment centre), websites, libraries, customer service centres and Council officers. Environmental education and extension programs have provided Council with cost effective policy implementation tools in the past and it highly likely that the new Environmental Education Policy will formalise this commitment not only to the existing programs and also to their expansion.

Providing Indigiscapes with an opportunity to expand their operations would be consistent with future policy positions.

Cultural Policy

Council recognises the importance of developing and promoting a robust living culture in the Redlands that reflects and stimulates all residents.

Council acknowledges culture as a primary vehicle for the exploration of community values and aspirations and regards the vitality of local culture as an important indicator of community wellbeing and sustainability.

Land availability will assist in the implementation of this policy to achieve its stated Council commitments of providing dedicated public cultural facilities that present professional programs in all art forms that engage diverse audiences and participants and supporting organisers of local festivals and events to deliver safe, inclusive, sustainable and vibrant programs that engage and inspire diverse communities.

Festivals and Events Policy

Council recognises Festivals and events as an essential part of the City's cultural, social, environmental and economic sustainability of the Redlands. Festivals and events play a key role in building strong communities.

Objective 3, of the accompanying strategy, identifies that enabling infrastructure is required to ensure access to public places and venues that are equipped with safe, suitable and contemporary events infrastructure. This can be achieved by improving the identification and design of Council controlled places and spaces to ensure their suitability for festivals and events.

The strategy further suggests that Council review existing and future open space areas to inform future park development. The land availability at the Runnymede location could fulfil this requirement.

Strong Communities Policy

Council's Strong Communities Policy recognises that a strong community is "a connected community with access to the full range of options required for a rich community life and an active attachment to place". The principles underpinning this policy include:

- Living culture
- Social justice
- Sustainability
- Quadruple bottom line
- Active citizenship
- Community development and community driven processes
- Collaborative partnerships approach
- Best value solutions
- Innovation

Community Gardens Policy

The Redlands 2030 engagement process has shown the growing interest in community gardens. Submissions from community members indicated their support and their visions of being able to access local produce and to have functional gardens within their communities. Under the Green Living outcome area in the Community Plan, the identified goal of Local food production articulates:

“...we grow and share food in homes and community gardens, schools and edible streetscapes; small crops are harvested from working farms; and people support locally grown produce at growers’ markets within the city and throughout the region.”

The Community Garden Policy was endorsed by Council on 15 December 2010. Council indicated a commitment to supporting the community in developing sustainable community gardens on Council and non-Council land in order to enhance the contribution community gardens can make.

The policy states that Council will support community garden groups that are not-for-profit incorporated organisations or are sponsored or auspiced by an incorporated not-for-profit organisation by the identification of suitable land for community gardens. The policy report also identified the implementation of the policy would be undertaken through an extension program delivered out of the Environmental Education Unit. The proximity of land for community gardens adjacent to Indigiscapes provides excellent synergies for the implementation of this policy.

Social Infrastructure Strategy and Policy

The Social Infrastructure Strategy outlines Council’s approach in identifying and delivering high priority, facilities and networks to achieve a strong community in the Redlands. The strategy picks up on the themes and aspirations emerging from the Redland’s 2030 Community Planning process.

The strategy will provide for a range of catalyst, city-wide and local projects. One of the identified city wide projects is the Green Living Hubs, which aims to:

“..achieve broader community outcomes by linking existing and new environment education/sustainable living hubs and programs through partnerships with community and private organisations. The project builds upon local natural and human assets, economic potential for eco business development, recreational activities, social and cultural enterprises and sustainable building principles. Potential to support local food through advice/infrastructure to neighbourhood community gardens and neighbourhood enterprises.”

Meeting Operational Requirement of IndigiScapes

- Overflow car parking area

Growth in demand to access the IndigiScapes facility has highlighted the limitations of the car parking space availability, especially when larger events occur at the site. On occasion, the vacant grassed area of the Runnymede property is already used as overflow car parking, with relevant permissions. Public visitation over the past 10 years to IndigiScapes shows an almost linear increase so this pressure is likely to increase in time and has the potential to cause issues with neighbours when larger numbers of vehicles can be parked on the edges of Runnymede Road.

- Festival/Events Space

The small number of festivals and events currently run by the Environmental Education Unit at IndigiScapes fit within the existing grounds and there is no short to medium term need for any extra space to accommodate existing and proposed events.

- Long term staff accommodation plans

The IndigiScapes centre has already exceeded its capacity to accommodate staff from the Environmental Education Unit, as the programs have grown. There is currently four staff in a demountable adjacent to the main building. This is not an ideal situation as a long term office solution. It is most likely that other staff currently sitting in other parts of Council could also utilise this site, creating space in other Council buildings. If it is the intent of Council to continue to grow and develop its environmental programs, space to accommodate staff is a major limiting factor. The most likely area of growth would occur in the areas of sustainability education programs and this would complement some of the existing proposals currently at the site.

Ideas for possible alternative uses:

- Festival/Events Space

The city is currently undersupplied with space and facilities suitable for small to medium events. The site would provide an opportunity to develop a space that could be developed as arboretums that enclose numerous amphitheatres. This would provide opportunities for groups involved in the arts, horticulture etc by providing them with a small / medium venue to rehearse and perform.

- **Market Gardens / City Farming**

Part of the space could lend itself to develop as a city farm and education space for growing produce sustainably either in a back yard setting or community based setting.

The size of the site and access to the existing IndigiScapes facility would seem to make it an ideal location for a community garden. The site could also be utilised to relocate and expand the IndigiScapes nursery, improving its capacity to produce local provenance native plants to assist in meeting Council tree plantings targets.

- **Environmental Education**

There is no specific need for extra land or area to carry out the existing environmental education activities of IndigiScapes. The potential of the site in this regard lies in what associated uses the site is put and opens up the possibility of being a central area for sustainability education in the Redlands.

Land Use and Development Potential for Site

Property Attributes

Address	377 Redland Bay Road Capalaba
Owner	Redland City Council as freehold
Property Description	Lot 1 RP 154965
Property Number	29710
Area	40500 square metres
Zoning	CN- Conservation RN Rural Non Urban
Overlays	Bushfire Hazard;, Habitat Protection;, Landslide Hazard Road and Rail Noise Impact Overlays . (State Koala Conservation Policy and Regulatory Provisions applies

Court Imposed Decision Notice

The final decision notice on the Heritage Pacific development application for 401 Redland Bay Road Capalaba resulted in the land at 377 Redland Bay Road being transferred to Council at no cost for Town Planning (Community) Purposes TCP2.

The Community Purposes sub area CP2 zone is described as Community Facility—which means the use of premises for the provision of cultural, social or community services. The term includes community centre, community hall, cultural centre, library, museum and welfare premises.

Highest and Best Use of Land for development purposes.

The current rural non urban zoning has been applied to reflect the previous poultry industry use on the land. The poultry industry ceased to operate prior to Council taking ownership of the site.

Although the current intention for the land is Community Purposes CP2, the Local Government Act 2009 does make provision for land dedications made for specific purposes to be altered through a formal process involving the calling of public submission. Should the change in land use dedication be viable an analysis of most appropriate land use for the site would start with a review of the surrounding land uses which are currently open space and park residential land uses.

Expressions of Interest could be called for joint venture partners/developers/ to undertake the necessary planning and feasibility work on an innovative multi-use community purposes, residential, commercial development on the site.

Land Valuation

On the basis of potential park residential development (lot reconfiguration) occurring on the site, the market valuation for this land would be approximately \$3.2 million. The return to Council would be higher should Council decide to undertake the development of the site or enter into a joint venture agreement through an expression of interest process.

Preliminary Options Analysis

The analysis has examined objectively whether the Runnymede Rd land, can contribute effectively to the achievement the corporate plan objectives. As Council owns the land in freehold and there are legal caveats on the land regarding the purpose for which the land was dedicated.

The preliminary options analysis also considered related non-asset initiatives and disposal options that could be applied under the circumstances.

Having considered the existing policy position which has been developed in response to the Redlands 2030 Community Plan, the findings of the due diligence reports and possible alternatives, three preliminary strategic asset investment planning options have been developed for further consideration:

1. Expand the IndigiScapes Centre. (Retain the asset in Council Ownership)

A first option could be to retain the land in Council ownership with the recommended asset assignee being the IndigiScapes Centre (Operations and Maintenance).

By expanding the Indigiscapes Centre a number of policy implementation requirements would be addressed as well as dealing with future operation requirements of the IndigiScapes Centre.

A master planning process would include the incorporation of the operational requirements for Indigiscapes, and, for example, the possible inclusion of a festivals and event space and community gardens. The governance arrangements would be that the site and facilities are managed by Council

with the possibility of alternative governance models being developed over time and in consultation with the community.

2. Developing community based facilities (Provide the land asset, tender out/lease out development and operation of facility)

A second option for consideration in the development of the business case for the site would be to lease part of all of the area to one or more community organisations for specified uses developed through a consultation process and examination of Council's policy and corporate priorities.

A public tender process would need to be undertaken to ensure transparency and equity.

The land could be operated by a commercial operator, who also fulfilled the specified requirements (e.g. one with strong community service obligations or community purpose outcomes) of Council but that provided financial returns to Council through a long term lease arrangement.

3. Expressions of Interest to develop and or sell off all or part of the site.

The third tier/option of the business case development could be to look at the option of disposal or partial disposal of the asset. Where initial start up capital to establish any community based facilities on the site are considered prohibitive to Council's investment options, then disposal or partial disposal of the land could be considered.

An Expression of Interest (EOI) could be sought from joint venture partners, developers or consultants to develop the site consistent with the community plan with development and disposal options to fund any community purposes and capital investment. Council could amend the current Planning Scheme zoning of rural non urban to a zone which would be consistent with that in the locality and the character, amenity of adjoining land. This would require a planning scheme amendment, with appropriate public consultation and state interest checks being undertaken.

It would need to be clearly and openly demonstrated that a significant community benefit could be achieved with this option to dispose of all or part of the subject land.

Part development options could also be considered where a portion of land could be reconfigured as a boundary alteration and incorporated into the Indigiscapes site, e.g. area of say 1 hectare, to address policy and operation requirements; while the balance could be developed and on sold to raise revenue for Council.

Should a conclusion be reached that the retention and development of the Runnymede Rd land in Council ownership is the best option, a whole-of-life approach to planning would need to be completed through the preparation of a business that would cover the project delivery, ongoing operation, and maintenance of the asset.

Preparing the Business Case

Once Council has confirmed the proposed strategic planning asset investment options, the next critical step would be the preparation of the business case. The business case would provide a robust appreciation of the scope, benefits, costs, schedule and risks for the options. It should propose a recommended option, and alternative options based on an objective appraisal of their relative strengths and weaknesses including financial implications.

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

The only detailed costs estimated obtained for the refurbishment of the existing chicken sheds to a Class 10a level as upgrading to any other class is not feasible or cost effective.

The cost estimate investigation included a detailed bill of quantities showing that the cost of rectification for 1 building is \$245 701 in comparison to supply and erection of 1 new building with similar dimensions at \$307 420. The cost estimates report recommends that additional costs of \$40 000 be added to Sheds 1 and 2 due to more corrosion damage to steel members and water damage to purlins.

The total cost to rectify all three buildings would be in the vicinity of \$777 103.

The costs presented to rectify the chicken sheds to a class 10a structure is not viable due to the restricted use potential and is cost prohibitive to upgrade the sheds to any other use. The conclusions are that it is far more cost effective to demolish all chicken sheds estimated at \$120 000.

The short term financial implications for future year budgets is the cost of outsourcing the development of the business case and the cost of demolition of the sheds.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was consulted and it is considered that the outcome of recommendations in this report could ultimately result in possible amendments to the Redlands Planning Scheme. Much more investigation is required however before this can be ascertained.

CONSULTATION

The Community Advisory Group has been briefed on the outcomes of the due diligence assessments and the structural engineers reports.

Should Council proceed with the development of the business it would be appropriate to re-engage the Community Advisory Group for preliminary advice and where relevant seek more specific community consultation regarding the formal/legal processes as the land was provided as “trade off “to allow urban development to occur at 401 Redland Bay Road where urban development was inconsistent in the previous planning scheme.

OPTIONS

PREFERRED

That Council resolve to:

1. Proceed to preparing a business case for Runnymede Rd lands in consultation with key stakeholders, including the Community Advisory Group. The business case should consider all options for development and community activation of the site namely:
 - Expansion of the IndigiScapes Centre, retaining the asset in Council Ownership;
 - Developing community based facilities (Provide the land asset, tender out/lease out development and operation of facility; and
 - Calling for Expressions of Interest to develop and or sell off all or part of the site.
2. That the chicken sheds be secured and remain in place until the completion of the business case for the Runnymede Road lands.

ALTERNATIVE

That Council resolve as follows:

1. To proceed to preparing a business case for Runnymede Rd lands in consultation with key stakeholders, including the Community Advisory Group. The business case should consider only one of the options for development and activation of the site as directed by Council; and
2. That the chicken sheds be secured and remain in place until the completion of the business case for the Runnymede Road lands.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. To proceed to prepare a business case for Runnymede Rd lands in consultation with key stakeholders, including the Community Advisory Group. The business case should consider all options for development and community activation of the site namely:
 - a) Expansion of the IndigiScapes Centre, retaining the asset in Council Ownership;

- b) Developing community based facilities (Provide the land asset, tender out/lease out development and operation of facility; and
 - c) Calling for Expressions of Interest to develop and or sell off all or part of the site.
2. That the chicken sheds be secured and remain in place until the completion of the business case for the Runnymede Road lands.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Bowler
Seconded by: Cr Boglary

That Council resolve to not accept the officer's recommendation and to proceed as follows:

1. **That Council consider calling for an EOI for any community group that may be interested in operating the Runnymede site as part of a Permit to Occupy or Lease Agreement;**
2. **That a report be brought back to Council within 5 months, detailing the proposal and including the following parameters:**
 - a. **The delivery of a collaborative sustainability hub for a range of community uses that encompasses the arts, the environment, community gardens and alternative energy opportunities;**
 - b. **The possibility of a commercially operated education and training centre;**
 - c. **The fostering of community health and well-being through a range of inclusive community activities, including community gardens and Arts and Culture festivals; and**
 - d. **To engender partnerships with the Indigiscapes Centre that will compliment the site and encourage the protection and management of Native landscapes and fauna, also addressing operational requirements.**
3. **That any proposal must be consistent with Redland 2030 as well as the relevant principles and strategies included in the range of Policies contained within the report;**
4. **An invitation to also seek options through this process in relation to the future use of the chicken sheds; and**
5. **That Council secure the chicken sheds until options for these buildings have been fully explored through an EOI process.**

CARRIED (unanimously)

13.4 ITEM DELEGATED TO COMMITTEE FROM COUNCIL

This item was resolved at the Planning & Policy Committee meeting of 6 April 2011. The Committee's decision is now presented to Council for noting only, as part of this report on the Committee's deliberations.

13.4.1 PROPOSED MINISTERIAL DESIGNATION - REDLANDS HOSPITAL

Datworks Filename: GOV Government Submissions

Attachments: [Attachment 1: Letter from Department of Public Works – Proposed Ministerial Designation of Land for Community Infrastructure](#)
[Attachment 2: Initial Assessment Report](#)

Responsible Officer Name: Wayne Dawson
Manager, Land Use Planning

Author Name: Vanessa Mogg
Strategic Planner, Land Use Planning

EXECUTIVE SUMMARY

At the General Meeting of 30 March 2011, Council resolved to delegate authority under section 257(1)(c) of the Local Government Act 2009 to the Planning and Policy Committee on 6 April 2011 to make resolution to approve a written response to the Department of Public Works about the proposed ministerial designation of land for community infrastructure – Redlands Hospital.

The State Government's Department of Public Works, on behalf of Queensland Health, proposes a Ministerial Designation of Land for Community Infrastructure – Redlands Hospital on land at 21-31 Weippin Street, Cleveland (lot 29 on SL11549 and lot 30 on SP106226). The Department is following statutory guidelines on the Ministerial Designation of Land for Community Infrastructure. These guidelines require environmental assessment of and public consultation on the Ministerial Designation.

The Department has completed an Initial Assessment Report of the land subject to the Ministerial Designation and is now seeking initial comments from Council and other key stakeholders. The Assessment report is required as the first step in the Ministerial Designation process and contains the proposed design of the new medical facility. Initial comments through written submission were requested by Friday 8 April 2011. An extension to 15 April has been subsequently negotiated. A further opportunity for Council comment will be provided later in the designation process as part of a wider public notification and consultation stage. A submission will be provided raising these matters discussed in this report.

PURPOSE

The purpose of this report is to:

- Inform Council of the proposed Ministerial Designation;
- Provide advice on the statutory Ministerial Designation process and highlighting this initial opportunity for comment; and
- Seek approval to make an officer submission on the Ministerial Designation.

BACKGROUND

Ministerial Designation

In June 2000, the site of the Redlands Hospital at 21 Weippin Street, Cleveland (lot 29 on SL11549 only) was designated land for community infrastructure. The Redlands Planning Scheme (RPS) notes the designation in Part 9, Schedule 2 – Land Designated for Community Infrastructure.

Correspondence was received on 18 March 2011 from the Department of Public Works advising that Project Services has been engaged, on behalf of Queensland Health, to undertake processes of Ministerial Designation of Land for Community Infrastructure for the Redlands Hospital. The proposed Ministerial Designation includes the existing designated hospital site and seeks to extend the designation to include adjoining land, described as 25-31 Weippin Street, Cleveland, lot 30 on SP106226. Lot 29 is 11ha and Lot 30 is 5ha.

The Initial Assessment Report identifies that the Ministerial Designation is proposed in order to facilitate the efficient allocation of resources and enable the timely supply of community infrastructure. The proposed community infrastructure is best described in the Sustainable Planning Regulation, Schedule 2 as follows:

- 6 *educational facilities*
- 9 *hospitals and associated institutions*
- 15 *storage and works depots and the like including administrative facilities associated with the provision or maintenance of the community infrastructure.*

Public and private health facilities plus support facilities, including but not limited to non-acute and residential accommodation, ancillary commercial and medical services, education and research facilities, community health services, child care facilities, laundry, engineering and maintenance support services, car parking and transport infrastructure (including a helipad) and accommodation for emergency services.

The Initial Assessment Report notes that Queensland Health proposes to establish an adolescent mental health facility and further expand the hospital in the future within 25-31 Weippin Street.

The Sustainable Planning Act 2009 (SPA) prescribes the way in which Ministerial Designations can be undertaken. Chapter 5, Part 2 Ministerial designations section 207 of the SPA prescribes that a Minister, before designating land for community infrastructure, must be satisfied that for development, the subject of the proposed designation:

- *adequate environmental assessment has been carried out;*
- *in carrying out environmental assessment under paragraph (a), there was adequate public consultation; and*
- *adequate account has been taken of issues raised during the public consultation.*

One way in which the requirements for adequate environmental assessment and public consultation may be met is for the assessment of the proposed development to be carried out in accordance with the Guidelines About Environmental Assessment and Public Consultation Procedures for Designating Land for Community Infrastructure made by the Chief Executive.

This guideline outlines a six-step process which describes two rounds of consultation, one including relevant public sector entities (including the local Council) and the other incorporating public notification to the wider community. The invitation from the Department of Public Works to provide a submission is under the first or initial round of consultation (see Attachment 1 of Initial Assessment Report for a flow chart of the entire Ministerial Designation process).

The effect of the designation is that the development of the site for the designated community infrastructure and service will be exempt from the Redland Planning Scheme (RPS). It should however be noted that Ministerial Designation does not exempt the State from obtaining approvals/licences and meeting statutory obligations under other pieces of federal and State legislation.

ISSUES

Overview of future development of 25-31 Weippin Street

The Initial Assessment Report provides detail on the adolescent mental health facility but does not provide any detail on the future expansion of the hospitals. The lack of detail on the future expansion of the hospital is a key issue that makes making meaningful comment on the Ministerial Designation difficult.

The proposed adolescent mental health facility represents a \$16 million State medical investment delivering a facility providing State-wide mental health services. The facility initially includes a 15 bed residential unit facility with future expansion to 20 beds subject to future funding. Educational and support services are also provided with 30 car parking spaces proposed for staff and visitors. It is identified for commencement of construction mid this year with completion early 2012.

The Facility will be staffed 24 hours, seven days per week with an on-site population of approximately 32 with much smaller staff numbers over-night and at weekends.

In terms of design, the facility is a low-key design comprised of three main components, accommodation wings (bedrooms), day program and learning area facilities (Attachment 2).

Outdoor activities are proposed with the design incorporating facilities for small-scale sports and games, gardening, and casual outdoor activities. The construction will be single-storey domestic style with pitched roofs.

Redlands Planning Scheme

The subject site is zoned General Industry Sub Area GL 1 under the RPS. A hospital is code assessable and consistent use in this zone. A hospital is defined in the RPS as follows:

“the use of premises for medical or psychiatric care and the treatment and residence of patients. The term includes ancillary facilities such as administrative offices, canteens and kitchens.”

Accordingly, the proposed use of the land is consistent with the RPS and there are benefits in co-locating with the existing hospitals. Nevertheless, the Initial Assessment Report identifies that a hospital would be impact assessable development. An officer submission will raise this issue in the report.

In terms of the design and site coverage of development within the General Industry Sub Area GL1 zone, the RPS includes the following key provisions:

- *Minimise clearing of eucalyptus racemosa;*
- *Include activities that support the operations of the Redlands Public Hospital;*
- *Include existing vegetation such as eucalyptus racemosa within the landscaping;*
- *If fencing is required, facilitate movement of native animals through the site;*
- *Demonstrate the retention of habitat corridors;*
- *Have a maximum building site coverage of 35 percent of the site (Probable Solution);*
- *Have a total development area including access, parking, service and outdoor work area at a maximum of 70 percent of the site area; and*
- *Have at least 30 percent of the site area preserved for accommodating retention of eucalyptus racemosa.*

Preliminary assessment of the proposed design and site coverage against the RPS indicates that design is consistent with the outcomes sought by the zone. The protection of koala habitat trees can be improved with this issue being part of Council's submission. A more detailed assessment can be made during further consultation opportunities provided by the State.

In addition, the RPS also identifies a number of values and constraints on the subject land through the following overlays:

Bushfire Hazard (Medium Bushfire Hazard)



Bushland Habitat (Koala Habitat)



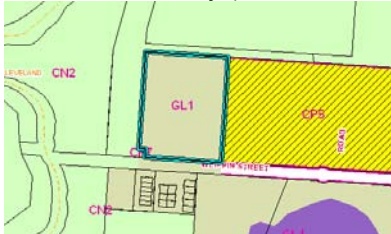
Flood Prone, Storm Tide and Drainage Constr Land (small flood prone area)



Landslide Hazard (low landslide hazard)



State Koala Policy (urban koala area)



Waterways and Wetlands (natural drainage line)



The Initial Assessment Report undertaken for the proposed Ministerial Designation has considered the above overlays primarily through the siting of the proposed facility. For example, the Flood Prone, Landslide Hazard and Waterways and Wetlands overlays have been addressed by proposing the facility on land outside of these values or constraints.

In addition, a number of addition studies into bushfire and stormwater management are to be prepared. For instance:

- A consultant is to be engaged to prepare a Bushfire Management Plan that satisfies the objectives of the State Planning Policy on bushfire management (SPP 1/03); and
- A Stormwater Management Plan will be prepared that details design and construction methods to meet the performance requirements of the recently released State Planning Policy on Healthy Waterways.

These management plans should be available for further comment as part of the wider public consultation step in the Ministerial Designation. The key outstanding issue identified through the overlays relates to koala conservation. Council's submission will raise this issue in detail and identify the implications to be considered in the layout and design of the facilities.

The proposed use is likely to have an adverse impact on the local road network, in particular the intersection of Wellington and Weippin Streets. The State should conduct a traffic impact assessment of the development on this intersection to

determine the implications. This report must be provided to Council for its consideration in light of Wellington Street not being a declared main road at this point in time.

Designating the land will mean Council will receive no infrastructure contributions for the use (unless negotiated during the process). This would include contributions for Stormwater Infrastructure and potentially Transport Infrastructure (dependant on the assessed impact of the development on the local road network). Similarly, Water and Sewerage Headworks Contributions would not be paid to Allconnex unless negotiated during this designation process.

During the next stage of consultation, Council is to be provided with the stormwater management details, to review their quantity and quality measures for the stormwater before leaving the site. It may be that this will result in impact on koala habitat trees retention, particularly to the south and south-east of the facility.

There is no stormwater quality controls depicted on the proposed plan, although the initial assessment report does acknowledge the need for water quality controls and references the State Planning Policy 4/10: Healthy Waters as needing to be complied with. This would need to be addressed and areas allocated for treatment facilities.

The RPS does not specify a car parking rate for a hospital. If this was an application made to Council, a car parking demand study would be requested to determine the required car parking for the use. A study should be undertaken and provided for consultation. The existing facilities experience significant car parking pressures and rely intensely on public road kerb-side parking.

It is considered that the proposal will contribute to an existing significant impact on Council's infrastructure, including the local road network and Council would not support the proposal without agreement by the State that appropriate contributions and facilities (e.g. car parking, etc) would be provided.

The next stage of public notification (Step 4 of the designation process) will allow a more detailed assessment and negotiation of these issues.

Other Environmental Considerations

In addition to the koala value of the site (identified in the SPRP and RPS), the subject site is considered to have significant environmental values with species richness and abundance. The remnant ecosystem is classified as 12.9-10.4 which is described as 'not of concern' within the bioregion or locally and the site is classified as being of regional significance under the SEQ Biodiversity Planning Assessment. The RCC green infrastructure map identifies the site as part of 'Priority Patch #13' with direct critical corridor links to priority patches 12, 14, 15 & 16.

The site is indicated as high value bushland, with medium value rehabilitation along the eastern and southern boundaries, under the State Planning Policy 2/10: Koala Conservation in South East Queensland.

Golder and Associates undertook the ecological assessment of the site through interrogation of Commonwealth and State databases and a day of field work in August. Fauna species were only recorded 'incidentally'. The consultant's report recognises the limitations of the assessment methodology but makes important assertions based upon assumptions *in lieu* of complete and precise data.

This is contrary to the overall objective of the investigation which, the report states, "was to undertake a detailed flora and fauna investigation of the site to assess potential constraints, impacts or risks of the development and subsequent site uses, on the ecological values of the site".

As a consequence, a number of ecological issues were overlooked or judged to be of little concern. For example, there is a strong likelihood that *Phaius* orchids occur on or near the site. These plants are listed as 'Endangered' under both the *Environment Protection & Biodiversity Conservation Act* and the *Nature Conservation Act*. The report makes no mention of *Phaius*. The Terms of Reference asked for an assessment of the condition and presence of tree hollows. The report mentions 'stags' but with little reference to hollows or the numerous species including Greater Gliders which are known to inhabit hollows on or near the site. The report suggests that the stags "may need to be removed for safety reasons".

Given the assessment found the site has limited ecological value it is not surprising that very little weight is given to avoid or minimise the impact of the development on the ecological values of the site and adjoining properties. No detail is provided on the likely amount of clearing to be offset or potential receiving sites or, indeed, how an overall net gain of habitat will be achieved. The construction of a heli-pad and the clearing of habitat trees "from neighbouring northern bushland areas to create a safe flight path" is of concern when no indicative drawings of the impact are provided. The consultant notes that, in this instance, "significant offsets will apply".

The illustrative examples above highlight a difference of ecological information held by Council and the ecological assessment on the ecological values of the subject site that has led to a difference of opinion. These differences are magnified when projected on to the development proposal. One opinion considers ecological values are low and do not warrant avoidance or minimisation. The other recognises significant values worthy of imaginative and innovative planning and design solutions. The precautionary principle suggests that an extensive critique of the consultant's report and subsequent re-assessment of the ecological values of the site and its wider significance will be of value.

Council would like clarification from the Department of Public Works as to the intent of the future road marked on the proposal plans. Council is also in the process of reaffirming the trustee ownership of the adjoining site owned by TAFE Queensland.

Future Redlands Hospital Expansion on 25-31 Weippin Street

The key issue with the proposed Ministerial Designation relates to the unknown nature of the future expansion of the Redlands Hospital into 25-31 Weippin Street. The site has recognised koala habitat values that warrant consideration of expansion of the hospital into this area. The use of the site must balance the conservation of the values recognised with the potential to promote the site as a regional health hub, through:

- *Defining a development footprint for the future expansion of the hospital and inclusion of the balance of environmental lands into the adjoining conservation reserve network;*
- *Ability to retain vegetation in design layouts;*
- *Offset loss in Redland City and strengthen linkages to adjoining Conservation areas. Offsets should be located on land not already protected from development;*
- *Undertake amalgamation of the two sites with excision of the land recognised as having environmental constraints and inclusion of this area into the existing adjoining conservation reserve.*

These comments are proposed to be made through a submission to the State.

Other Matters

Officer comment will also be made on a number of minor errors in the Initial Assessment Report. For example, the site is referred to as 21-25 Weippin Street. This should be 21-31 Weippin Street. The hospital is referred to as Redland Bay Hospital in the Initial Assessment Report. This should be Redland Hospital.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority Strong and Connected Communities Goal 6 – A healthy community “Physical, mental and spiritual wellbeing is promoted and supported by dedicated organisations; and high quality health care facilities and services including additional health centres, palliative care facilities, infrastructure to support home nursing and specialist medical services meet the needs of a growing and ageing community”.

FINANCIAL IMPLICATIONS

The proposed designation does not have any financial implications for Council.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group has prepared this report. Amendments to the Redlands Planning Scheme are required as a result of the Ministerial Designation.

CONSULTATION

The Environmental Management Group and Sustainable Assessment Group - Development and Community Standards Department have contributed to this report.

OPTIONS

PREFERRED

That Committee, under delegated authority resolve to provide a written submission to the State Government – Department of Public Works on the proposed designation of community infrastructure (Lot 29 on SL11549 and Lot 30 on SP106226) on the basis of the issues raised in this report including the environmental values, infrastructure charges and carparking.

ALTERNATIVE

That Council resolve not to provide a written submission to the State Government – Department of Public Works on the proposed designation of community infrastructure on the basis of the issues raised in this report including the environmental values, infrastructure charges and carparking.

OFFICER'S RECOMMENDATION/ COMMITTEE RESOLUTION

Moved by: Cr Elliott
Seconded by: Cr Hobson

That Committee, under delegated authority, resolve to provide a written submission to the State Government – Department of Public Works on the proposed designation of community infrastructure (Lot 29 on SL11549 and Lot 30 on SP106226) on the basis of the issues raised in this report including the environmental values, infrastructure charges and carparking.

CARRIED

COUNCIL RESOLUTION

Moved by: Cr Bowler
Seconded by: Cr Elliott

That the Committee Resolution be noted.

CARRIED (en-bloc)

13.5 CLOSED SESSION

The Committee meeting was closed to the public under section 72 (1) of the *Local Government (Operations) Regulation 2010* to discuss the following items, and following deliberation on these matters, the Committee meeting was again opened to the public.

13.5.1 Redland Regional Sport and Recreation Precinct

13.5.2 North Stradbroke Island Indigenous Land Use Agreement

13.5.1 REDLAND REGIONAL SPORT AND RECREATION PRECINCT

Dataworks Filename: P&R Redland Regional Recreation and Sport Precinct

Responsible Officer Name: Gary Photinos
Manager Environmental Management

Author Name: Angela Wright
Principal Advisor, Open Space Planning

EXECUTIVE SUMMARY

A confidential report from Manager Environmental Management dated 2 March 2011 was discussed in closed session at the Planning & Policy Committee of 6 April 2011, with the Committee Recommendation presented at today's General Meeting for consideration.

COMMITTEE RECOMMENDATION

That Council resolve to:

1. Prepare detailed planning documentation including a full business case for the Preferred Site 1 and adjoining lands for the development of the sporting and recreation facilities, including discussions with the Community, State Government and State and Local Sporting Organisations;
2. Acquire through negotiation all lands identified on the Confidential Redlands Regional Sports and Recreation Precinct Acquisitions List April 2011;
3. Designate all lands on the Confidential Redlands Regional Sports and Recreation Precinct Acquisitions List April 2011 as Community Infrastructure under the provisions of the Sustainable Planning Act 2009;
4. Delegate authority to the Chief Executive Officer to execute all documents in respect to land acquisitions, the designation of the lands as Community Infrastructure under the Sustainable Planning Act 2009, and any other associated documentation; and
5. Ensure all confidential sections of this report and attachments are to remain confidential until discussions and negotiations have been completed with property owners in the precinct.

PROPOSED MOTION

Moved by: Cr Bowler
Seconded by: Cr Elliott

That Council resolve to:

1. Prepare detailed planning documentation including a full business case for the Preferred Site 1 and adjoining lands for the development of the sporting and recreation facilities, including discussions with the Community, State Government and State and Local Sporting Organisations;
2. Acquire through negotiation all lands identified on the Confidential Redlands Regional Sports and Recreation Precinct Acquisitions List April 2011;
3. Designate all lands on the Confidential Redlands Regional Sports and Recreation Precinct Acquisitions List April 2011 as Community Infrastructure under the provisions of the Sustainable Planning Act 2009;
4. Delegate authority to the Chief Executive Officer to execute all documents in respect to land acquisitions, the designation of the lands as Community Infrastructure under the Sustainable Planning Act 2009, and any other associated documentation; and
5. Ensure all confidential sections of this report and attachments are to remain confidential until discussions and negotiations have been completed with property owners in the precinct.

On being put to the vote the motion was LOST.

A division was called for.

Crs Elliott and Bowler voted in the affirmative.

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

Cr Burns was absent from the meeting.

The motion was declared by the Mayor as LOST.

COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Boglary

That Council resolve that this item be deferred and referred to the Planning & Policy Committee on 4 May 2011 and that Committee be

delegated authority, under section 257(1)(c) of the *Local Government Act 2009*, to determine the matter.

CARRIED

A division was called for.

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

Cr Elliott voted in the negative.

Cr Burns was absent from the meeting.

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

13.5.2 NORTH STRADBROKE ISLAND INDIGENOUS LAND USE AGREEMENT

Dataworks Filename: CP Native Title Claims – Quandamooka
Minjerriba

Responsible Officer Name: Gary Photinos
Manager Environmental Management

Author Name: Dan Carter
Manager, Environmental Management
Andrew Ross
Manager, Legal Services

EXECUTIVE SUMMARY

See item 20.1.1 for the resolution on this matter.

14 CUSTOMER SERVICES COMMITTEE 13 APRIL 2011

Moved by: Cr Boglary
Seconded by: Cr Reimers

That the Customer Services Committee Minutes of 13 April 2011 be received.

CARRIED

[Customer Service Committee Minutes 13/4/2011](#)

14.1 CUSTOMER SERVICES**14.1.1 MONTHLY REPORT FOR CUSTOMER AND COMMUNITY SERVICES
GROUP FEBRUARY 2011**

Dataworks Filename: GOV Reports to Committee - Customer & Community Services (CCS)

Attachments: [Customer & Community Services Performance Reporting - February 2011](#)

Responsible Officer Name: Greg Jensen
Manager Customer & Community Services

Author Name: Jodi Marchant
Group Business Services Coordinator

EXECUTIVE SUMMARY

This report outlines the key monthly activities for the Customer & Community Services Group including:

- Human Services Unit;
- Cultural Services Unit;
- Leisure and Recreation Unit;
- Customer Service Unit;
- Redland Performing Arts Centre

PURPOSE

To provide information to the Council on current performance levels and significant issues affecting service delivery.

BACKGROUND

The Customer & Community Services (C&CS) Group delivers a wide range of services at multiple locations throughout the City. The Group comprises five Units; these being Human Services, Cultural Services, Leisure and Recreation Services, Customer Service and Redland Performing Arts Centre.

While the group has its predominant focus on community services delivery a number of the services are operational under the Code of Competitive Conduct (Type 3 Businesses) under the Local Government Act. These include the Redland Performing Arts Centre, Straddie Holiday Parks and School Age Care Services.

Each of the teams in the Group reports monthly against a set of performance indicators. Variations from performance expectations are highlighted in the attached annexure. Achievements are also reported on as well as significant future events. Program deliverables and key projects are reported in tables. Each Service Manager summarises the most significant of these each month within the report to the Customer Services Committee. The annexure is provided for Councillors for reference to more detailed reporting if required.

ISSUES

Human Services Unit:

Refer attachment 1

- School Age Care;
- Respite;
- Home Assist Secure;
- Community Grants Program;
- Community Development.

Summary of Activities

- Planning commenced for "Off the Wall - Live Street Art Battle" to be held at Redlands Youth Plaza. This event is part of the youth week celebrations being held in the Redlands and also forms part of a suite of three projects focusing on working with young people and environmental street art. Artist Oliver Walker has been contracted to work with Council staff to deliver this activity.
- Planning continues for activities to be held during Youth Week. The national theme for youth week is 'Own It'. This year youth week activities are being held in Capalaba, Mt Cotton, Cleveland and Macleay Island. Marketing for each of these events will commence in March.
- Delivered CPTED level 1 training Course to 17 Council staff in Feb 2011.
- Attended hot spot locations of Erapah creek pathway in Victoria point, Bay FM Car park in Thornlands, Main road in Wellington point.
- Discussed public toilet design concerns/solutions with Community & Social Planning Project Officer responsible for the toilet review and the landscape architect from open space planning unit.

Cultural Services Unit:

Refer attachment 2

- Libraries
- Redland Art Gallery
- Museums

Summary of Activities*Libraries:*

- February was Library Lovers Month across the library service. Waiting Day was celebrated at Capalaba Library in partnership with the Cage and a display of teenage art work with a sausage sizzle outside the library. Cleveland hosted Marie Vassallo with her session on Laws of Attraction. A book launch for MK Hume was held at Victoria Point Library. A meeting was held with the Macleay Island progress Association to renew the MOU for the Macleay Island Community Library.

Art Gallery:

- In partnership with Redland Libraries artist and print maker Carolyn Dodds was hosted at Capalaba Library Artspace from Monday 10 January - Saturday 12 March. Artists' workshops were held for both adults and children. These proved to be very popular and were booked to capacity with waiting lists.

Leisure & Recreation Unit:

Refer attachment 3

- Major Venues (Showgrounds, Aquatic Centre and Russell Island Pool);
- Community Halls;
- Recreation (Lifeguard Services);
- Cemeteries;
- Camping Grounds (Straddie Holiday Parks).

Summary of Activities

- Leisure & Recreation are working closely with Sport and Recreation Queensland in the development of sport development workshops and a sports summit to commence in May.
- An application has been submitted to the Commonwealth Local Active and Healthy Local Community funding which aims to provide programs and the development of partnerships with national accredited programs into the community. Funding of \$700,000 has been sought which will provide funding until June 2013. It is anticipated that a notification of results will be known in late April 2011.
- Working with clubs with in the signing of Permit to Occupy for field assets capture and maintenance.
- The Life Guard Service has reported an increase in rescues and preventative measures during this period due to the weather. SLSQ is currently working on a new terms of service agreement for 2011-14 as the current contract of service is due to end at the end of the financial year.

Customer Services Unit:

Refer attachment 4

Summary of Activities

- No significant major activities to be reported for this month.

Redland Performing Arts Centre:

Refer attachment 5

Summary of Activities

- RPAC launched its 2011 Performance Season – “SEE IT LIVE” on 1 February. The season includes eight productions and 12 performances, which offer a mix of dance, fine music, opera, musical comedy, magic/illusion, family theatre, and internationally acclaimed Creole Choir of Cuba. The program includes some of Australia’s finest performers and offers a diverse range of entertainment options to suit all members of the community as follows:
 - Raw Dance Company’s Project X – Saturday, 12 March
 - The Creole Choir of Cuba – Thursday, 31 March
 - Distortions starring Cosentino – Wednesday, 6 April
 - Motherhood the Musical – Friday/Saturday, 20/21 May
 - My Grandma Lived in Gooligulch – Wednesday, 15 June
 - Breast Wishes – Thursday/Friday/Saturday, 23/24/25 June
 - Opera Queensland’s Waltzing our Matilda – Sunday, 31 July
 - Australian Chamber Orchestra ACO2 – Friday, 12 August.
- Advance ticket sales to all shows in the 2011 season are the best to date and indicate there is a high level of interest from the community in the entertainment on offer.
- Prior to the launch of the main performance season, RPAC presented iconic 60s chart-toppers, The Searchers in the concert hall on Sunday, 13 February. The performance sold out and was much enjoyed by an audience that included a high percentage of British expats. The Searchers played one of only two Brisbane shows at the RPAC concert hall, and the band remains one of the few groups from the heady sixties still in strong demand on the world touring circuit today. The event sold out on 4 February, a full week prior to the scheduled performance.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's following outcomes:

‘Strong and connected communities’ – Our health, wellbeing and strong community spirit will be supported by a full range of services, programs, organisations and facilities, and our values of caring and respect will extend to people of all ages, cultures, abilities and needs. Strategies in this outcome supporting are: 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 & 7.9

‘Inclusive and ethical governance’ – Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents’ participation in local decision making to achieve the community’s Redlands 2030 vision and goals: Strategy 8.5 – Be transparent and consistent in the way we manage the

organisation, its risks and obligations and ensure we are delivering against our priorities.

'An efficient and effective organisation' – Council is well respected and seen as an excellent organisation which manages resources in an efficient and effective way.

Strategy 9.1 – Deliver excellent leadership throughout the organisation for the benefit of the community.

FINANCIAL IMPLICATIONS

The Customer & Community Services Group is within budget expectations.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has occurred with all Customer and Community Service Managers and the General Manager Customer Services.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Boglary

Seconded by: Cr Henry

That Council resolve to note the report and annexure.

CARRIED (en-bloc)

14.1.2 MONTHLY REPORT FOR PROJECT DELIVERY GROUP

Dataworks Filename: GOV Reports to Committee - Project Delivery Group (PDG)

Attachments: [Attach 1 for PDG Report – Feb 2011](#)
[Attach 2a for PDG Report – Feb 2011](#)
[Attach 2b for PDG Report – Feb 2011](#)
[Attach 3 for PDG Report – Feb 2011](#)

Responsible Officer Name: Bradley Salton
Group Manager, Project Delivery Group

Author Name: Delia Dowthwaite
Project Administrator

EXECUTIVE SUMMARY

The Project Delivery Group Monthly Report is presented to Council for noting.

PURPOSE

The report provides a project status as at 25 March 2011 and an overall financial summary as at 28 February 2011 for projects undertaken by the Project Delivery Group.

BACKGROUND

The Project Delivery Group (PDG) is responsible for the delivery of capital and major operational projects. This involves developing detailed designs and costing for each project, coordinating the quotation or tendering process and the project delivery and/or construction of the work program.

ISSUES**Project Status**

PDG is continually reviewing its program of works to ensure the delivery of projects within the timeframe and budget allocation.

Watch List – Possible Concern

The following projects have been placed on the “Watch List”.

- 42320 – Wellington Point Queuing Beach – concern due to permit requirements;
- 65019-2 – Macleay Is Waste Transfer Station – concern due to recent heavy rains;
- Physical activity stations & seating – budget constraints.

Listed below are projects that reached practical completion between 5 March and 25 March 2011. Refer Attachment 1 for more detail.

- 45394 – Willard Road, Capalaba – concrete traffic islands;
- 45864 – Footpath – Saul St, Thorneside;
- 45467-3 – Quarry/Rickertt Road, Thorneside/Birkdale – road widening;
- 30004 – Coochiemudlo Island Jetty Repairs;
- 70028 – Due Diligence Report Rickertt Road, Thorneside;
- 70030 – Due Diligence Report Mt Cotton Road, Mount Cotton;
- 70021-5 – Runnymede Road Structural Report;
- 70002-2 – Dredging Emmett Dve, Boat Ramp Toondah Harbour – removal of spoil.

RELATIONSHIP TO CORPORATE PLAN

Outcome 8: **'Inclusive and Ethical Governance'** – Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich residents' participation in local decision-making to achieve the community's Redlands 2030 vision and goals.

8.5 Be transparent and consistent in the way we manage the organisation, its risks and obligations and ensure we are delivering against our priorities.

FINANCIAL IMPLICATIONS

No direct financial implications arise from this report.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The Survey Services Manager, Design Services Manager; Project Management Services Manager and Construction Projects Services Manager have been consulted in the preparation of this report and are supportive of the recommendation.

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

Moved by: Cr Boglary
Seconded by: Cr Henry

That Council resolve to note the report.

CARRIED (en-bloc)

14.1.3 MONTHLY REPORT FOR OPERATIONS AND MAINTENANCE GROUP

Datworks Filename: GOV Reports to Committee - Operations and Maintenance (OPM)

Attachment: [Operations and Maintenance – February 2011](#)

Responsible Officer Name: Lex Smith
Manager Operations and Maintenance

Author Name: Tracy Carrick
Group Administration Co-ordinator

EXECUTIVE SUMMARY

The core activities of the Operations and Maintenance Group are contained within this report and cover the period 1 February to 31 February 2011.

- The Roads and Drainage Maintenance Unit;
- Parks and Conservation Unit;
- Environmental Education Unit; and
- Waste Unit

have all contributed to this report.

The Waste Management Unit is a type 2 business unit and this report will provide Council with a monthly update and on a quarterly basis the unit will report its performance against the key performance Indicators in the business performance plan.

PURPOSE

To provide information to Council on the activities undertaken by the Operations and Maintenance Group and on a quarterly basis report on the performance of the Waste Business Unit against key performance indicators.

BACKGROUND

To provide information to Council on the activities undertaken by the Operations and Maintenance Group and on a quarterly basis report on the performance of the Waste Business Unit against key performance indicators.

ISSUES**ROADS AND DRAINAGE UNIT – Unscheduled Activities and Significant Events****Graffiti**

36 Instances for a cost of \$467.50

Vandalism

0 Instances of Vandalism

Illegally Dumped Refuse

61.91 tonnes waste / Cost to dispose = \$6783.40

Activities Status

Nil comments – All Activities on target.

PARKS AND CONSERVATION UNIT– Unscheduled Activities and Significant Events**Graffiti**

38 Instances for a cost of \$3887.60

Vandalism

0 instances of vandalism

Illegally Dumped Refuse

3.05 tonnes waste / Cost to dispose = \$431.88

Activities Status

Nil comments – All Activities on target.

ENVIRONMENTAL EDUCATION UNIT– Unscheduled Activities and Significant**Events**

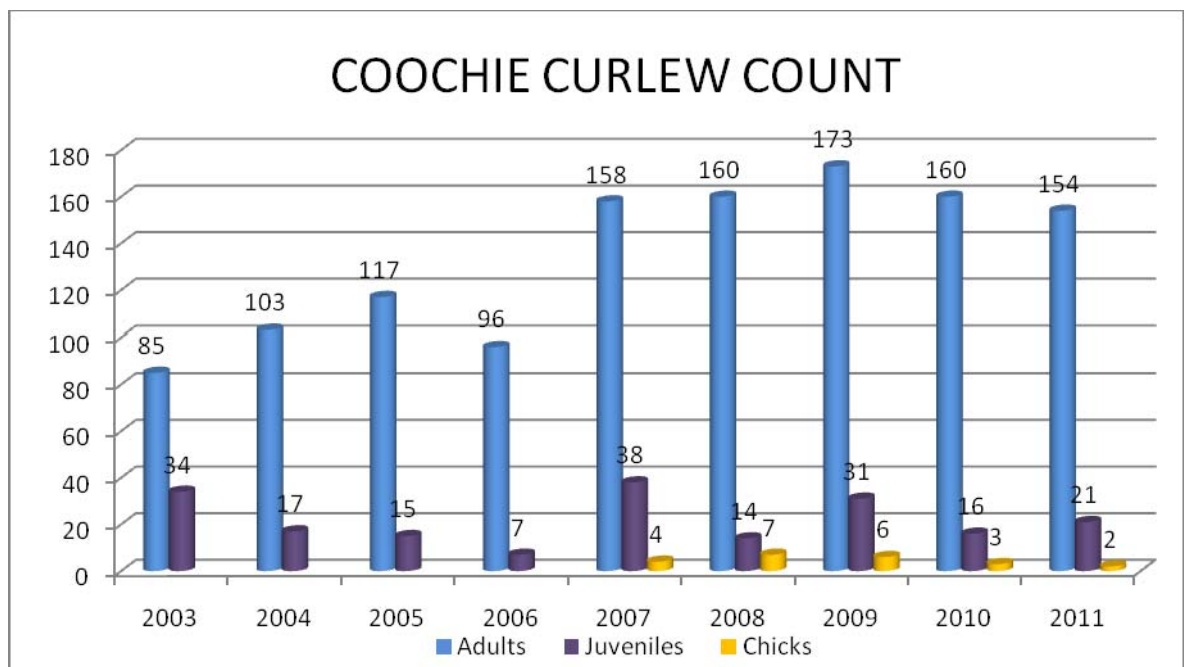
- The IndigiScapes activities calendar of events for the first half of 2011 is out now. The annual calendar for the Seed Collection and Bushcare Birders groups are also available. All can be obtained from IndigiScapes, local libraries and other public areas as well as the web site.
- 30 couples got romantic at IndigiScapes for Valentine's Day. The event was booked out in the first week of promotion.
- The annual Bushcare Convenor's workshop was held on 26 February with 40 participants. This is the annual get together of our volunteer leaders within the Bushcare groups to share and discuss new initiatives and ideas and get feedback as a group on issues confronting the groups.
- A staff workshop was held on the endangered *Corchorus cunninghamii* looking at their locations and management issues.

IndigiScapes

- All walking tracks and gardens were open for most of February but the maze and sandpit in the playground remained closed awaiting repairs.
- The final two tanks were installed and have frogs in one and skinks in the other. They have already proved a popular drawcard, especially for younger visitors.

Wildlife Issues

- Coochie Curlew Count on Feb 12 had 40 volunteers and 177 Bush Stone-curlews counted. This showed that the population on the island continues to be stable. Research has shown that the Coochiemudlo Island population is a source population for the other Moreton Bay Islands and hence critical for the continued survival of the species throughout the bay area.



Activities Status

Nil comments – All Activities on target.

WASTE UNIT

Complaints

There were no complaints received during February 2011

Site Reports

Birkdale Landfill and Transfer Station

In February, 160mm of rain fell on the site which is significantly less than January 2011 and December 2010, which has helped site operations significantly. The new

contractors have settled in well and operations are continuing as normal and customers have commented on the visual and service level improvements

An aerial survey is programmed for March as is an audit by officers from the Department of Environment and Resource Management.

Redland Bay Waste Transfer Station

All operations have been continuing as normal and as with Birkdale, the new contractor has settled in well and service levels have improved.

Giles Road Hardfill site

All operations have been continuing as normal along with hardfill transfers from the Birkdale and Redland Bay Waste Transfer Stations

North Stradbroke Island Waste Transfer Stations

All operations have been continuing as normal.

SMBIs and Coochiemudlo Island Waste Transfer Stations

All operations have been continuing as normal.

Closed Landfill Operations

At Judy Holt Closed Landfill 460,600L of leachate was collected and disposed of in February (75% less than January) and 160mm of rain fell on the site. For the Redland Bay Closed Landfill, 152,000L was collected and disposed of (almost 70% less than January 2011) and the site received 108mm of rain.

There was a quotation in the market place for the provision of consultancy services to undertake a Landfill Gas Risk Assessment Program across 17 Closed Landfill site in the City. This consultancy will be awarded in March with a programmed completion by the end of June 2011.

Two additional Landfill Gas (LFG) Monitoring Wells were installed at John Fredericks Sporting Grounds. An additional two Landfill Gas Monitoring Wells and one groundwater monitoring well were installed at Duncan Road Sporting Field. One LFG monitoring well installed on Old Cleveland Road East, opposite Birkdale Landfill.

CSO – Waste Disposal Fee Exemption for Not for Profit Organisations

There are currently 26 registered and active Fee Exemption accounts issued to Not for Profit Organisations throughout Redlands.

The following six (6) Not for Profit Organisations were recorded as disposing waste at Council's Birkdale and Redland Bay Waste Handling Facilities during the month of February;

- Alexandra Hills Sporting Club Inc;
- Netherlands Retirement Village;

- Redland Bay Amateur Fishing Club;
- Redlands Christian Reformed Church;
- Redland District Rotary Club;
- Redland Rugby Club ;

A combined total of 28.53 tonnes of green and mixed waste were disposed of, with a total CSO value of \$3183.20

Waste Education Activities

February 2011

Highlights of the month

- Nearly 150 students participated in waste minimisation lessons this month.

Locations of visits

- Redlands College – 1 Year 11 class;
- Victoria Point State School - 4 Year 6 classes.

RELATIONSHIP TO CORPORATE PLAN

The activities undertaken within this report primarily support Council's following outcomes:

Outcome 1: “**Healthy natural environment**” - A diverse and healthy natural environment, with an abundance of native flora and fauna and rich ecosystems will thrive through our awareness, commitment and action in caring for the environment.

Outcome 2: “**Green Living**” – Our green living choices will improve our quality of life and our children’s lives, through our sustainable and energy efficient use of resources, transport and infrastructure, and our well informed responses to risks such as climate change.

Outcome 3 “**Embracing the Bay**” – The benefits of the unique ecosystems, visual beauty, spiritual nourishment and coastal lifestyle provided by the islands, beaches, foreshores and water catchments of Moreton Bay will be valued, protected and celebrated.

FINANCIAL IMPLICATIONS

The Operation and Maintenance Group is within budget.

CONSULTATION

This report was prepared in consultation with Unit Service Mangers and numerous staff within the Operations and Maintenance group.

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

Moved by: Cr Boglary
Seconded by: Cr Henry

That Council resolve to note the report.

CARRIED (en-bloc)

**14.1.4 PETITION (DIV 7) REQUEST FOR REMOVAL OF TREES AT
WINCHESTER ROAD, ALEXANDRA HILLS**

Dataworks Filename: GOV Petitions
Winchester Road, Alexandra Hills

Responsible Officer Name: Lex Smith
Manager Operations and Maintenance

Author Name: David Katavic
Acting Service Manager Parks and Conservation
Unit

EXECUTIVE SUMMARY

At the General Meeting on 23 February 2011, a petition was received from residents of Winchester Road, Alexandra Hills offering numerous reasons why the trees within their street should be removed.

An assessment of these trees was undertaken by Council arborists who suggest that the trees are safe, healthy specimens and should not be removed. Therefore it is recommended that the trees should not be removed.

PURPOSE

To provide information to Council on the issues which have been raised relating to the trees which are referred to in the petition Division 7 Request for removal of gum trees at Winchester Road, Alexandra Hills

BACKGROUND

At the General Meeting on 23 February 2011, Council resolved that the following petition which reads as follows, be received and referred to a Committee or officer for consideration/actioning and a report back to Council:

"Petition from residents of Winchester Road, Alexandra Hills in reference to the gum trees planted in our Street.

They should be removed because of:

- *the amount of garbage they create in our street;*
- *the future threat they will create to our houses during storms;*
- *The roots of the gum trees crack and lift cement sidewalk at close intervals."*

The trees referred to in this petition are known as *Lophostemon confertus* species, common name "Brush Box".

- These trees are a recognised street tree and their use is supported within Council's Vegetation Enhancement Strategy with numerous streets throughout the city having the same species planted;
- They are a medium sized tree that grows to approximately 15 metres in height, they make excellent specimens, provide habitat for wildlife and are resilient in storm situations;
- Like all trees they create leaf litter however it not extensive and can be collected rather easily utilising Council's Street Sweeping Contract. Once again, like many other trees their roots can lift concrete paths, however this can be rectified with preventative maintenance and by replacing sections of the pathway as it lifts.

ISSUES

Benefits of these trees

The main benefits to the community for retention of these trees are as follows:

- They provide shaded walkways for residents and pedestrians therefore enhancing community health and well being;
- They provide links, refuge points and food sources for wildlife;
- They create tree lined avenues and themed precincts thereby improving the aesthetics, desirability and value of real estate in the area;
- They reduce the effects of dust and glare and moderate the effects of high temperatures.

To remove these trees based on the reasons submitted in this petition do not meet the criteria for removing trees and would have the potential to set a precedent that could be applied to almost all street trees within Redland City.

The criteria used by Council operational staff for removing a tree are that it is usually dead, diseased, dangerous or causing extensive damage to major infrastructure.

RELATIONSHIP TO CORPORATE PLAN

The activities undertaken within this report primarily support Council's following outcome:

Outcome 1: "**Healthy natural environment**" - A diverse and healthy natural environment, with an abundance of native flora and fauna and rich ecosystems will thrive through our awareness, commitment and action in caring for the environment.

FINANCIAL IMPLICATIONS

Repairs to the concrete footpath will be undertaken this financial year utilising the current budget in the Cyclic Maintenance Footpath Inspection Program.

CONSULTATION

This report was prepared in consultation with Council's Roads & Drainage Services Manager and Council's Operations & Maintenance Technical Officer.

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

Moved by: Cr Boglary
Seconded by: Cr Henry

That Council resolve to:

- 1. Not remove the trees referred to in this petition;**
- 2. Add Winchester Road to a priority three (3) street sweeping which would mean the street gets swept more regularly, every 6 weeks, reducing the amount of leaf litter; and**
- 3. Repair the concrete footpath under the Cyclic Maintenance Footpath Inspection Program.**
- 4. CARRIED (en-bloc)**

14.1.5 SOLE PROVIDER ARRANGEMENT FOR THE COLLECTION AND RECYCLING OF POLYSTYRENE

Datworks Filename: WM Contract – RWW-55005-2 Recycling Expanded Polystyrene

Responsible Officer Name: Lex Smith
Manager Operations and Maintenance

Author Name: Neil Barclay
Senior Contracts Manager - Waste Operations

EXECUTIVE SUMMARY

The contract for the Collection and Recycling of Polystyrene from the Birkdale and Redland Bay Waste Transfer Stations will expire on 30 June 2011. The original contract was approved in July 2007 and was awarded to Carton Warehouse (Global Interests Pty Ltd) for an initial period of 11 months with a provision for two (2) one (1) year extensions. Both the extensions were approved and were taken up.

At the time of calling tenders back in 2007, only one quotation was received as there was only one polystyrene recycler in Queensland. This was still the case when this contract expired in June 2009. On 30 June 2010, Council resolved to extend the contract with Carton Warehouse for a further year to 30 June 2011. This was done in accordance with the provisions of *section 486 (1) (a) of the Local Government Act 1993*, that there was only one supplier reasonably available to it. The contract was extended on the same terms and conditions as the original contract, which included a provision for a yearly CPI adjustment. Our latest enquiries show that Carton Warehouse is still the only polystyrene recycler in Queensland.

PURPOSE

To seek approval from Council to renew this contract for a further 2 year term from 1 July 2011. Carton Warehouse is prepared to renew on the same contract conditions apart from a small increase in the price. This is caused because of the increase in the amount of polystyrene collected from our facilities. The contract will still allow for a CPI adjustment after the first year. Section 184 (a) of the *Local Government (Finance Plans and Reporting) Regulation 2010*, allows Council to accept a contract without calling for quotes or tenders if there is only one contractor reasonably available to it.

BACKGROUND

The original contract was initially set up for collection at the Birkdale Transfer Station only, but was extended by contract variation to include collection from the Redland Bay Transfer Station. In the financial year to 30 June 2010, approximately 12.5 tonnes of polystyrene was collected and it is projected that this year to 30 June 2011 approximately 15 to 17 tonnes will require collection.

ISSUES

There have been no issues with the current contractor who is providing an excellent service.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's vision for **Green Living** – Our green living choices will improve our quality of life and our children's lives, through our sustainable and energy efficient use of resources, transport and infrastructure, and our well informed responses to risks such as climate change.

The recommendation also supports vision 9, **An efficient and effective organisation** which manages resources in an efficient and effective way.

FINANCIAL IMPLICATIONS

The current contract price is \$34,664 per annum (excl GST). The revised price for the new contract from 1 July 2011 is \$38,131 per annum (excl GST), the new rates being Birkdale \$601.27 per week (excl GST) and Redland Bay \$132.01 per week (excl GST). Waste Operations will allocate funding in the 2011/12 annual budget to provide this service.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group was not consulted and it is considered that the outcome of recommendations in this report will have no implications to the Redlands Planning Scheme.

CONSULTATION

The Service Manager Waste Operations was consulted in preparation of this report. Also consulted were the Plastics and Chemicals Industry Association (PACIA) and Expanded Polystyrene Australia (EPSA) who advise that the only industry appointed polystyrene recycler in Queensland is Carton Warehouse. Local enquiries to other recyclers in the area have also failed to locate any other recycler of polystyrene.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Boglary
Seconded by: Cr Henry

That Council resolve as follows:

- 1. That in accordance with section 184 (a) of the *Local Government (Finance Plans and Reporting) Regulations 2010*, it is satisfied that there is only one supplier reasonably available to it to provide for the collection and recycling of polystyrene for a period of 2 years from 1 July 2011, namely Carton Warehouse (Global Interests Pty Ltd); and**

2. On that basis, that the Chief Executive officer be authorised to make, vary and discharge the above contract in accordance with section 187 of the *Local Government (Finance Plans and Reporting) Regulations 2010*.

CARRIED (en-bloc)

14.2 IN APPRECIATION

General Manager Customer Services with great regret advised Councillors that Mr Pat Navin, Service Manager Waste Operations, has tendered his resignation and will leave Council at the end of April to formally commence his own business.

General Manager stated that Mr Navin had been a tremendous asset to Council during his period of employment and took the opportunity to express her thanks to him for all of his efforts. The Chair, Cr Boglary, also added her thanks and appreciation on behalf of Council and wished Mr Navin well for the future.

15 CORPORATE SERVICES & GOVERNANCE COMMITTEE 13 APRIL 2011

Moved by: Cr Ogilvie
Seconded by: Cr Henry

That the Corporate Services & Governance Committee Minutes of 13 April 2011 be received.

CARRIED

[Corporate Services & Governance Committee Minutes 13/4/2011](#)

15.1 CORPORATE SERVICES**15.1.1 PRESENTATION BY JOHN CHERRY - EXECUTIVE DIRECTOR, COUNCIL OF MAYORS (SEQ)**

Datworks Filename: GOV - Council of Mayors
Responsible Officer Name: Nick Clarke
General Manager, Governance
Author Name: Luke Wallace
Manager Corporate Planning, Performance and Risk

EXECUTIVE SUMMARY

Council's ongoing membership of the Council of Mayors (SEQ) Pty Ltd provides local and regional advocacy benefits with regard to priority South East Queensland issues. Council of Mayors Executive Director, Mr John Cherry, has requested an opportunity to formally address Council to provide an overview of recent achievements and an outline of priorities for the financial year ahead.

PURPOSE

The purpose of this report is for Council to note the key achievements and upcoming priorities of the Council of Mayors (SEQ) Pty Ltd.

BACKGROUND

Council has been a member of Council of Mayors (SEQ) Pty Ltd (CoM) since its formation in September 2005 and is represented on the board of the company by Mayor Melva Hobson. Council is also represented on the various committees of Council of Mayors, including the Infrastructure Committee, Environment and Sustainability Committee etc.

CoM has been extremely active over the past 12 months on many issues including water reform, infrastructure delivery, regional planning and growth management, waste management and development of the regional trail bike facility at Wyaralong. Executive Director, John Cherry, would like to provide a brief presentation to Council

on activities over the past 12 months, and more importantly on activities planned for the year ahead as our region and the State prepares for State and local government elections.

ISSUES

Key issues are as follows:

- Council has been a member of CoM since its inception in September 2005;
- Over the past 12 months, CoM has been very active across a range of key advocacy and regional collaboration areas;
- A significant program is planned for the 12 months ahead;
- CoM Executive Director, John Cherry, has requested an opportunity to briefly present to Council on achievements over the last 12 months and plans for the 12 months ahead.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to provide inclusive and ethical governance by establishing and maintaining effective partnerships with local, regional and national organisations and governments to deliver the visions and goals of the community.

FINANCIAL IMPLICATIONS

There are no direct financial implications attached to this report.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has taken place between the Council of Mayors and Council's Governance Department and it was agreed that the Executive Director of Council of Mayors should brief Council on recent achievements and future priorities.

NOTE

Mr Cherry gave a short presentation to Council and answered questions put to him by the councillors.

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

Moved by: Cr Ogilvie
Seconded by: Cr Bowler

That Council resolve to note this report and the presentation of the Executive Director of the Council of Mayors (SEQ) Pty Ltd.

CARRIED (en-bloc)

15.1.2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY

Dataworks Filename: GOV ALGA – 2011 National General Assembly
Responsible Officer Name: Nick Clarke
General Manager, Governance
Author Name: Luke Wallace
Manager, Corporate Planning, Performance and Risk

EXECUTIVE SUMMARY

The 2011 Australian Local Government Association (ALGA) National General Assembly will be held in Canberra from June 19 to June 22. The theme for this year's Assembly is *Growing with our Community: Place, Position and Partnership*.

A number of key political speakers will be addressing the Assembly and delegates will debate and vote on a series of motions relating to the theme.

Council is a member of ALGA and has a strong record of contributing motions and supporting ALGA in its advocacy efforts for local government across Australia.

PURPOSE

The purpose of this report is to seek Council's endorsement for attendance by the Mayor and one other Councillor at the 2011 ALGA National General Assembly.

BACKGROUND

Each year the ALGA National General Assembly draws delegates from across local government in Australia to debate and vote on significant motions and to listen to the key political and business leaders who address the forum. Council is a member of ALGA and has a strong record of contributing to debate and supporting key ALGA initiatives such as local government constitutional recognition.

The 2011 National General Assembly theme is *Growing with our Community: Place, Position and Partnership*. Relevant motions will be submitted against this theme and Council's membership of ALGA entitles it to contribute to debate and to vote on each motion after it is debated.

As well as the formal voting process, delegates will be provided with an update on the push for local government constitutional recognition and the opportunity to listen to a number of key speakers including:

- The Prime Minister, The Hon Julia Gillard MP;
- The Leader of the Opposition, The Hon Tony Abbott MP (invited);
- The Minister for Climate Change and Energy Efficiency, The Hon Greg Combet MP;

- The Leader of the Greens, Senator Bob Brown;
- The Shadow Minister for Regional Development, Local Government and Water, Senator Barnaby Joyce;
- The Minister for Regional Australia, Regional Development and Local Government, The Hon Simon Crean MP;
- Mayor Len Brown, Auckland Council; and
- Mr Michael Luscombe, CEO Woolworths.

ISSUES

The key issues are as follows:

- The 2011 ALGA National General Assembly is being held in Canberra from June 19 to June 22;
- The theme for this year's Assembly is *Growing with our Community: Place, Position and Partnership*;
- Redland City Council is a member of ALGA and we have a solid record of contributing to debate and supporting key ALGA initiatives;
- As a member of ALGA, Council has full voting rights on the motions that will be debated by delegates
- In addition to the formal voting process, this year's Assembly includes a very strong list of speakers from the public and private sector including the Prime Minister and Leader of the Opposition

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to establish and maintain effective partnerships with local, regional and national organisations and governments to deliver the visions and goals of the community.

FINANCIAL IMPLICATIONS

Registration, accommodation, transport and out of pocket expenses for the Mayor and one other Councillor will total approximately \$3500. These costs are covered by existing 2010/11 budget funds.

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

No formal consultation has taken place. This is an annual local government forum that Council has traditionally been represented at.

OPTIONS**PREFERRED**

That Council approve attendance by the Mayor and one other Councillor at the 2011 Australian Local Government Association National General Assembly.

ALTERNATIVE

That Council does not send any delegates to this year's Australian Local Government National General Assembly.

OFFICER'S RECOMMENDATION

That Council resolve to approve attendance by the Mayor and one other Councillor at the 2011 Australian Local Government Association National General Assembly.

**COMMITTEE RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Ogilvie

Seconded by: Cr Bowler

That Council resolve to approve attendance by the Mayor or the Mayor's delegate at the 2011 Australian Local Government Association National General Assembly.

CARRIED (en-bloc)

15.1.3 PROCUREMENT OF NON-LIABILITY INSURANCE FOR COUNCIL

Datworks Filename: GOV - Insurance
Responsible Officer Name: Nick Clarke
General Manager Governance
Author Name: Ian Waters
Risk and Liability Services Manager

EXECUTIVE SUMMARY

Council's general liability insurance program is dealt with through Council's membership in the Queensland Local Government Mutual Liability Pool (LGM). Council also takes out "non-liability" insurance across a range of areas including industrial special risks, motor vehicle, personal accident, workers' compensation reinsurance etc. In keeping with industry best practice, the placement of these insurances is handled for Council by an insurance broker who markets them widely to achieve best possible terms for Council.

In accordance with the *Local Government Act 2009*, Council is required to seek at least three quotes when entering into a medium sized contract. Given the specialised nature of the services being sought however, it is requested that Council endorse the appointment of a broker in accordance with *Section 184(b) of the Local Government (Finance, Plans and Reporting) Regulation 2010*.

PURPOSE

To seek Council approval for the appointment of Aon Risk Services Australia Limited to market Council's non-liability insurance program for the three years commencing 1 July 2011 with an option of an additional two years depending on performance.

BACKGROUND

In addition to Council's general liability insurance program, Council takes out "non-liability" insurance across the following areas:

- Industrial Special Risks [Property];
- Motor Vehicle;
- Fidelity Guarantee;
- Equipment Breakdown [Air Conditioning Units etc];
- Personal Accident – Councillors;
- Personal Accident – Volunteers;
- Business Travel;
- Fine Arts [Art collection, Art Galleries etc];
- Marine Hull; and
- Workers' Compensation Reinsurance Policy [Protects Council by limiting our financial exposure for all claims arising out of any one incident to \$500k].

With respect to the non-Liability insurance program, like all Councils and large businesses, Council has adopted a two pronged approach to the procurement of the insurances. These steps include the selection of an insurance broker and their marketing and placing Council's insurances with the insurers presenting the best terms.

In respect to the appointment of a broker, the complexity of the insurance market and the lack of interest in underwriting local government insurances dictates that the approach to the appointment needs careful consideration.

The appointment of a broker based on the quoted Broker's Fee alone is dangerous as the matter of their ability to access an appropriate insurance market and obtain suitable rates is of prime importance. The cost of a broker to Council each year, is in the range of approximately \$40,000 to \$45,000 whereas the total cost of the non-liability insurance program is approximately \$400,000 to \$500,000 per annum.

Previously, the selection methodology chosen was a three stage process:

1. Insurance brokers, with proven track records in marketing local government insurances, were formally contacted seeking a quotation for the provision of the service together with the details of their service commitment and available markets.
2. Based on their submission, two were selected to proceed to the next step of approaching the market seeking renewal terms.
3. The contract was offered to the broker with the best deal for Council in terms of overall cost i.e. Premiums + Broker's fee and, all importantly, the policy coverage.

In 2009 the CEO agreed to the appointment of Risk Services Australia Ltd and they were appointed for a further two year period, however, he asked the engagement process be reviewed and it was agreed that we would explore alternatives when next engaging a broker in 2011. These alternatives included the likes of Local Buy (LGAQ) or a pre-approved Panel of Providers.

In 2009 Local Buy were approached and they advised that they had no such arrangements in place and that it may be addressed in the future. Recent contact with Local Buy however, has revealed that they still do not have any such arrangements in place so this option is not available to Council.

Contact has been made with Council's contracts personnel and the matter of a panel of pre-approved providers explored but it was agreed that this would also be of little benefit due to the extremely limited number of qualified suppliers in the market.

An alternative was therefore suggested that appears to be the best solution bearing in mind the complexities of the insurance industry and it is proposed that consideration be given to the appointment of a broker under Section 184(b) of the Local Government (Finance, Plans and Reporting) Regulation 2010. This enables Council to approve a medium or large sized contract where it resolves that because

of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders.

These circumstances are very relevant in this instance as the services being sought are highly specialised and it is likely to be disadvantageous for Council to have two brokers testing the market at the same time.

The number of insurers prepared to underwrite local government business is extremely limited and where two brokers are operating in such a limited market, the process of reserving the market can affect the overall terms Council is able to achieve. For example, if two brokers are operating in the market and there are four insurers interested in Council's business, each broker may "reserve" two of the insurers meaning Council is not able to access the best possible terms for each type of insurance from each individual insurer.

It has been noted that in the years when we have had two brokers in the field marketing our insurances the end result is often less attractive than in the intervening years when we have only one in the market place representing our interests.

Clearly excellent results are obtained when one qualified broker, with a proven track record in marketing local government insurance, is appointed to widely seek terms on Council's behalf and is able to do so in an uninhibited market.

Aon Risk Services Australia Limited has marketed Council's insurance (as well as many other Councils throughout Australia) for well in excess of twenty years and they have always been successful in obtaining the best overall terms, notwithstanding inhibited markets at the times when we have authorised other brokers to market our insurances at the same time.

ISSUES

The major issues are as follows:

- The contract with Council's existing insurance broker, Aon Risk Services Australia Limited, expires on 30 June 2011;
- Council therefore needs to appoint a broker for placement of our non-liability insurances from 1 July 2011 onwards;
- The like value of this contract (medium sized) means that Council should obtain three quotes;
- *Section 184(b) of the Local Government (Finance Plans and Reporting) Regulation 2010* enables Council to approve a medium or large sized contract where it resolves that because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders;
- Those circumstances exist on this occasion because of the specialised nature of the market and the practice of reserving insurance markets; and

- Aon Risk Services Australia Limited has been Council's insurance broker for over 20 years and they have always been successful in obtaining the best possible terms for Council when we have gone to market.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority to ensure an efficient and effective organisation by developing procurement practices to increase value for money within an effective governance framework.

FINANCIAL IMPLICATIONS

Whilst the exact saving cannot be quantified, evidence exists from previous placement of non-liability insurance that there are savings for Council in having only one broker in the market placing our insurances.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Consultation has taken place between the Risk and Liability Services Manager, the Manager Corporate Planning, Performance and Risk, the General Manager Governance, the Chief Executive Officer and procurement services.

OPTIONS

PREFERRED

It is recommended that in accordance with *Section 184(b) of the Local Government (Finance Plans and Reporting) Regulation 2010*, Aon Risk Services Australia Limited be appointed to market and place Council's non-liability insurance program for the next three years (effective 1 July 2011) with the option of an additional two years depending on performance.

ALTERNATIVE

That Council directs officers to seek terms for the non-liability insurance program in an alternative way.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Bowler

That Council resolve to appoint Aon Risk Services Australia Limited to market and place Council's non-liability insurance program for the next three years

(effective 1 July 2011) with the option of an additional two years depending on performance, in accordance with *Section 184(b) of the Local Government (Finance Plans and Reporting) Regulation 2010.*

CARRIED (en-bloc)

15.1.4 BALANCED SCORECARD REPORT MARCH 2011

Dataworks Filename: GOV Corporate BSC Monthly Reporting to Committee

Attachment: [Balanced Scorecard Report – March 2011](#)

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

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

EXECUTIVE SUMMARY

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

This report forms part of Council's 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 2010-2015.

The overall rating for March 2011 is satisfactory with a weighted score of 1.83.

PURPOSE

To provide Council with the Corporate Balanced Scorecard report to March 2011.

BACKGROUND

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

A summary of the results is provided on page one of the attached 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 is shown as yellow and an unsatisfactory result is shown as red. The overall rating for Council for each perspective is determined by the relative weightings of the performance measures.

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, this is provided in the report.

ISSUES

Although the overall result is satisfactory, four indicators are rated as unsatisfactory. Comments have been provided by the relevant managers and are included in the attached report.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's commitment to Inclusive and Ethical Governance. Strategy 8.5 within the Corporate Plan states that Council will be transparent and consistent in the way we manage the organisation, its risks and obligations and ensure we are delivering against our priorities.

As part of the Organisational Development Plan, Council is currently reviewing its corporate performance management arrangements and the results of this project will be presented to Council during 2010/11.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The data in this report was provided by responsible 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 March 2011 as attached.

ALTERNATIVE

That Council resolve to note the Corporate Balanced Scorecard for March 2011 as attached and request additional information.

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

Moved by: Cr Ogilvie
Seconded by: Cr Bowler

That Council resolve to note the Corporate Balanced Scorecard for March 2011, as attached.

CARRIED (en-bloc)

15.1.5 QUARTERLY OPERATIONAL PLAN REPORT MARCH 2011

Datworks Filename: GOV Corporate Performance Reporting Quarterly

Attachment: [Quarterly Operational Plan Report](#)

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

Author Name: Jo Jones
Corporate Planning & Performance

EXECUTIVE SUMMARY

The 2010/11 Operational Plan sets out the most significant projects and initiatives that Council planned to deliver in this financial year. The Operational Plan contributes to the delivery of the Corporate Plan 2010-2015. Council approved the current Operational Plan on 25 June 2010, prior to the approval of the 2010/11 budget.

Regular monitoring of progress against the Operational Plan is an important element of Council's governance and is also a requirement under the *Local Government Act 2009*.

The attached report shows the status of all projects, together with a comment about progress.

PURPOSE

To report performance against the Council's approved Operational Plan 2010/11.

BACKGROUND

The Operational Plan 2010/11 sets out Council's planned activities which will contribute to the Corporate Plan 2010-2015. The attached report includes comments against each project and provides a summary of progress with the project.

ISSUES

Of the 139 projects in the Operational Plan, 13 have been completed, 107 are on track for completion by the end of the financial year, 5 have not commenced, and 14 are delayed. Overall Council is making good progress with the delivery of the Operational Plan at the end of March 2010.

RELATIONSHIP TO CORPORATE PLAN

The 2010/11 Operational Plan will contribute to the delivery of outcomes contained in the Corporate Plan 2010-15.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

The attached report contains information and comments from the managers and officers responsible for the projects and initiatives. The report was compiled by the Corporate Planning, Performance and Risk Group.

OPTIONS**PREFERRED**

That Council resolve to note the Operational Plan report for the March quarter as attached.

ALTERNATIVE

That Council resolve to note the Operational Plan report for the March quarter as attached. However, Councillors may wish to request additional information.

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

Moved by: Cr Ogilvie
Seconded by: Cr Bowler

That Council resolve to note the Operational Plan report for the March quarter as attached.

CARRIED (en-bloc)

15.2 OFFICE OF CEO

15.2.1 A REPORT ON THE AUDIT COMMITTEE MEETING

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

EXECUTIVE SUMMARY

In line with the Audit Committee Charter, the Audit Committee meeting of 3 March 2011 was scheduled to enable discussion and consideration of the following:

- Receipt and confirmation of minutes of 20 October 2010;
- Business arising from previous minutes;
- Update from the Chief Executive Officer;
- Council End of Month Financial Reports;
- Compliance Certificates;
- QAO Presentation;
- Internal Audit Plan;
- Audit Plan Status;
- Internal Audit Reports;
- Update from External Auditors;
- Emerging Issues;
- Other Business.

PURPOSE

The authority for the establishment of an Audit Committee is provided for under Section 105 of the Local Government Act 2009. It operates in accordance with *Part 10, Subdivision 2, Sections 157-160 of the Local Government (Finance, Plans and Reporting) Regulation 2010*.

The purpose of this report is to provide a summary of the issues discussed at the meeting on 3 March 2011.

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 2009* 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 3 March 2011:

The Chair, Len Scanlan, declared the meeting open at 10.03am (Item 1), with all members and invitees present with the exception of Cr M Hobson (Mayor) who gave her apologies.

3 Receipt and Confirmation of Minutes

Moved by: Mr V Dua
Seconded by: Cr M Elliott

That the minutes of the Audit Committee meeting of 20 October 2010 be confirmed as a true and accurate record of proceedings.

3.1 Business arising from previous minutes

The Chair advised that this matter would be dealt with at item 8.

- As per item 8.1 (Internal Audit Recommendations) of the minutes of the Audit Committee meeting of 20 October 2010, Virendra Dua requested a further report which highlights those particular recommendations which internal audit consider more business critical.

4 UPDATE FROM THE CHIEF EXECUTIVE OFFICER

The Chief Executive Officer reported to the Audit Committee on the following significant matters:

- Organisational Structure;
- Introduction of the new General Manager Customer Services, Mrs Louise Rusan;
- The Corporate Services Department is undergoing further refinement with the establishment of the 'Decision Support' group;
- The Development & Community Standards Department is finalising its sub-structure;
- Major policy issues;
- Continued with Enterprise Risk Management in the Governance Department;
- Commenced detailed work on the Core Service and Business Level Review Project. The data analysis stage has been completed;
- Major Issues;
- Disaster response to land slip at Wellington Point and beach erosion at Amity Point;

- Support for other Council's during the Brisbane floods. Hoping to recover most of the costs incurred in supplying that support;
- Budget Process;
- Well into the budgeting process and financial strategy and there are some stresses on that financial strategy. In particular, 3 of Council's major capital revenue sources are threatened;
- Water dividends from the Allconnex Water Business;
- Infrastructure Charges that are imposed on developers;
- Grants and subsidies from State and Federal Governments; and
- Development of the new Organisational Development Plan (as the previous one is nearing the end of its 3 year life) and the intention to put the new Plan before Council by July this year.

COMMITTEE DECISION

That the report, and tabled Budget Timetable, be noted.

5 COUNCIL FINANCIAL REPORTS

5.1 COUNCIL END OF MONTH FINANCIAL REPORT

Council's end of month report for 30 September 2010, as presented to the General Meeting on 20 October 2010, was presented to the Audit Committee.

Council's end of month report for 31 October 2010, as presented to the General Meeting on 17 November 2010, was presented to the Audit Committee.

Council's end of month report for 30 November 2010, as presented to the General Meeting on 15 December 2010, was presented to the Audit Committee.

Council's end of month report for 31 December 2010, as presented to the General Meeting on 27 January 2011, was presented to the Audit Committee.

Council's end of month report for 31 January 2011, as presented to the General Meeting on 23 February 2011, was presented to the Audit Committee.

COMMITTEE DECISION

That the reports, and the articulation and elaboration provided by General Manager Corporate Services and Manager Financial Control on the End of Month figures, be noted.

5.2 Budget carry-over Process

Virendra Dua, external Committee Member, presented a report on Council's budget carry-over process.

5.3 Reporting on capital projects

Virendra Dua, external Committee Member, presented a report on Council's reporting on capital projects.

COMMITTEE DECISION

- 1. That the reports provided by Virendra Dua, for items 5.2 and 5.3, be noted and management acknowledged the areas for improvement raised by Mr Virendra Dua and that actions will be progressively implemented addressing these areas of improvement going forward; and**
- 2. Note the carry over budget review paper.**

5.4 ACCOUNTING IMPLICATIONS FOR ASSETS TRANSFERRED TO ALLCONNEX

Manager Financial Control presented a report on the accounting implications for assets transferred to Allconnex and any residual accounting and disclosure issues for the 2010/2011 financial year.

COMMITTEE DECISION

That the report and discussion, in relation to information on participation rights and finalisation of advice concerning accounting treatment and consistent treatment by all other similar entities in relation to these non current assets, be noted.

6 COMPLIANCE CERTIFICATES

Compliance Certificates for the quarters July to September 2010 and October to December 2010 for Governance, Development & Community Standards, Customer Services, Planning and Policy, and Corporate Services were presented to the Committee. The Compliance Certificates are attached.

COMMITTEE DECISION

That the Compliance Certificates as presented be noted.

7 QAO PRESENTATION

Mayus Nath and Bridget Vickers presented a power point display titled "Effective Implementation of IT" and updated Committee on relevant issues.

COMMITTEE DECISION

That the Audit Committee note the presentation and update as presented.

8 INTERNAL AUDIT PLAN

8.1 AUDIT PLAN STATUS

The status of the Audit Plan was presented to the Committee, by the Manager Internal Audit, for noting.

COMMITTEE DECISION

- 1. That the Audit Committee note the Status of the Audit Plan as presented;**
- 2. Endorsed the deferral of the compliance review on 'Climate Change actions against climate change risk in the Operational Risk Register' to 2011/2012 as the officer involved in this review, Mr Warren Mortlock, had been selected as one of three delegates nationally to undertake a Climate Change Fellowship; and**
- 3. Endorsed the compliance review on 'External Plant Hire' be brought forward from the 2011/2012 review to replace the above deferred review.**

9 AUDIT RECOMMENDATIONS DUE FOR IMPLEMENTATION

9.1 INTERNAL AUDIT RECOMMENDATIONS

The Senior Internal Auditor presented a progress report of audit recommendations due for implementation to the Committee.

COMMITTEE DECISION

That the Audit Committee note the Audit Recommendations Due For Implementation as presented.

9.2 QAO RECOMMENDATIONS

The Senior Internal Auditor presented a progress report of QAO audit recommendations due for implementation to the Committee.

COMMITTEE DECISION

That the Audit Committee note the Audit Recommendations Due For Implementation as presented.

10 INTERNAL AUDIT REPORTS

The following reports are presented for Audit Committee consideration:

10.1 GOVERNANCE

- Internal Audit Report 24/01/11 – Review of Compliance with the new Local Government Act 2009 Act (distributed separately)
- Internal Audit Report 24/01/11 – Review of Compliance with the Privacy Plan (distributed separately)

10.1.2 DEVELOPMENT AND COMMUNITY STANDARDS

- Internal Audit Report 09/12/10 – Review of Officer Delegations within Development and Community Standards (distributed separately)

10.1.3 CORPORATE SERVICES

- Internal Audit Report 29/10/10 – Review of the ABC System – Full Cost Recovery (distributed separately)

COMMITTEE DECISION

1. That the reports be received and noted as presented;
2. Note the Committee's observations in relation to Council's compliance with the new *Local Government Act 2009* and ask General Manager Governance to pass that on to his staff; and
3. Note the intention to introduce an on-line training model.

11 UPDATE FROM EXTERNAL AUDITORS

Brendan Worrall – WHK Horwath presented an update to the Audit Committee.

COMMITTEE DECISION

1. That the Audit Committee note the report as presented;
2. Note the change of name to Crowe Horwath and that Elna How is the new Audit Manager for RCC;
3. Note that Brendan Worrall has been appointed as the State Chairman, Institute of Chartered Accountants, Australia.

12 EMERGING ISSUES

12.1 ACCOUNTING TREATMENT OF FINANCE & OPERATING LEASES

The accounting treatment of leases is being reviewed through an *Exposure Draft ED/2010/09. Leases*, issued by the International Accounting Standards Board (IASB), in essence it is suggesting that all leases both finance and operating, will end up on the balance sheet.

At present only 'finance lease' appears on the balance sheet - under this proposed standard all leases will appear on the balance sheet - so it has quite serious implications for all sorts of organisations, not only in accounting, but also any agreements they may have with bankers about covenants because it will make the balance sheet look much different.

13 OTHER BUSINESS

13.1 Organisational development plan issue 34 – exposing and deterring misconduct, fraud and corruption

The Manager Internal Audit presented a progress report to the Committee on Issue 34 of the Organisational Development Plan – Exposing and Deterring Misconduct, Fraud and Corruption.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

13.2 WORKPLACE HEALTH AND SAFETY

The Principal Adviser Workplace Health and Safety presented an update to the Committee on Workplace Health and Safety issues.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

13.3 LOCAL GOVERNMENT ACT 2009 AND REGULATIONS 2010

The General Manager Governance presented an update to the Committee.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

13.4 COMMUNITY SATISFACTION SURVEY

The General Manager Governance presented an update to the Committee.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

13.5 MYSAY EMPLOYEE SATISFACTION SURVEY

The Manager People and Change presented an update to the Committee.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

13.6 OMBUDSMAN COMPLAINTS REPORT

The General Manager Governance presented an update to the Committee.

COMMITTEE DECISION

That the Audit Committee note the report as presented.

Committee agreed Mr Len Scanlan and Mr Virendra Dua would meet with both Mr Nick Clarke, General Manager Governance and Kylie Fernon, Manager Internal Audit to discuss the progress of the Audit Plan for 2011-2012, 2012-2013 and 2013-2014.

Committee agreed that the Ombudsman Complaints Report be presented annually on a financial year basis in future.

MEETING CLOSURE

The meeting closed at 12.58pm.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's 'Inclusive and Ethical Governance' Outcome – Deep engagement, quality leadership at all levels, transparent and accountable democratic processes and a spirit of partnership between the community and Council will enrich resident's participation in local decision making to achieve the community's Redlands 2030 vision and goals.

8.5 Be transparent and consistent in the way we manage the organisation, its risks and obligations and ensure we are delivering against our priorities.

FINANCIAL IMPLICATIONS

The cost to Council for the attendance of the independent Committee Chair and independent external Committee member is \$20,000 per annum. This is provided for in the Internal Audit Group Budget.

CONSULTATION

The Audit Committee minutes are presented for confirmation as a 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 3 March 2011.

ALTERNATIVE

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 Ogilvie
Seconded by: Cr Bowler

That Council resolve to accept this report, which summarises the issues discussed at the Audit Committee Meeting of 3 March 2011.

CARRIED (en-bloc)

15.3 PLANNING & POLICY

15.3.1 CHANGES TO SMBI COMMUNITIES ADVISORY COMMITTEE MEETING SCHEDULE

Datworks Filename: GOV SMBI Advisory Committee
Responsible Officer Name: Wayne Dawson
Manager Land Use Planning Group
Author Name: Mark Conlan
Principal Advisor - SMBI Planning Strategy

EXECUTIVE SUMMARY

At the last SMBI Communities Advisory Committee (SMBICAC) workshop it was recommended to change the formal meeting schedule of the Committee to meet the required timing of the SMBI PLUS Review Project Plan.

It was agreed to change the endorsed meeting date of 13th July 2011 to two (2) meeting dates of 19th May 2011 and 6th July 2011 to tie in with the SMBI PLUS Review public consultation process and to have the Committee's last meeting on 6th July on Russell Island.

PURPOSE

To seek approval from Council for the proposed changes to the SMBI Communities Advisory Committee's meeting schedule.

BACKGROUND

At the SMBICAC meeting held in February it was agreed to postpone the scheduled May meeting until July due to the proposed timing of the public consultation component of the SMBI PLUS Review. The timing of this consultation has been revised and as such the meeting schedule requires updating to cater for this revision.

ISSUES

It is proposed to change the previously endorsed meeting schedule of the SMBICAC from one final meeting on the 13th July to two (2) meetings to be held on the 19th May and the 6th July 2011. This change is in response to the recently approved SMBI PLUS Review Project Plan and the timelines included within the plan.

RELATIONSHIP TO CORPORATE PLAN

This relates to the vision outcome of Inclusive and ethical governance and is reflected in strategies:

- 8.3 Establish and maintain effective partnerships with local, regional and national organisations and governments to deliver the visions and goals of the community; and
- 8.4 Deliver broad, rich and deep engagement that reaches residents of all ages, backgrounds and locations, enabling them to contribute their views about plans and decisions affecting them and developing community leadership; in the Corporate Plan 2010-15.

FINANCIAL IMPLICATIONS

No financial implications.

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

SMBICAC Workshop held Wednesday, 16th March 2011.

OPTIONS

PREFERRED

That Council resolve to approve the proposed changes to the SMBICAC meeting schedule with the new meeting dates to be 19 May 2011 and 6 July 2011.

ALTERNATIVE

That Council does not approve the proposed changes to the SMBICAC meeting schedule.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie

Seconded by: Cr Bowler

That Council resolve to approve the proposed changes to the SMBICAC meeting schedule with the new meeting dates to be 19 May 2011 and 6 July 2011.

CARRIED (en-bloc)

15.4 CORPORATE SERVICES

15.4.1 QUARTERLY PROJECTS AND BUSINESS UNIT ACTIVITY REPORTS

Datworks Filename:	Quarterly Projects and Business Unit Activity Reports
Attachment	Quarterly Report
Responsible Officer Name:	Martin Drydale General Manager Corporate Services
Author Name:	Kevin Lamb Service Manager Financial Reporting & Asset Accounting

EXECUTIVE SUMMARY

The attached reports include:

- The business activity statements for Council's business activities subject to the Code of Competitive Conduct; and
- Selected operational and capital project expenditure across individual groups and departments of Council for the cumulative position as at the end of March 2011.

PURPOSE

Council resolved to apply the Code of Competitive Conduct to 10 business units as part of its 2010/11 adopted budget. This report highlights actual to budget results for revenue and expenditure and provides commentary on major variations.

This report also presents year to date expenditure against revised and original budgets for selected operational and capital projects across the groups and departments of Council.

BACKGROUND

The suite of strategic financial reports containing Council's operating statement, balance sheet, cash flows and results against key financial performance indicators is presented as a separate report to Council.

This report presents the operational results for 9 of the 10 business activities Council adopted as part of its 2010/11 budget process in addition to selected operational and capital project expenditure across individual groups and departments of Council.

ISSUES

Nil.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports the following outcomes:

8. Inclusive and ethical governance

- 8.7 *Ensure Council resource allocation is sustainable and delivers on Council and community priorities*
- 8.8 *Provide clear information to citizens about how rates, fees and charges are set and how Council intends to finance the delivery of the Community Plan and Corporate Plan.*

FINANCIAL IMPLICATIONS

Financial reports for 9 of the 10 business activities that Council has resolved to apply the Code of Competitive Conduct to are in the attached report. Reporting for the Wharves and Jetties business activity is still under development.

Redland Art Gallery

Redland Art Gallery had operating revenue of \$404,015, \$118,705 below revised budget and operating expenses of \$399,145, \$59,491 below budget. The main driving factors in this result were net internal costs \$45,924 below budget and employee costs \$29,932 below budget.

School Age Care

School Age Care had operating revenue of \$2,362,148, \$25,950 below revised budget and operating expenses \$2,360,319, \$20,369 above budget. The main driving factors in this result were fees and charges \$102,184 below budget, operating grants and subsidies \$16,719 above budget and employee costs \$14,399 above budget.

Cemetery Development & Maintenance

Cemetery Development & Maintenance had operating revenue of \$240,405, \$37,323 below revised budget and operating expenses of \$235,067, \$26,512 below budget. The main driving factor in this result was goods & services \$30,265 below budget.

Fleet Leasing and Operations

Fleet Leasing and Operations had operating revenue of \$606,509, \$116,036 above revised budget and operating expenses of (\$1,928,701), \$209,274 below budget. The main driving factors in this result were employee costs \$7,364, depreciation \$172,669 and goods and services \$43,035 above budget and higher than anticipated internal recoveries \$259,673 and other revenue \$120,651 above budget.

Quarry Operations

Quarry Operations had operating revenue of \$71,368, \$46,096 above revised budget and operating expenses of (\$2,721), \$37,766 above budget. The main driving factors in this result were employee costs \$31,887 and goods and services \$39,625 below budget and lower than anticipated net internal recoveries \$109,278 and other revenue \$45,569 above budget.

Caravan Parks and Camping

Caravan Parks and Camping had operating revenue of \$2,302,646, \$80,842 above revised budget and operating expenses \$1,978,983, \$21,887 below budget. The main driving factors in this result were net internal costs \$36,969 above budget and other full cost attribution \$33,740 below budget.

Building Certification

Building Certification had operating revenue of \$679,515, \$94,818 below revised budget and operating expenses of \$679,348, \$63,376 below budget. The main driving factors in this result were fees and charges \$220,361 below budget and employee costs \$53,373 below budget.

Redland Performing Arts Centre

Redland Performing Arts Centre had operating revenue of \$1,510,468, \$26,395 above revised budget and operating expenses of \$1,226,987, \$78,029 above budget. The main driving factors in this result were employee costs \$36,878 above budget, goods and services \$27,623 above budget and other revenue \$26,918 above budget.

Tourism Development

Tourism Development had operating revenue of \$392,649, including a Community Service Obligation amount of \$383,023, \$50,278 below revised budget and operating expenses of \$392,649, \$71,827 below budget. The main driving factors in this result were goods and services \$50,751 below budget and employee costs \$21,489 below budget.

Selected Operational Projects

Expenditure on operational goods and services was under revised budget by \$5.5 million at 31/3/2011 implying significant delays in the commencement and completion of 2010/11 operational projects and issues relating to the phasing of the revised budget. Major areas that are behind in operational expenditure include Infrastructure Development (\$991K), Parks and Conservation (\$745K), Waste (\$720K), Project Management Services (\$650K), People and Change (\$581K), Environmental Management (\$579K), Facilities Services (\$516K), Land Use Management (\$493K), Community & Social Planning (\$362K) and Environmental Education (\$185K).

Significant individual projects behind budget include:

Remediation of Birkdale Landfill	\$250K
Biodiversity Strategy	\$115K
Master Plans and Local Area Plans	\$105K
Landfill Gas Risk Assessment Project	\$100K
Swimming Pool inspection project	\$96K
Birkdale Landfill Closed Landfill Master	\$91K

The attached report provides details on the progress of an extensive list of other selected projects.

Selected Capital Projects

The capital expenditure program is behind year to date revised budget by 12.4% or \$4.32M at 31/3/11. Main areas behind budget are Corporate Services \$3.0 and Planning & Policy \$2.0M.

Large capital projects behind schedule include:

Purchase of Southeast Thornlands Parks	\$1.0M
Giles/Gordon Roads	\$382K
Dinwoodie Rd & Cleveland/Redland Bay Rd Intersection	\$291K
Macleay Island Waste Transfer Station	\$278K
Rickertt/Quarry Rd Widening	\$248K
CNG Alternative Fuel Project (Compressed Natural Gas)	\$225K

CONSULTATION

Consultation has taken place amongst the Executive Leadership Group.

OPTIONS

PREFERRED

That Council resolve to note the quarterly operational and capital project reports in addition to the Business Unit reports to which the Code of Competitive Conduct applies for March 2011, as presented in the following attachments:

1. Business activity statements; and
2. Selected Operational and Capital Projects expenditure reports.

ALTERNATIVE

That Council requests additional information.

OFFICER'S/COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Bowler

That Council resolve to note the quarterly operational and capital project reports in addition to the Business Unit reports to which the Code of Competitive Conduct applies for March 2011, as presented in the following attachments:

- 1. Business activity statements; and**
- 2. Selected Operational and Capital Projects expenditure reports.**

CARRIED (en-bloc)

15.4.2 MARCH 2011 - MONTHLY FINANCIAL REPORTS

Dataworks Filename: FM Monthly Financial Reports to Committee
Attachment: [EOM Report](#)
[Rates Debtors Comparison March 10-March 11](#)
[Returns and Value Investments March 2011](#)
Responsible Officer Name: Martin Drydale
General Manager Corporate Services
Author Name: Kevin Lamb
Service Manager Financial Reporting & Asset
Accounting

EXECUTIVE SUMMARY

Section 152(2) of the *Local Government (Finance Plans & Reporting) Regulation 2010* requires the Chief Executive Officer to present the financial report to a monthly meeting.

The attachments to this report present the March 2011 financial statement of accounts to Council. Millions are displayed by an M, and thousands are displayed by a K. It should be noted that the property plant & equipment transferred to Allconnex remains in our balance sheet at 31/3/2011. Accounting treatment/entries will be posted to transfer these balances out when negotiations regarding Council's interest in Allconnex are finalised.

The financial statements demonstrate that Council exceeded targets set in the 2010-2011 budget for six of the seven Financial Stability Key Financial Performance Indicators. These are:

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

The following Financial Stability Ratio Key Financial Performance Indicator is outside of Council's target range:

- operating performance

With respect to the five measures of sustainability adopted as part of the 2010-2011 budget, Council is currently meeting three of the five targets. These are:

- net financial liabilities ratio;
- interest cover ratio; and
- asset consumption ratio

Council's operating surplus ratio is outside of Council's target range and Council's system is currently being structured to measure its' asset sustainability ratio.

Council's end of month operating result (Earnings Before Interest, Tax and Depreciation – EBITD) is ahead of revised budget by \$5.2M, with operating expenditure below budget by \$5.1M and operating revenue above budget by \$32K. Council's operating deficit after depreciation and interest charges was \$4.5M, a favourable variance of \$4.7M on the revised budget year to date (YTD).

Cash held at the end of March 2011 is \$69.7M, equal to 6.1 months cash capacity against an original target of three to four months.

PURPOSE

The purpose is to present the March 2011 financial report to Council and explain the content and analysis of the report. Section 152(2) of the *Local Government (Finance, Plans & Reporting) Regulation 2010* 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 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.

ISSUES

The following elements, shown in the attachments, comprise the End of Month Financial Reports for March 2011:

Dashboard and Key Performance Indicators (A)

- Operating Revenue compared to Budget;
- Operating Expenditure compared to Budget;
- Employee Costs compared to Budget;
- Capital Expenditure compared to Budget; and
- Key Performance Indicators – Actual results compared to Budget and Targets.

Operating Statement (B)

This shows the variance between YTD actual results and YTD budget in dollar terms, percentage and colour indicators. Tolerance levels for the variances differ between operational and capital amounts.

Additionally, a **Cash Flow Statement (C)**; and a **Statement of Financial Position (D)**; have been included to provide the complete picture of Council's finances.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports the following outcomes:

8. Inclusive and ethical governance

8.7 *Ensure Council resource allocation is sustainable and delivers on Council and community priorities*

8.8 *Provide clear information to citizens about how rates, fees and charges are set and how Council intends to finance the delivery of the Community Plan and Corporate Plan.*

FINANCIAL IMPLICATIONS

The overall financial result for the period ending March 2011 remains strong with EBITD of \$20.2M (\$5.2M above budget) with operational expenditure being \$5.1M below budget and operating revenue above budget YTD by \$32K.

Operating Revenue

Rates Charges are below budget by \$68K with General Rates being \$352K below budget offset by Credit Held being \$284K above budget. Other Rates & Utility Charges are below budget by \$476K with refuse collection charges \$300K environmental levy charges \$146K below budget.

Pensioner Remissions are \$173K above budget and Fees and Charges are below budget by \$654K with development applications fees \$418K, domestic inspection fees \$197K and child care benefit \$189K below budget offset by general fees & charges \$308K and commercial fees \$128K above budget.

Operating Grants and Subsidies are above budget by \$258K. External interest is favourable by \$449K with interest on investments \$315K, interest on rates \$130K other interest \$4K above budget.

Other revenue is above budget by \$714K with miscellaneous income \$412K, insurance proceeds \$218K and litigation payments \$114K above budget, offset by Allconnex SLA recovery \$155K below budget. Of particular note, during this reporting period Council were given confirmation and advice to invoice for the reimbursement of establishment costs incurred during the course of establishing Allconnex Water. This reimbursement of approximately \$1.7M is now recognised within the accounts and Council still has a further opportunity to recover approximately \$200K from Allconnex Water for additional expenditure incurred post 1st July 2010 that supported the establishment of the entity.

Operating Expenditure

Operational Employee Costs are above budget by \$219K with Customer Service \$796K over budget and Development & Community Standards \$663K under budget.

Operational Goods and Services are under budget year to date budget by \$5.5M primarily due to underspends in Planning and Policy of \$2.6M, Customer Services of \$1.7M and Corporate Services of \$1.2M.

Capital Revenue

Contributions and Donations are \$222K above budget in total with developers cash contributions \$440K above budget offset by other capital contributions \$218K below budget.

Capital Expenditure

The Capital Expenditure program is 12.4% or \$4.3M below year to date revised budget with the main areas below budget being Fleet Management \$1.8M, Infrastructure Development \$1.1M, Community and Social Planning \$992K, Information Management \$578K and Facility Services \$316K.

CONSULTATION

Consultation has taken place amongst the Executive Leadership Group.

OPTIONS**PREFERRED**

That Council resolve to note the End of Month Financial Reports for March 2011 and explanations as presented in the following attachments:

1. Dashboard and Key Performance Indicators (A);
2. Operating Statement with headline commentary (B);
3. Cash Flow Statement (C); and
4. Statement of Financial Position (D).

ALTERNATIVE

That Council requests additional information.

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

Moved by: Cr Ogilvie
Seconded by: Cr Bowler

That Council resolve to note the End of Month Financial Reports for March 2011 and explanations as presented in the following attachments:

- 1. Dashboard and Key Performance Indicators (A);**
- 2. Operating Statement with headline commentary (B);**
- 3. Cash Flow Statement (C); and**
- 4. Statement of Financial Position (D).**

CARRIED (en-bloc)

15.4.3 SCHEDULE OF FEES AND CHARGES 2011-2012 (EXCLUDING REDWASTE BUSINESS UNIT)

Datworks Filename:	FM Corporate Budget
Attachment:	<u>Schedule of Fees and Charges 2011-2012 (Excluding RedWaste Business Unit)</u>
Responsible Officer Name:	Martin Drydale General Manager Corporate Services
Author Name:	Deborah Corbett-Hall Acting Service Manager Budget and Forecasting

EXECUTIVE SUMMARY

Under sections 97 and 262(3)(c) of the *Local Government Act 2009*, Council may adopt cost-recovery fees and other fees respectively. Additionally, other Acts (e.g. *Sustainable Planning Act 2009* and *Right to Information Act 2009*) also provide Council with the power to adopt a variety of other fees. The *Local Government Act 2009*, together with the *Local Government (Operations) Regulation 2010*, the *Local Government (Finance, Plans and Reporting) Regulation 2010* and the *Local Government (Business Enterprises and Business Activities) Regulation 2010* are also referred and adhered to when developing the annual schedule of fees and charges.

Cost-recovery fees are fees determined under section 97 of the *Local Government Act 2009*. A cost-recovery fee must not be more than the cost to the local government of providing the service or taking the action for which the fee is charged.

Council is also able to charge for the services and facilities that it supplies. Unlike cost-recovery fees, Council has the option to factor in a margin for providing a non-regulatory charge. In developing these charges, Council has benchmarked various charges against other local authorities and/or commercial operators in order to set a relative and competitive charge for a particular product or service. Other fees have been developed based on the head of power being provided to Council to set a fee or charge other than that provided for under section 97 of the *Local Government Act 2009*.

The Schedule of Fees and Charges for the 2011-2012 financial year includes cost-recovery fees, commercial charges and other fees. The range of fees and charges covers services that are provided from areas within Council such as Development & Community Standards Department, Customer and Community Services, Operations and Maintenance, Corporate Services Department, Planning and Policy Department, Governance Department, although excludes the RedWaste Business Unit. The Waste Operations Business Unit is currently determining its fees and charges as part of the development of the 2011-2012 annual budget.

PURPOSE

Under section 97 of the *Local Government Act 2009* and various other sections of other Acts, Council may adopt commercial charges, cost-recovery fees and other fees. This report outlines the underlying parameters and assumptions that were used in the development of the forecast revenue.

BACKGROUND

Section 97 of the *Local Government Act 2009* provides that a local government may rely on its power as a legal entity to charge for services and facilities it supplies other than a service or facility for which a cost-recovery or other fee may be fixed.

Section 97 provides that a local government may, under a local law or resolution, fix a cost-recovery fee for any of the following:

- (a) an application for the issue or renewal of a licence, permit, registration or other approval under a Local Government Act (an application fee); or
- (b) recording a change of ownership of land; or
- (c) giving information kept under a *Local Government Act*; or
- (d) seizing property or animals under a *Local Government Act*; or
- (e) the performance of another responsibility imposed on the local government under the *Building Act* or the *Plumbing and Drainage Act*.

Other Acts also make provision for a local authority to raise charges in association with activities undertaken under their jurisdiction: for example, *Sustainable Planning Act 2009* and *Right to Information Act 2009*. These charges are identified by type in the attached Fees and Charges schedule.

ISSUES

The Schedule of Fees and Charges for 2011-2012 (excluding RedWaste Business Unit) has been developed as part of the 2011-2012 budgeting process and is now presented to Council for consideration and adoption. As attached, the Schedule of Fees & Charges for 2011-2012 includes commercial charges, cost-recovery fees and other fees covering the following areas:

Development and Community Standards

Including: Development Control, Animal Management, Health and Environment, Local Laws, Engineering Assessment, Design and Coordination, Planning Assessment, Building Certification and Building and Plumbing Services.

Customer and Community Services Group

Including: Caravan Parks and Camping, Redlands Performing Arts Centre, Interment and Community Services, Club Leasing, Community Halls, Major Venues, Library

Fees, Children Services, Respite Care Service, Advertising on Bus Shelters and Event Bookings – Parks and Reserves.

Operations and Maintenance Group

Including: Roads, Drainage and Quarries and Redlands IndigiScapes Centre.

Planning and Policy Department

Including: Infrastructure Road Construction and Infrastructure Planning.

Corporate Services Department

Including: Financial Management, Corporate Asset Information and Systems Engineering.

Governance Department

Right to Information applications and Legal Services.

Several workshops were conducted with Councillors as part of the budget development (including 21 February and 2 March 2011) to review the Schedule of Fees and Charges.

In adopting the Schedule of Fees and Charges for 2011-2012, (excluding RedWaste Business Unit), Council will provide the community with a clear statement of intent in relation to Fees and Charges for products and services of Council for the upcoming financial year.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Vision Outcome 9: *An efficient and effective organisation. In particular, the following outcome was the main consideration during the annual development of the forecast fees and charges revenue:*

9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council.

FINANCIAL IMPLICATIONS

The Schedule of Fees and Charges for 2011-2012 (excluding RedWaste Business Unit) provides the basis for the development of revenue estimates for products and services charged under the schedule for the coming financial year.

The Fees and Charges have been developed using a number of methodologies, in the main factoring in an increase of 4.5% on the 2010-2011 Fees and Charges as appropriate. This percentage was calculated by the Budget and Forecasting Team as part of the overall parameters for the development of the 2011/2012 budget. Another methodology commonly used to develop a fee or charge by Council officers is that of activity based costing. Although not conducted annually, this process is used periodically to capture and cost the direct and indirect related expenditure components that are consumed in the delivery of a particular Council service or facility.

The calculation for developing the 4.5% increase was based on the expected weighted expenditure profile for Council over four main categories of expenditure, these being; general expenditure, general construction costs, road and bridge expenditure and employee related costs such as salary and wages etc. Recent natural disasters and floods also impacted the weighting of the CPI.

Below is a breakdown of the calculation supporting the 4.5% (referred to as the 'RCC Blended CPI'):

RCC - Blended CPI Calculation - 2011/12			
Cost	Index %	Expense Proportion	Weighted CPI %
General	3.5%	48.29%	1.7%
General Construction	8.7%	3.89%	0.3%
Roads & Bridges	10.4%	8.37%	0.9%
Employee	4.0%	39.45%	1.6%
		100.0%	4.5%

Cost Assumptions

General:	Forecast CPI forecast for 2011/12 @ 3% plus 0.5% for flood impacts
General Construction:	Based on 4-year LGAQ historical average plus 2% for flood impacts
Roads & Bridges:	Based on 4-year LGAQ historical average plus 2% for flood impacts
Employee:	As per current RCC EBA (2009), 4% each year 2009, 2010, 2011

At the time of developing the 2011-2012 budget parameters, the Budget and Forecasting Team utilised statistical information both from Access Economics (September 2009 forecast), and the historical index analysis as provided by the Local Government Association of Queensland Inc. (LGAQ) Circular # 2009-049.

As noted in the above assumptions, both the construction index and roads and bridges index used have been sourced from LGAQ Queensland specific indexes.

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

General Managers and Group Managers have developed the fees and charges for their respective areas. Workshops were conducted with the Executive Leadership Group on 15 February and 28 February 2011 and with Councillors on 21 February and 2 March 2011.

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

Moved by: Cr Ogilvie
Seconded by: Cr Bowler

That Council resolve to adopt the Schedule of Fees and Charges for 2011-2012 (excluding RedWaste Business Unit), as per the attached documentation.

CARRIED (en-bloc)

16 ITEM DEFERRED FROM GENERAL MEETING 30 MARCH 2011

16.1 PLANNING & POLICY

16.1.1 SMBI EFFLUENT TREATMENT

Datworks Filename: LUP SMBI - General

Attachments: [Attach 1 - Temp Local Planning Instrument No 1](#)
[Attach 2 - Extract of Statutory Guideline 02/09](#)
[Attach 3 - Sustainability Study into the On-Site Wastewater Systems on SMBI](#)

Responsible Officer Name: Wayne Dawson
Manager Land Use Planning

Author Name: Michael Beekhuyzen
Senior Strategic Planner

EXECUTIVE SUMMARY

To reduce potential risks to public health and to protect the sensitive environmental values of the Southern Moreton Bay Islands (SMBIs) and surrounding Moreton Bay Marine Park from adverse impacts associated with on-site wastewater treatment systems, a Temporary Local Planning Instrument (TLPI) in accordance with the *Sustainable Planning Act 2009* (SPA) is proposed. A TLPI is a statutory instrument made under the SPA that affects the operation of the Planning Scheme for up to one year.

The TLPI is proposed to affect the operation of the Planning Scheme by requiring all new dwellings to install an advanced secondary wastewater treatment system as a minimum. An advanced secondary treatment system provides an improved level of wastewater treatment over the existing primary and secondary on-site wastewater systems that are currently used on the Islands to treat domestic wastewater. Accordingly, when operated and maintained correctly these higher performing on-site wastewater systems can in turn reduce potential risks to public health and the environment.

Previous studies have indicated that once development exceeds a density of four dwellings/ hectare in a catchment, an increased risk to public health and the environment arises. Once a catchment exceeds this density of development, alternative measures (such as higher performing on-site wastewater treatment systems) should be considered to reduce risks to public health and the environment where a reticulated network is not planned or contemplated for many years. An analysis of the current dwelling density by catchment shows that many catchments on the Islands exceed this density.

A TLPI is proposed as an interim precautionary measure to immediately address the increased potential risks to public health and the environment associated with on-site wastewater systems recognising that many catchments on the Islands exceed

density thresholds. The TLPI provides a temporary response allowing time to consider the results of recent surface water quality monitoring on the Islands and potentially future groundwater testing to gain a better understanding of the risks and impacts associated with existing on-site wastewater systems. This information will then provide a basis for a more informed response to the management of the risks of on-site wastewater that are expected to confirm the need to require higher performing on-site wastewater systems on the Islands. To implement an increase in the performance for on-site wastewater systems it is likely that a combination of either a local law or Planning Scheme Policy in conjunction with other amendments to the Planning Scheme will be needed. To consider recent water quality monitoring and adopt a response through either a local law or planning scheme policy and make other amendments to the Planning Scheme will require some time. There may also be opportunity to require higher performing on-site wastewater systems through the building codes of Queensland. Both approaches need to be discussed further with the Department of Infrastructure and Planning (DIP) whilst the TLPI is in place.

In accordance with the SPA, Council may seek to make a TLPI if it advances the purpose of the SPA and the Minister is satisfied that a number of specified criteria are met. These include risk of serious environmental harm, the delay in the amending the planning scheme would increase the risk, state interests are not adversely affected and the TLPI reflects the standard planning scheme provisions.

The proposed SMBI TLPI advances the purpose of the SPA to seek to achieve ecological sustainability by ensuring decision making processes:

- takes account of short and long-term environmental effects of development at local, regional, State and wider levels, including, for example, the effects of development on climate change; and
- applies the precautionary principle (the precautionary principle is the principle that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment if there are threats of serious or irreversible environmental damage)

PURPOSE

The purpose of this report is to seek Council endorsement to submit a proposed Temporary Local Planning Instrument to the Minister for Infrastructure and Planning that would require all new dwellings or existing dwellings undergoing significant alteration (domestic additions) on the SMBIs to install an advanced secondary on-site wastewater systems or above.

BACKGROUND

The Southern Moreton Bay Islands Planning and Land Use Strategy identified that the management of domestic wastewater is critical to the long-term sustainability of the Islands and the southern part of the Moreton Bay Marine Park. The Islands are currently not provided with a reticulated wastewater network. Wastewater is treated and disposed of on-site with most dwellings relying on primary treatments systems

(septic and sullage tank with adsorption trenches). Increasingly, new dwellings are installing secondary treatment systems (household treatment plants). This shift is considered to be largely the result of landowners seeking to reduce the trenching requirements required/bedroom to support the construction of an increased number of bedrooms. At present, there are approximately 3,000 primary treatment systems and 700 secondary treatment systems on the Islands.

The on-going use of primary wastewater treatment systems on the typical Island allotment size of 500-700m² is unsustainable. Alternative on-site systems are likely to be similarly unsustainable in the long-term. A reticulated wastewater network has been recommended as the long-term solution to the management of wastewater on the Islands.

Recent discussions with Allconnex Water have indicated that a reticulated network for the Islands is not currently included in forward wastewater infrastructure planning and would not be economically feasible at present. The most recent cost estimate to provide the reticulated network identified in the Sewerage Option Study is in excess of \$250 million. In addition, the necessary approvals to discharge from the two treatment plants sites identified in the Planning Scheme (Macleay and Russell Islands) into the Marine Park would be difficult to justify at this time. The two sites identified for treatment plants also have significant environmental constraints that need to be further investigated.

Allconnex Water have however indicated that an assessment of the feasibility of the reticulated network identified for the Islands by the Sewerage Options Study will be undertaken that focuses on economic viability of the infrastructure project and the likelihood of receiving the necessary approvals for two discharge points into the Marine Park. From these discussions, the provision of a reticulated network on the Islands is a long-term proposition at best.

In the meantime, potential risks to public health from surface water and groundwater contamination and environmental risks to the Islands sensitive freshwater wetlands and the surrounding Moreton Bay Marine Park are increasing as development continues on the Islands. To reduce risks to public health and the environment from on-site wastewater systems prior to a reticulated network being an economically viable alternative higher performing on-site systems will be required as an interim measure to reduce potential risks to public health and the sensitive Islands and bay environments.

The most recent investigation into wastewater (Supplementary Planning Study and Sewerage Options Study 2002) indicates that once development exceeds a density of four dwellings/hectare or one dwelling/2,500m² within any given catchment (natural water catchment) there is an increased risk to public health and the environment associated with primary on-site wastewater treatment systems. Once a catchment reaches or exceeds this density of development alternative measures (such as higher performing on-site wastewater treatment systems) should be considered to reduce risks to public health and the environment prior to a reticulated network being economically feasible.

An analysis of the current dwelling density by catchment shows that many catchments on the Islands exceed this density, supporting requiring higher performing on-site wastewater systems.

The impact of wastewater systems on public health risk and water quality (both surface and ground waters) within Island catchments that exceed the benchmark dwelling density has not been scientifically demonstrated at this time. The Department of Environment and Natural Resource Management have monitoring stations in the Marine Park in the vicinity of the Islands. This monitoring is however unable to provide a direct relationship with water quality and on-site wastewater management on the Islands.

Monitoring of surface water quality on the Islands has recently commenced with ground water quality testing also under consideration. The results of surface water quality will be available shortly and will provide a better scientific understanding of the impact of wastewater on surface water quality (stormwater run-off). This information can then be considered in determining an informed response to on-site wastewater management on the Islands.

In accordance with the precautionary principle, this lack of full scientific certainty into the impacts of on-site wastewater management on the Islands should not be used as a reason for postponing measures to prevent degradation of the environment if there are threats of serious or irreversible environmental damage. Preliminary feedback on current testing indicated that groundwater quality was being compromised and detrimental environmental effects were being experienced.

ISSUES

Temporary Local Planning Instrument

A Temporary Local Planning Instrument is a statutory instrument that assists in advancing the purpose of the *Sustainable Planning Act 2009* by protecting a planning scheme area (Redland City) from adverse impacts. The TLPI is proposed to affect the operation of the Planning Scheme to reduce potential risks to public health and the sensitive environments of the Islands and surrounding Marine Park from adverse impacts associated with on-site wastewater treatment and disposal. The TLPI would reduce risk by requiring all new dwellings to install advanced secondary wastewater treatment systems as a minimum.

An advanced secondary treatment system provides an improved level of wastewater treatment over the existing primary and secondary on-site wastewater systems that are currently used on the Islands to treat domestic wastewater.

These higher performing on-site wastewater systems can in turn reduce potential risks to public health and the environment provided residents maintain and operate these systems correctly.

A TLPI affects the operation of the Planning Scheme for up to one year (opportunity to extend if necessary) and requires approval of the Minister for Infrastructure and Planning in accordance with the following process:

Stage 1 Proposal	Step 1:	Council proposes to prepare a temporary local planning instrument (20 business days)
	Step 2	Minister considers the proposal. Notifies Council of agreement, with or without conditions. (20 business days)
Stage 2 Adoption	Step 3	Council decides whether to adopt. (10 business days)
	Step 4	Public notification of immediate effect of TLPI. (5 business days)
Statutory Guideline 02/09 Making or amending a local planning instrument.		

This report and the attached TLPI represent step 1 above if adopted. To assist the Minister in considering the proposed TLPI Council should also provide sufficient and relevant information to demonstrate how the TLPI complies with the relevant provision of the SPA (Section 105).

Section 105 of the SPA provides Council with a head of power to make a TLPI only if the Minister is satisfied that:

1. there is a significant risk of serious environmental harm, or serious adverse cultural, economic or social conditions happening in the planning scheme area (Redland City); and
2. the delay involved in using the process stated in Statutory Guideline 02/09 Making or amending a local planning instrument to amend the planning scheme would increase the risk; and
3. State interests would not be adversely affected by the proposed temporary local planning instrument; and
4. The proposed temporary local planning instrument appropriately reflects the standard planning scheme provisions.

It should be noted that all of the above requirements must be satisfied to support the proposed TLPI. The following sections of this report address the contribution the TLPI makes to advance the purpose of the SPA followed by an explanation on each of the above requirements.

Existing examples of TLPIs demonstrate the flexibility of the planning instrument with it being applied to affect infrastructure charges and contributions in the Gold Coast City and affecting land use definitions in the Sunshine Coast Region.

For further details on making a Temporary Local Planning Instrument refer to Attachment 1 taken from the Statutory Guideline 02/09 Making or amending a local planning instrument prepared by the Department of Infrastructure and Planning.

Advancing the purpose of the Sustainable Planning Act 2009

The TLPI advances the purpose of the SPA to seek to achieve ecological sustainability by ensuring decision making processes:

- takes account of short and long-term environmental effects of development at local and regional levels by requiring higher performing on-site wastewater management to reduce potential risks to public health and the sensitive natural environments of the Islands and the Moreton Bay Marine Park; and
- applies the precautionary principle (the precautionary principle is the principle that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment if there are threats of serious or irreversible environmental damage)

It should also be noted that the SPA does not specifically constrain a Planning Scheme from including provisions that regulate on-site wastewater facilities.

Criteria 1: Significant risk of serious environmental harm, or serious adverse cultural, economic or social conditions happening in the planning scheme area

The Island's sensitive ecosystems, the location of the Islands within the Moreton Bay Marine Park and public health concerns have been identified as at risk from on-site wastewater management on the Islands. The Southern Moreton Bay Islands Planning and Land Use Strategy endorsed by both Council and the State Government (albeit in a modified form) identified wastewater management as critical to the Islands long-term sustainability.

The most recent investigation into wastewater management (Sewerage Options Study 2002) indicates that once development exceeds a density of four dwellings/hectare or one dwelling/2,500m² within any given catchment (natural water catchment) there is an increased risk to public health and the environment associated with primary on-site wastewater treatment systems.

Once a catchment reaches or exceeds this density of development alternative measures (such as higher performing on-site wastewater treatment systems) should be considered to reduce risks to public health and the environment prior to a reticulated network being economically feasible. An analysis of the current dwelling density by catchment shows that many catchments on the Islands exceed this density supporting a requirement for higher performing on-site wastewater systems.

(Note: For further details of the study undertaken refer to Attachment 2: Sustainability Study into On-Site Wastewater Systems on the SMBIs. This study and the background investigations reviewed by the study will be provided to the Minister in support of the proposed TLPI.)

Recent discussions with Allconnex Water have indicated that a reticulated network for the Islands is not currently included in forward wastewater infrastructure planning and would not be economically viable at present. The most recent cost estimate to provide the reticulated network identified in the Sewerage Option Study is in excess of \$250 million. In addition, the necessary approvals to discharge from the two treatment plants sites identified in the Planning Scheme (Macleay and Russell Islands) into the Marine Park would be difficult to justify at this time. The two sites identified for treatment plants also have significant environmental constraints that need to be further investigated. From these discussions, the provision of a reticulated network on the Islands is a long-term proposition at best.

Higher performing on-site wastewater treatment systems

In the almost ten years since the studies into wastewater management on the Islands were undertaken advances have occurred in on-site wastewater technology that have made high performing systems more affordable and suited for a domestic application.

The Department of Infrastructure and Planning approves on-site wastewater systems that can be installed in Queensland below 21 equivalent persons (Note: wastewater equal or greater than 21 equivalent persons requires a license from the Department of Environment and Resource Management). To install an approved on-site system a resident requires approval from Council under the Plumbing and Drainage Act 2002.

There are different types of on-site sewage facilities approved for use in Queensland. These approved systems are grouped into the following classification based on compliance with performance characteristics:

- Primary quality;
- Secondary quality;
- Advanced secondary; and
- Advanced secondary with nutrient removal.

Table 1 provides a comparison of the performance characteristics of each on-site wastewater systems class currently approved for use in Queensland. This table illustrates the improvements in the quality of wastewater treatment as the systems move from primary quality systems having no performance compliance standard to advanced secondary with nutrient removal having the highest compliance performance standard.

The table shows the level of performance of on-site systems the proposed TLPI requires. For example, advanced secondary treatment improves the quality of the following performance characteristics over secondary systems which offer improved treatment to primary systems:

- Reduced consumption of dissolved oxygen in a day period by bacteria that perform biological degradation of organic matter (BOD5). A reduction in the consumption of dissolved oxygen improves water quality;
- Reduced total suspended solids. Reducing total suspended solids improves water quality;
- Significantly reduced Thermo-tolerant coliform organisms. Indicates a lower risk of waterborne diseases.

Whilst these improvements in wastewater quality can be provided through high performing on-site systems it is not known if these systems represent a long-term solution to treat domestic wastewater on the Islands. The previous investigations that identified a reticulated wastewater network should be revisited to consider these higher performing systems (advanced secondary with and without nutrient removal) as a possible long-term solution to domestic wastewater management.

Table 1: On-site Wastewater system performance comparison						
Treatment Systems	Compliance Characteristics (90% of samples)					
	Biological Oxygen Demand in 5 (BOD5) (g/m ³)	Total Suspended Solids (g/m ³)	Thermo Tolerant coliform (organisms per 100 ml)	Total Chlorine Conc (g/m ³ in 4/5 samples)	Nitrogen Conc (mg/l)	Total Phosphorus Conc (mg/l)
Primary Quality	<i>Primary effluent quality does not have an effluent standard to test against and as such no compliance characteristics are listed.</i>					
Secondary Quality	≤ 20	≤ 30	≤ 200	≥ 0.5	No Nutrient Removal	
Advanced Secondary	≤ 10	≤ 10	≤ 10	≥ 0.5		
Advanced Secondary with Nutrient Removal	≤ 10	≤ 10	≤ 10	≥ 0.5	≤ 10	≤ 5

Wastewater on the Islands is managed on-site, with most dwellings relying on primary treatments systems (septic and sillage tank with adsorption trenches). Increasingly, new dwellings are installing secondary treatment systems (household treatment plants). This represents a significant private investment that needs to be a consideration in the review of previous wastewater investigations. Opportunities to assess the satisfactory operation of the primary treatment systems should also be considered.

The cost of the systems to the resident in terms of installation and on-going costs generally increase with higher performing on-site systems along with the level of resident maintenance to ensure satisfactory operation. As assessment of the costs to a resident of installing an advanced secondary on-site wastewater system and land treatment and disposal areas indicates the following:

- Installation cost for a primary system is approximately \$1000.00 the cost for both secondary and advanced secondary at approximately \$5000-\$7000 and for advanced secondary with nutrient removal is significantly higher at \$12,000.
- Land application area (trenching requirements) reduced between primary and secondary treatment. Similar land treatment and disposal area required for secondary and advanced secondary;

In summary, requiring advanced secondary on-site wastewater treatment provides an improvement in wastewater treatment over existing primary and secondary systems currently on the Islands reducing risks to public health and the environment without having a major impact on housing affordability. The land treatment and disposal areas are similar for secondary and advanced secondary systems indicating that any water quality gains made by requiring advanced secondary treatment over secondary treatment will not be off-set by increases in dwelling occupancy on the Islands that would in turn increase the quantity of wastewater. Lastly, previous investigations into a long-term wastewater solution should be revisited to consider the improvements made in on-site wastewater systems.

Water Quality Monitoring

The impact of wastewater systems on public health risk and water quality (both surface and ground waters) within Island catchments that exceed the benchmark dwelling density has not been scientifically demonstrated at this time. The Department of Environment and Resource Management have monitoring stations in the Marine Park in the vicinity of the Islands. This monitoring is however unable to provide a direct relationship with water quality and on-site wastewater management on the Islands.

Monitoring of surface water quality on the Islands has recently commenced with ground water quality testing also under consideration. The results of surface water quality will be available shortly and will provide a better scientific understanding of the impact of wastewater on surface water quality (stormwater run-off). This information can then be considered in developing a more informed response to the management of wastewater on the Islands.

In accordance with the precautionary principle, this lack of full scientific certainty into the impacts of on-site wastewater management on the Islands should not be used as a reason for postponing measures to prevent degradation of the environment if there are threats of serious or irreversible environmental damage.

Criteria 2: The delay involved in using the process stated in Statutory Guideline 02/09 Making or amending a local planning instrument to amend the planning scheme would increase the risk

Before considering whether the delay in amending the planning scheme would increase the risk posed by on-site wastewater management on the Islands it should firstly be considered whether an amendment to the Planning Scheme is necessary and whether any legislative constraints exist.

Redlands Planning Scheme

The assessment provisions of the Redlands Planning Scheme relating to on-site wastewater systems on the Islands require an application for a material change of use application for a dwelling house to be supported by a plumbing approval or information that demonstrates that wastewater can be treated adequately by the on-site wastewater system proposed. As such, the Planning Scheme does not currently have provisions that require a dwelling house install advanced secondary treatment systems or above. An amendment to the Planning Scheme in accordance with the SPA would be required.

It should be noted that Council resolved in 2010 to provide opportunity for a dwelling house that meets a number acceptable solutions (including installing an advanced secondary treatment system) to be self-assessable as part of the next round of amendments to the Planning Scheme. Whilst this amendment to the Planning Scheme will provide an incentive to install an advanced secondary treatment system it does not require dwellings to install such a system.

Plumbing and Drainage Act 2002

The *Plumbing and Drainage Act (PDA) 2002* and *Standard Plumbing Drainage Regulation 2003* regulate on-site wastewater systems to prevent adverse effects on human health and safety or the environment. The Queensland Plumbing and Drainage Code provides performance solutions to meet the statutory requirements of the PDA.

Council currently regulates the installation of on-site wastewater systems on the Islands in accordance with the statutory requirements of the PDA. This regulatory framework does not support requiring advanced secondary treatments systems on the Islands alone.

Whilst this regulatory framework cannot be changed under a local planning instrument or a local law it does not prevent a local planning instrument or local law dealing with matters outside the scope of the regulation related to plumbing and drainage work or on-site wastewater work.

For instance, a past state government implementation notes regarding on-site wastewater and the role of planning schemes indicated that the Planning Scheme may identify areas where the use of on-site wastewater systems is constrained such as the Islands. Within these areas the higher standards than those in the PDA may

be required. These higher standards include specifying a higher standard of wastewater treatment.

Council may formalise the adoption of different standards by the making of a local law, or Planning Scheme Policy under the SPA. Higher standards may relate and refer to mapped areas in the planning scheme.

Through the Council and State senior officers working group, DIP representatives are also currently investigating opportunities to require advanced secondary treatment systems on the Islands through the building codes of Queensland. Should the investigation identify opportunity through the building codes to require higher performing on-site wastewater systems these opportunities may be pursued and replace the temporary instrument when it expires.

In summary, from this assessment, no specific legislative constraints have been identified to requiring higher performing on-site wastewater systems on the Islands through the Planning Scheme. Based on a past state government implementation note regarding on-site wastewater and the role of planning schemes, it is likely that a combination of either a local law or Planning Scheme Policy in conjunction with other amendments to the Planning Scheme will need to be implemented to require higher performing on-site wastewater systems on the Islands. To adopt these necessary local instruments will require some time. There may also be opportunity to achieve this outcome through the building codes of Queensland.

The analysis of the dwelling density within the Islands catchment already shows that many catchments exceed the identified threshold of 4 dwellings/hectare. Many of these catchments have a relatively higher level of infrastructure and amenity that has attracted residential development ahead of catchments that are below 4 dwellings/hectare. These catchments have significant numbers of residential zoned lots that remain vacant and are likely to be developed before catchments below the 4 dwellings/hectare. At the rates of development experienced over the last year an additional 200 dwellings (potentially with primary on-site wastewater systems) could be expected to be added over the next year with much of this development expected to occur in catchments already exceeding 4 dwellings/hectare. Above this threshold the risk to public health and the environment increase.

Criteria 3: State interests would not be adversely affected by the proposed temporary local planning instrument.

Under the SPA, state planning instruments express state interests in relation to development assessment planning matters. More than one tool may be used concurrently to address all aspects of a state interest. There are four types of state planning instruments:

- state planning regulatory provision (SPRP);
- regional plan;
- state planning policy (SPP)—these will have a 10 year life, requiring periodic review and

- remaking; and
- standard planning scheme provisions, known as the Queensland Planning Provisions (QPP).

Examples of the above state planning instruments include the SEQ Regional Plan and the Koala SPRP and SPP. The State interests as reflected in the above four types of state planning instruments would not be adversely affected by the proposed TLPI.

Prior to the introduction of the SPA and the establishment of the DIP, the State had considered operational principles to guide decision making for planning schemes and also outcomes for scheme drafting in deciding the role of planning schemes in regulating on-site wastewater management. Both these principles and outcomes sought to avoid regulatory duplication. They have also addressed the complementary and coordinating role of planning schemes in providing for comprehensive environmental assessment of development and its effects. In accordance with these principles, the role of planning schemes for on-site wastewater management had been confirmed provided Planning Schemes

- avoid duplicating the assessment of on-site sewerage facilities required under the PDA; and
- complement the existing regulation with respect to determining appropriate areas for urban
- growth and assessment criteria for reconfiguring of lots.

Through the 1st State Interest Review of the Redlands Planning Scheme (Version 1), the Department of Local Government, Planning, Sport and Recreation did not support specific provisions in the Planning Scheme to regulate on-site wastewater facilities. This decision had been made on the grounds that the proposed provisions would have resulted in the duplication of assessment already required under the *Plumbing and Drainage Act 2002*.

The proposed TLPI does not duplicate assessment already required under the *Plumbing and Drainage Act 2002*. The TLPI instead compliments the Act by providing a temporary planning instrument to set higher standards than required by the Act in recognition of the risks to public health and the environment posed by the continued use of primary and to a lesser extent secondary waste water treatment systems. Scope to require a higher standard is provided by the PDA.

Criteria 4: The proposed temporary local planning instrument appropriately reflects the standard planning scheme provisions.

The TLPI is considered to appropriately reflect the standard planning scheme provisions. The standard planning scheme provisions provides Council with the ability to prepare local planning instruments that respond to local issues within a standardised framework.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's strategic priority outcome 1 - *A diverse and healthy natural environment, with an abundance of native flora and fauna and rich ecosystems will thrive through our awareness, commitment and action in caring for the environment.*

FINANCIAL IMPLICATIONS

No significant financial implications arise with proposing a TLPI.

PLANNING SCHEME IMPLICATIONS

The Land Use Planning Group prepared this report with the outcome of recommendations in this report not requiring any amendments to the Redlands Planning Scheme at this time. Amendments to the RPS will be drafted and pursued within the 12 month life of the TLPI.

CONSULTATION

In preparing this report Land Use Planning has consulted with relevant units of the Sustainable Assessment and the Environmental Management Groups.

The proposal was presented to SMBI Communities Advisory Committee and was generally supported subject to further feedback.

Land Use Planning has also consulted with the Department of Infrastructure and Planning and Allconnex Water.

OPTIONS

PREFERRED

Council resolve to:

1. Prepare Redland City Council Temporary Local Planning Instrument No. 1: Southern Moreton Bay Islands On-Site Wastewater Treatment 2011 (Attachment 1) in accordance with the provisions of the *Sustainable Planning Act 2009*; and
2. Seek approval from the Minister for Infrastructure and Planning to adopt and implement the Temporary Local Planning Instrument.

ALTERNATIVE

That Council resolve not to prepare a Temporary Local Planning Instrument and to not seek approval from the Minister for Infrastructure and Planning for Redland City Council Temporary Planning Instrument No. 1: Southern Moreton Bay Islands On-Site Wastewater Treatment 2011 pursuant to the *Sustainable Planning Act 2009* (Attachment 1).

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Prepare a Redland City Council Temporary Local Planning Instrument No. 1: Southern Moreton Bay Islands On-Site Wastewater Treatment 2011 (Attachment 1) in accordance with the provisions of the Sustainable Planning Act 2009; and
2. Seek approval from the Minister for Infrastructure and Planning to adopt and implement the Temporary Local Planning Instrument.

COMMITTEE RECOMMENDATION

That Council resolve to:

1. Prepare a Redland City Council Temporary Local Planning Instrument No. 1: Southern Moreton Bay Islands On-Site Wastewater Treatment 2011 (Attachment 1) (as amended) in accordance with the provisions of the *Sustainable Planning Act 2009*; and
2. Seek approval from the Minister for Infrastructure and Planning to adopt and implement the Temporary Local Planning Instrument.

COUNCIL RESOLUTION OF 30 MARCH 2011

That this item be deferred to the General Meeting scheduled for 27 April 2011.

COUNCIL RESOLUTION

Moved by: Cr Townsend

Seconded by: Cr Reimers

That Council resolve that this item be deferred and referred to the Development & Community Standards Committee on 3 May 2011 and that Committee be delegated authority, under section 257(1)(c) of the *Local Government Act 2009*, to determine the matter.

CARRIED

17 DIRECT TO COUNCIL REPORTS

17.1 CORPORATE SERVICES

17.1.1 FINANCIAL STRATEGY 2011 - 2021

Datworks Filename: FM Financial Reporting
Attachment: [Financial Strategy 2011 - 2021](#)
Responsible Officer Name: Martin Drydale
General Manager Corporate Services
Author Name: Martin Drydale
General Manager Corporate Services

EXECUTIVE SUMMARY

The preparation and adoption of a long-term financial strategy is a key step in setting clear financial objectives and targets in order to demonstrate long term financial sustainability and stewardship. Council's 10 year Financial Strategy provides this policy framework to guide all future decision making on financial resource allocation.

The adoption of a Financial Strategy is good business practice but is also supported through the following State legislation:

- The *Local Government Act 2009*,
- The *Local Government (Operations) Regulation 2010*,
- The *Local Government (Finance, Plans and Reporting) Regulation 2010* and
- The *Local Government (Business Enterprises and Business Activities) Regulation 2010*

The detailed strategies and financial performance targets in the Financial Strategy set out financial priorities and boundaries that encourage efficient management of resources, equitable pricing models and measurable milestones.

PURPOSE

To seek adoption of Council's Financial Strategy 2011 to 2012/13.

BACKGROUND

Council has been considering its longer term strategic financial management policies, alongside its deliberations for setting the 2011/12 Budget, with a view to refining a 10 year financial policy framework in order to guide the achievement of the objective of financial sustainability for the City.

The Financial Strategy provides Council with an agreed roadmap for managing its financial resources and processes and is aligned with the objectives and priorities of its Community, Corporate and Operational Plans. Within the framework of the Financial Strategy, guidance is provided to support decision-making with respect to

capital and operating revenue and expenditure, asset and service management levels and strategic procurement.

The Financial Strategy represents a key step in establishing clear financial objectives and targets in order to demonstrate long term financial sustainability and stewardship. These are expressed in the Financial Strategy by the inclusion of forecasts for operating statements, balance sheets, cash flows and KPI's for each of the 10 years covered by the Strategy.

The Financial Strategy is reviewed annually by Council in order to ensure alignment with community and corporate objectives and also to provide assurance that the achievement of financial objectives and targets is being met. Over the next year the Financial Strategy will be refined and developed to ensure better integration with the developing strategic asset management planning, workforce planning and capital planning processes. This will then ensure that whole-of-life cost implications of major projects and workforce design are captured and can be reviewed prior to decision making in order to ensure strategic and financial fit for the organisation.

ISSUES

The 10-year financial model highlights a number of areas for consideration and action in formulating decisions on revenue raising and operational and capital resourcing over the life of the Financial Strategy. These can be summarised as:

- Current forecasts predict a growing reliance on general rate revenue from year 6 mainly as a result of declining returns from investments in Allconnex Water;
- Current forecasts predict reducing cash balances in years 2 and 3 before improving for the remaining years;
- Current forecasts predict a return to acceptable levels of operating performance from year 3;
- Current forecasts predict higher levels of borrowing however the costs of servicing these debts is within acceptable parameters; and
- Current forecasts predict that there is insufficient renewal spending on infrastructure assets however target renewal spending levels have been included in years 6 to 10 of the Financial Strategy which improve performance.

The Financial Strategy does provide a clear indication of an improving financial position for Council over the life of Strategy however this is as a result of significant reductions in both capital and operational expenditure to offset the loss of significant revenue mainly from State Government decisions to cap both water prices and infrastructure charges.

The Financial Strategy ensures that plans are in place for the achievement of financial sustainability targets, with more work required to ensure that asset sustainability targets are achieved.

I would like to acknowledge and thank all Councillors and staff in the development of the Financial Strategy for their support, input and feedback.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Council's Vision Outcome 9:

- 9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council
- 9.6 Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels
- 9.7 Develop our procurement practices to increase value for money within an effective governance framework

FINANCIAL IMPLICATIONS

The Financial Strategy provides a financial policy framework to guide decision making on financial resource allocation over the longer term in order to demonstrate and achieve financial sustainability.

As such, the Strategy is the first reference point for such decisions and will be reviewed annually to ensure that alignment with community and corporate objectives is maintained.

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 been carried out with all Councillors, Executive Leadership Group, senior financial advisors and financial staff in the development of the Strategy.

OFFICER'S RECOMMENDATION

That Council resolve to adopt the Redland City Council Financial Strategy 2011-2021 (as attached).

COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Henry

That Council resolve to defer consideration of this item to the next Corporate Services & Governance Committee.

CARRIED

17.1.2 REQUEST FOR CONTRACT TO BE AWARDED UNDER DELEGATED AUTHORITY BY CEO – SUPPLY OF RETAIL ELECTRICITY TO LARGE CONTESTABLE SITES (CONSUMING MORE THAN 100 MEGAWATT PER ANNUM) OWNED BY REDLAND CITY COUNCIL

Datworks Filename: FM Tendering - Supply Services
Responsible Officer Name: Brian Lewis
Manager Corporate Acquisitions Fleet & Facilities
Author Name: Andy Blacklock
Strategic Procurement Manager

EXECUTIVE SUMMARY

The current contract for the Supply of retail electricity to large contestable sites (consuming more than 100 megawatt per annum) owned by Redland City Council is due to expire on 30 June 2011.

In accordance with section 106 of the *Local Government Act 2009* and section 175 of the *Local Government (Finance, Plans and Reporting 2010)*, Redland City Council is intending to approach the market through Local Buy Pty Ltd as a collaborative group with five South East Queensland Councils for the purchase of electricity for these sites.

The scope of contract will allow individual Councils to:

- Choose 1 or 2 year terms of contract;
- Choose to purchase energy from renewable sources;
- Cover the supply to national meter identifier points as directed by each Council;
- Award and enter into individual contracts with the Supplier of Electricity.

PURPOSE

The purpose of this report is to delegate the Authority for the Chief Executive Officer to exercise the powers of delegation to enter into a new contract (BUS 210-0311) for the Supply of retail electricity to large contestable sites (consuming more than 100 megawatt per annum) owned by Redland City Council for a period of two years with the possibility of an extension for an additional 12 month period.

BACKGROUND

Redland City Council is intending to approach the market through Local Buy Pty Ltd as a collaborative group with the following five South East Queensland Councils for the purchase of electricity for sites owned by the Councils:

- Scenic Rim Council
- Logan City Council
- Moreton Bay Council
- City of Ipswich
- Redland City Council

Public tenders were advertised on the 9th April 2011. The closing date for the tender is 13th of May 2011.

Submissions will be assessed as follows:

- Tender submissions will be assessed against a two stage process of evaluation of mandatory criteria and non mandatory criteria. At the sole discretion of the Councils tender submissions not meeting the mandatory criteria may not be further assessed.

Stage One - Mandatory Criteria:

- Tenderers must supply to the satisfaction of the Councils all the elements listed under Mandatory Information required.
- Any financial checks undertaken on the company by the Councils must be to the satisfaction of The Councils.

Non Mandatory Criteria:

Tender submissions meeting the Stage One – Mandatory Criteria will then be evaluated against the Selection Criteria below:

- The tendered rates;
- The Tenderer's proposed pro-active approach to its business partnership including the contractibility and responsiveness of the account manager;
- The Tenderer's ability to provide value added services in a timely and cost effective manner and the curtailable load agreement proposed by the retailer;
- The data supplied on the Tenderer's accounts for individual NMIs and also the data supplied in the consolidated monthly accounts.

Representatives from each of the 5 Councils will be invited to form a panel to assess the submissions received.

RELATIONSHIP TO CORPORATE PLAN

Implement long term asset management planning that supports innovation and sustainability of service delivery, taking into account the community's aspirations and capacity to pay for desired service levels.

FINANCIAL IMPLICATIONS

Sufficient funds have been allocated in the 2010/2011 budget for this service. Funds for future financial years will be budgeted for accordingly.

CONSULTATION

The Manager Corporate Acquisitions, Fleet and Facilities was consulted in the preparation of this report.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Henry
Seconded by: Cr Ogilvie

That, under s.257(1)(b) of the *Local Government Act 2009*, the Chief Executive Officer be delegated authority to:

- 1. Accept a tender from and enter into a contract with the successful tenderer for the Supply of retail electricity to large contestable sites (consuming more than 100 megawatt per annum) owned by Redland City Council;**
- 2. To make, vary and discharge the contract;**
- 3. To sign all relevant documentation;**
- 4. Authorise the exercise of the options to extend the contract for a further two (2) terms of up to twelve (12) months each, subject to:**
 - a. satisfactory performance by the contractor during the previous contract period;**
 - b. a review of the contractor's proposed rates for the subsequent twelve (12) month period which is to be undertaken three (3) months prior to the termination of each contract period; and**
 - c. Chief Executive Officer approval two (2) months prior to expiry of the contract period.**

CARRIED

17.2 CUSTOMER SERVICES

17.2.1 SCHEDULE OF FEES AND CHARGES 2011-2012 FOR THE REDWASTE BUSINESS UNIT

Datworks Filename: WM-Fees and Charges
Attachments: [Attachment 1 Schedule of Fees & Charges](#)
Responsible Officer Name: Lex Smith
Manager Operations and Maintenance
Author Name: Pat Navin
Service Manager Waste Operations

EXECUTIVE SUMMARY

The *Local Government Act 2009*, together with the *Local Government (Operations) Regulation 2010*, the *Local Government (Finance, Plans and Reporting) Regulation 2010* and the *Local Government (Business Enterprises and Business Activities) Regulation 2010* are referred to and adhered to when developing the annual schedule of fees and charges for the RedWaste Business Unit. Specifically Section 20 and Schedule 1 (Pricing Provisions) of the *Local Government (Business Enterprises and Business Activities) Regulation 2010*

The Schedule of Fees and Charges for the RedWaste Business Unit for the 2011-2012 financial year includes full cost pricing and commercial charges and other fees. The range of fees and charges covers services that are provided by the RedWaste Business Unit.

PURPOSE

Under section 92 of the *Local Government Act 2009* and Part 3 of the *Local Government (Business Enterprises and Business Activities) Regulation 2010* and various other sections of other Acts, Council may adopt utility charges, commercial charges, and other fees and charges for carrying out the services by the RedWaste Business Unit. This report outlines the fees and charges agreed by Council through a series of workshops.

BACKGROUND

The RedWaste Business Unit is a Type 2 Business Unit under the *Local Government Act 2009*. Therefore, there is a legislative requirement that the fees and charges are full cost priced and that the business unit receives enough revenue to carry out the services it provides.

The Fees and Charges, including Waste and Recycling Utility Charges, have been developed using a financial model incorporating all costs of the business unit in carrying out the services, including competitive neutrality costs and return on capital as required by legislation. The cost of each activity is estimated by allocating the

relevant costs, outlined in the budget for the RedWaste Business Unit, of each activity resulting in a Full Cost Price for each activity.

Further to this the Queensland State Government are proposing legislation that will require the levying of commercial waste that will be landfilled. This levy is proposed to be applied to all commercial waste at \$35.00/tonne, from 1 December 2011. As commercial operators use Council's Kerbside Collection Service and dispose of waste to Council's Waste Transfer Stations, the levy will need to be applied to both the Waste and Recycling Utility Charges and the gate fees at the waste transfer stations. As utility charges can only be set once per year, it is proposed that commercial waste and recycling utility charges be adopted and implemented if the levy is confirmed. The levy has been calculated by deeming the following weights for bins as an average:

Bin Size	Tonnes/lift	Tonnes/annum	Levy component
140L	0.0075 (7.5Kg)	0.391	\$13.70
240L	0.0150 (15Kg)	0.783	\$27.40
Bulk Bin / m3	0.100	5.217	\$182.60

It is proposed that these new rates will only be applied if, and after, the levy comes into force. As the levy is due to come into force on 1 December 2011, the amount of levy that needs to be recovered will be 7 months, and this has been accounted for in the calculation of the commercial utility charges, for 2011-2012. Those properties that use Council's waste collection service and are subject to the levy will be switched to the new Waste and Recycling Charges, outlined in the attachment, from 1 January 2012.

Gate fees, however, can be adopted by Council at any time throughout the year and, therefore, it is proposed that the application of the levy to gate fees for commercial operators be undertaken once the legislation requiring the levy has been confirmed, i.e. at a later date. Therefore, those commercial gate fees presented in the attachment do not include the proposed waste levy.

New services are being offered for 2011-2012, including the:

- Continued option for residents to downsize their waste bin from a 240L to a 140L and pay no bin establishment charge;
- New option to increase their recycling bin from a 240L to a 340L and pay no establishment charge, subject to successful negotiations with service providers;
- New option to decrease their recycling bin from a 240L to a 140L and pay no establishment charge, subject to successful negotiations with service providers; and
- New option to include a 240L green waste bin are part of the service, collected fortnightly on the opposite week to the recycling collection, subject to successful negotiations with service providers.

The Waste and Recycling Policy POL2836 and Guideline GL2836 will need to be updated to reflect these changes in the services, including the roll out of red lids in accordance with the Australian Standard.

ISSUES

The Schedule of Fees and Charges including Waste and Recycling Utility Charges for 2011-2012 for the RedWaste Business Unit has been developed as part of the 2011-2012 budgeting process and is now presented to Council for consideration and adoption.

As attached, the Schedule of Fees & Charges 2011-2012 for the RedWaste Business Unit includes all fees and charges, including utility charges, agreed to by Council in the workshop held 13 April 2011.

The attachment also details commercial waste and recycling utility charges with the proposed waste levy component included and will become active if the levy is confirmed.

RELATIONSHIP TO CORPORATE PLAN

The recommendation primarily supports Vision Outcome 9: *An efficient and effective organisation*. In particular, the following outcome was the main consideration during the annual development of the forecast fees and charges revenue:

- 9.5 Ensure robust long term financial planning is in place to protect the financial sustainability of Council.

It also supports Vision Outcome 2: *Our green living* choices will improve our quality of life and our children's lives, through our sustainable and energy efficient use of resources, transport and infrastructure, and our well informed responses of risks such as climate change.

FINANCIAL IMPLICATIONS

The Schedule of Fees and Charges for 2011-2012 for the RedWaste Business Unit provides the basis for the development of revenue estimates for products and services charged under the schedule and provided by the RedWaste Business Unit for the coming financial year.

PLANNING SCHEME IMPLICATIONS

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

CONSULTATION

Workshops were conducted with Councillors and members of the Executive Leadership Group on 3 March 2011, 17 March 2011 and the 13 April 2011.

MOTION TO MOVE INTO OPEN FORUM AT 5.20PM

Moved by: Cr Boglary
Seconded by: Cr Ogilvie

That the meeting move into Open Forum to discuss the following item.

MOTION TO MOVE OUT OF OPEN FORUM AT 5.37PM

Moved by: Cr Elliott
Seconded by: Cr Bowler

That the meeting move out of Open Forum.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Boglary
Seconded by: Cr Murray

That Council resolve to adopt the Schedule of Fees and Charges for 2011-2012 for the RedWaste Business Unit, as per the attached documentation.

CARRIED

A division was called for.

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

Cr Williams voted in the negative.

Cr Burns was absent from the meeting.

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

18 NOTICE OF MOTION

18.1 NOTICE GIVEN BY CR TOWNSEND (DIVISION 5)

18.1.1 REQUEST FOR REPORT – PROPOSAL TO CHARGE FOR PARKING AT WEINAM CREEK FERRY TERMINAL

Background

The parking debate has reached a critical point at the Southern end of the Redlands with Council recently making announcements regarding the detail of its charging mechanisms whilst actual fees are still to be set.

The community of the Southern Moreton Bay Islands are considerably concerned about the equity of a situation where parking at Weinam Creek appears to have been singled out for charging whilst the two other mainland terminals of Toondah and Victoria Point are not being considered.

I do not believe that the questions relating to this have been adequately answered, or addressed sufficiently enough, for a clear understanding of the whys and wherefores of this debate, therefore, for this reason I am seeking a report to council that will clearly address this issue, and, if necessary, advise of any future plans for the Victoria Point and Toondah Harbour car parks and how charges will be incorporated into these plans.

In accordance with notice given on 15 April 2011, Cr Townsend moved as follows:

COUNCIL RESOLUTION

Moved by: Cr Townsend

Seconded by: Cr Henry

That council request a report for a subsequent Planning and Policy meeting that:

- 1. Provides sufficient information to address the issue of equity that has arisen over the proposal to charge for parking at the Weinam Creek ferry terminal; and, if necessary; and**
- 2. Clearly lays out any future plans for the Victoria Point and Toondah Harbour car parks and how charges will be incorporated into these plans.**

AMENDMENT MOTION

Moved by: Cr Reimers

Seconded by: Cr Boglary

That point 2 of the resolution be amended, by deleting the word 'will' and replacing with the word 'may', point 2 now reads as follows:

2. Clearly lays out any future plans for the Victoria Point and Toondah Harbour car parks and how charges may be incorporated into these plans.

On being put to the vote the amendment was **CARRIED**.

A division was called for.

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

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

Cr Burns was absent from the meeting.

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

The motion, with the amendment, became the motion and was put as follows:

That council request a report for a subsequent Planning and Policy meeting that:

- 1. Provides sufficient information to address the issue of equity that has arisen over the proposal to charge for parking at the Weinam Creek ferry terminal; and, if necessary; and**
- 2. Clearly lays out any future plans for the Victoria Point and Toondah Harbour car parks and how charges may be incorporated into these plans.**

CARRIED

A division was called for.

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

Crs Reimers, Murray, Williams and Ogilvie voted in the negative.

Cr Burns was absent from the meeting.

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

18.2 NOTICE GIVEN BY CR WILLIAMS (DIVISION 9)**18.2.1 REPEAL OF *NORTH STRADBROKE ISLAND PROTECTION AND SUSTAINABILITY ACT 2011***

In accordance with notice given on 20 April 2011, Cr Williams moved as follows:

COUNCIL RESOLUTION

Moved by: Cr Williams

Seconded by: Cr Ogilvie

That Council resolve to put forward their complete rejection of the recent “*North Stradbroke Island Protection and Sustainability Act 2011*” to the State Government requesting a repeal and outlining concerns with particular objections to:

- a) The loss of direct and indirect jobs in Redland City and in particular North Stradbroke Island;**
- b) The transitional economic planning being removed from Department of Employment, Economic Development and Innovation and transferred to Department of Environment & Resource Management;**
- c) The lack of consideration for Native Title discussions by allocating 20% National Park without broad consultation prior to an ILUA being signed; and**
- d) The mapping of National Park being placed over the Water Treatment Plant without any explanation of how that will impact on future water supply.**

On being put to the vote the motion was LOST.

A division was called for.

Cr Williams voted in the affirmative.

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

Cr Burns was absent from the meeting.

The motion was declared by the Mayor as LOST.

Cr Henry declared a conflict of interest, or a perceived conflict of interest, in the following item stating she was a member of the Wildlife Preservation Society of Queensland, Environmental Defenders Organisation and had associations with the Queensland Conservation Society.

Cr Boglary declared a conflict of interest, or a perceived conflict of interest, in the following item stating she attended meetings of the Birkdale Progress Association.

Cr Reimers declared a conflict of interest, or a perceived conflict of interest, in the following item stating she attended meetings of the Birkdale Progress Association.

Cr Murray declared a conflict of interest, or a perceived conflict of interest, in the following item stating she attended meetings of the Birkdale Progress Association.

The Mayor asked the Councillors to decide whether Crs Henry, Boglary, Reimers and Murray had a conflict of interest, or could reasonably be taken to have a conflict of interest in the matter. Councillors decided that they did not have a conflict of interest and that they be allowed to remain in the Chamber.

Crs Henry, Boglary, Reimers and Murray remained in the Chamber, voting in the affirmative.

19 MAYORAL MINUTE

Moved by: Cr Hobson

That Council resolves the following statement as its position in relation to the state government's recent announcement of key decisions impacting on North Stradbroke Island:

“While Council has been concerned by the lack of consultation leading to the recent announcement by the state government on a number of key decisions that will impact North Stradbroke Island, it at least welcomed the fact an announcement was made. Of course Council fully realises the decisions still do not offer certainty for the island community, and that many residents and business operators still have deep concerns about the future.

The state government decisions will have wide-ranging impacts that need to be properly understood. Setting up the Economic Transition Taskforce is a step in the right direction and we will urge the government to use this taskforce to commission relevant research and studies to undertake appropriate community consultation before committing to a final policy.

We have advocated to state government that it should establish a steering committee that will have oversight of achieving its vision for North Stradbroke Island including the Economic Transition Taskforce and a proposed Land Use Planning Committee. Council will have representatives on these committees and will be working for a socially, economically and environmentally sustainable future for the island.

Council's position is that it is unacceptable for any community to face significant impacts from government decisions without real and viable attempts to mediate those impacts.

Council recognises that an end to mining, whether it is tomorrow or in 20 years' time, needs to be coupled with a real understanding, real money and real commitments to assist a transition. Some of the things Council will ask the state government to do include:

- 1. use the Economic Transition Taskforce to update past studies undertaken on the island which would then be taken into account in decision-making;***
- 2. revamp Toondah Harbour to tailor its effectiveness as a tourism gateway and transport hub for islanders, as well as upgrading Dunwich facilities;***
- 3. establish a Land Use Planning Committee to oversee the community engagement and planning processes required to achieve the NSI vision including both indigenous and broader community aspirations;***
- 4. establish an Indigenous knowledge centre and island cultural centre (Council has endorsed a business model featuring a public cultural centre, to be co-located with a National Park office, a visitor information centre, a campground booking office and a state government shopfront);***
- 5. partner with Council in full and proper township planning;***
- 6. help Council to provide additional tourism infrastructure on Council-managed land.***

Council will not be used as a pawn by any political party, environmental group or other interest group.

Council will consistently advocate on behalf of the community in response to any policy – or alternative policy – relating to the future of North Stradbroke Island.

As a result of state government decisions about North Stradbroke Island, Council will likely be required to make decisions in the future about township planning on the island. Council assures the community that any decisions Council will make about township

planning will be done in full consultation with the community and based on up-to-date research and information.”

CARRIED

A division was called for.

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

Cr Williams voted in the negative.

Cr Burns was absent from the meeting.

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

20 CLOSED SESSION**MOTION TO CLOSE THE MEETING AT 6.46PM**

Moved by: Cr Boglary
Seconded by: Cr Elliott

That the meeting be closed to the public under section 72 (1) of the *Local Government (Operations) Regulation 2010* to discuss the following item:

20.1.1 North Stradbroke Island Indigenous Land Use 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

At 6.46pm Crs Townsend, Elliott, Murray, Henry and Boglary left the Chamber and the meeting became inquorate (Cr Burns was absent).
Crs Townsend, Elliott, Murray, Henry and Boglary returned at 6.52pm.

MOTION TO REOPEN MEETING AT 7.30PM

Moved by: Cr Murray
Seconded by: Cr Elliott

That the meeting be again opened to the public.

CARRIED

20.1 PLANNING & POLICY

20.1.1 NORTH STRADBROKE ISLAND INDIGENOUS LAND USE AGREEMENT

Datworks Filename: CP Native Title Claims – Quandamooka Minjerriba

Responsible Officer Name: Gary Photinos
Manager Environmental Management

Author Name: Dan Carter
Manager, Environmental Management
Andrew Ross
Manager, Legal Services

EXECUTIVE SUMMARY

A confidential report from Manager Environmental Management dated 22 March 2011 was discussed in closed session.

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Ogilvie
Seconded by: Cr Henry

That Council resolve the following:

- 1. To note the Strategic Update provided by the General Manager Planning and Policy;**
- 2. That pursuant to section 257(1)(b) of the *Local Government Act 2009*, the Chief Executive Officer be delegated authority to negotiate with the State Government and the Quandamooka People in the preparation of the Indigenous Land Use Agreements associated with the North Stradbroke Island native title determination;**
- 3. That Council will make the final approval of the Indigenous Land Use Agreement having a full understanding of the compensation for past, future acts and the outcomes of the negotiations; and**
- 4. That the details of the report and parts 2a to 2i and 3 of the resolution and all attachments remain confidential.**

CARRIED

A division was called for.

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

Cr Burns was absent from the meeting.

The motion was declared by the Mayor as **CARRIED** (unanimously)

MEETING CLOSURE

There being no further business, the meeting closed at 7.32pm

Signature of Chairperson:

Confirmation date:
